VIOLENCE IN PRISON:
A SITUATIONAL DESIGN PERSPECTIVE

Elizabeth Clare Heron

VIOLENCE IN PRISON:
A SITUATIONAL DESIGN PERSPECTIVE

By

Elizabeth Clare Heron

A thesis

Submitted to

The Faculty of Engineering and the Built Environment

University of Witwatersrand

In fulfillment of the requirement for the degree of

Doctor of Philosophy

Johannesburg 2013

ABSTRACT

This study examined prison violence that takes place in male correctional centres (prisons) in South Africa. Prison violence is examined as a product of situational design factors within the prison environment, where such factors motivate and provide opportunity for incidents of violence among offenders. Acts of violence among offenders are evaluated and contextualized in terms of forms, motivations, distribution and frequency of violence, following which prison violence is evaluated from a situational design perspective.

The research areas in this study determined the directives that govern prison architecture and examined the benchmarks that measure effectiveness in terms of prison design; determined the governing principles of environmental psychology theories and practices; evaluated the forms of violence that take place in maximum security prisons in South Africa and further determined the design features and construction materials adopted in prison design, that motivate and provide opportunities for violent behaviour which in turn jeopardize offender and staff safety.

Literature review in this study presented the history and evolution of prisons particularly the relationship between prison form and function, as well as the role of prisons in meeting the historical and current philosophies of punishment. In addition, literary theories surrounding environmental psychology and situational design were presented. Following this, literature was presented on the theoretical debate on the effectiveness of prison design on human behaviour, particularly violent behaviour that occurs in prisons.

This study examined the situational impact on prison violence within four correctional centres in South Africa namely, Johannesburg Correctional Centre, Pretoria Central Correctional Centre, Modderbee and CMax. The data collection process included discussions with prison personnel, assessment of historical data, participant observation, unstructured interviews with officials, surveys in the form of interviews and questionnaires with offenders.

Findings of this study presented prison violence from a situational perspective by identifying the specific locations within prisons that presented higher propensity for violence. Analysis of results demonstrated how prison design and construction material choice in prison design impacts on violence in prisons.

Findings further indicated that specific geographic locations within the prison environment motivated and provided opportunities for prison violence; that design features and material choice adopted in the prison environment motivated prison violence among offenders in male prisons and that design features applied in prison design motivated frustrations among offenders and in turn perpetuated violence among offenders.

The findings are presented from the perspective of the users of prisons, namely male offenders, and findings expose prison violence from the South African context.

DECLARATION

I declare that this thesis is my own unaided work.

It is submitted in complete fulfillment of the requirements of the degree of Doctor of Philosophy, in the Faculty of Engineering and the Built environment, University of Witwatersrand, Johannesburg, South Africa.

It has not been submitted before for any degree or examination in any other tertiary institution.

Signed_____Elizabeth Clare Heron

Date_____

ACKNOWLEDGEMENTS

I am eternally grateful to the following:

My Family for their love, support and encouragement.

My supervisor, Professor Raymond Nkado.

The Carnegie Corporation of New York, for funding this study.

The Institute of Criminology, University of Cambridge, UK, and the Division of Criminal Justice, University of Cincinnati, USA.

The staff who serve the Department of Correctional Services. In particular, Willie Aucamp, Hennie Kroukamp, Mr. Naidoo, JJ, Andrews, Pule, Ruth Mokoka and Chris Malgas.

All the offenders who contributed to this study.

TABLE OF CONTENTS

ABSTRACT ..... **iii**
DECLARATION ..... **v**
ACKNOWLEDGEMENTS ..... **vi**
CHAPTER ONE: INTRODUCTION **1**
1.1 BACKGROUND TO STUDY 1
1.2 RATIONALE FOR THE INVESTIGATION 8
1.3 JUSTIFICATION FOR THE STUDY 13
1.4 BENEFITS OF THE RESEARCH FINDINGS 15
1.5 STATEMENT OF THE RESEARCH PROBLEM 16
1.6 RESEARCH QUESTIONS 16
1.7 HYPOTHESIS 17
1.8 RESEARCH OBJECTIVES 18
1.9 RESEARCH METHODOLOGY 18
1.10 STRUCTURE OF THESIS 19
1.11 SCOPE AND LIMITATIONS 21
CHAPTER TWO: PRISON FORM AND FUNCTION – A HISTORICAL OVERVIEW .. **22**
2.1 INTRODUCTION 22
2.2 FIRST GENERATION PRISONS 24
2.2.1 Gaols *25*
2.2.2 Bridewells or the house of correction *27*
2.3 PRISON REFORM – THE INFLUENCES 42
2.3.1 John Howard *42*
2.3.2 Gaol fever *52*
2.3.3 Prison reform and religion *53*
2.3.4 Prison architecture – Constructing Reform *57*
2.3.5 Progressive stages *65*
2.4 SECOND GENERATION PRISONS 67
2.4.1 Second Generation prisons in the United Kingdom (1945 – 1958) *76*
2.5 THIRD GENERATION PRISONS: NEW GENERATION PRISONS 86
2.6 SUPERMAX, SEGREGATION AND SECURE HOUSING UNITS (SHU) 96
2.7 SUMMARY 102
CHAPTER THREE: SITUATIONAL INFLUENCES ON AGGRESSIVE BEHAVIOUR **104**
3.1 INTRODUCTION 104
3.2 HUMAN ECOLOGY 104
3.3 CPTED, DEFENSIBLE SPACE, TERRITORIALITY AND PROBLEM-ORIENTATED POLICING 112
3.3.1 CPTED *112*
3.3.2 Defensible space *114*
3.3.3 Territoriality *115*
3.3.4 Problem-orientated Policing *116*
3.4 CRIME PATTERN THEORY 116
3.5 SITUATIONAL CRIME PREVENTION 121
3.5.1 Rational Choice Theory and Routine Activity Theory *122*
3.6 PSYCHOLOGICAL THEORIES FOR AGRESSIVE BEHAVIOUR 140
3.6.1 Behaviour theory *140*
3.6.2 Classical conditioning *141*
3.6.3 Operant conditioning *142*
3.6.4 Social psychology and social learning theory *145*
3.6.5 Psychoanalysis and frustration aggression behaviour *147*
3.7 SUMMARY 148

CHAPTER FOUR: VIOLENCE IN PRISON.....150
4.1 INTRODUCTION 150
4.2 VIOLENT BEHAVIOUR 150
4.3 TYPES OF AGRESSION AND CAUSES OF VIOLENCE 153
4.4 PRISON VIOLENCE 156
4.5 EXPLAINING PRISON VIOLENCE 157
4.6 PRISON VIOLENCE AND THE PRISON ENVIRONMENT 162
4.6.1 Management and staff culture 164
4.7 PRISON DESIGN AND DESIGNATION 166
4.7.1 Location of assault 167
4.8 CROWDING AND DENSITY LEVELS 174
4.8.1 Crowding and violence 174
4.8.2 Security and overcrowding 188
4.9 FREQUENCY OF VIOLENCE 190
4.10 PRISONER COMPOSITION AND POPULATION CHARACTERISTICS 192
4.11 AGE 195
4.12 ETHNICITY AND CULTURE 196
4.13 STRATEGIES FOR CONTROL OF OFFENDER VIOLENCE 199
4.14 VIOLENCE IN SOUTH AFRICA'S PRISONS 201
4.15 SOUTH AFRICA'S PRISON GANGS AND VIOLENCE 209
4.16 SUMMARY 218
CHAPTER FIVE: PRISONS IN SOUTH AFRICA 220
5.1 INTRODUCTION 220
5.2 HISTORICAL DEVELOPMENT OF PRISONS IN SOUTH AFRICA 1700 - 1900 220
5.2.1 Incarceration and labor 221
5.3 HISTORICAL DEVELOPMENT OF PRISONS IN SOUTH AFRICA 1900 - 2000 224
5.3.1 Colonial prisons in South Africa 225
5.3.2 The Lansdowne Commission 226
5.3.3 The Prisons Act (1959) 227
5.3.4 The Detention Laws 229
5.3.5 The Strachan Report 230
5.3.6 The Hoffman Report (The ICRC investigation) 233
5.3.7 Red Cross Investigation 234
5.3.8 State of Emergency 1985 236
5.3.9 Incarceration during 1990's 236
5.4 CORRECTIONAL CENTRES IN SOUTH AFRICA (2000 – 2012) 240
5.4.1 Unit Management and New Generation prisons in South Africa 241
5.4.2 Prison Overcrowding 245
5.4.3 Offender Classification and overcrowding 253
5.4.4 Overcrowding and norm accommodation guidelines 263
5.5 PRISON ACCOMMODATION AND VIOLENT BEHAVIOUR 269
5.5.1 Accommodation types in Prisons in South Africa 271
5.6 SUMMARY 273
CHAPTER SIX: METHODOLOGY 274
6.1 INTRODUCTION 274
6.2 THEORETICAL BACKGROUND TO RESEARCH APPROACH 274
6.3 RESEARCH APPROACH ADOPTED IN THIS STUDY 276
6.3.1 Qualitative approach 278
6.3.2 Quantitative approach 279

6.3.3 Rational for choice of research approach applied in this study 279
6.3.4 Case study research – a critique 281
6.3.5 Summary 282
6.4 DATA COLLECTION – THE APPROACH AND STRUCTURE 283
6.4.1 Phase three - Data collection process 284
6.5 SURVEYS 294
6.5.1 Interviews 294
6.5.2 Group discussions 297
6.5.3 Questionnaire 298
6.5.4 Constraints 303
6.6 SELECTION CRITERIA FOR CASE STUDIES 303
6.6.1 Recommendations and Access 306
6.7 THE CASE STUDIES SELECTED FOR THIS STUDY 309
6.7.1 Case Study One – Johannesburg Correctional Centre 309
6.7.2 Case Study Two – Modderbee Correctional Centre 312
6.7.3 Case Study Three – Pretoria Central Correctional Centre 316
6.7.4 Case Study Four – Pretoria CMax 319
6.8 DATA PROCESSING AND ANALYSIS 326
6.8.1 Units of analysis 326
6.8.2 Data analysis 328
6.9 ETHICAL ISSUES 329
6.10 SUMMARY 330
CHAPTER SEVEN: RESULTS 331
7.1 INTRODUCTION 331
7.1.1 Data analysis presentation 332
7.2 SECTION ONE: RESPONDENTS' BIOGRAPHICAL BACKGROUND AND HISTORY 333
7.3 SECTION TWO: FORMS OF VIOLENCE IN MALE MAXIMUM SECURITY PRISONS 343
7.3.1 Forms of violence 343
7.3.2 Frequency of assault 374
7.4 SECTION THREE: THE DESIGN FEATURES WHICH MOTIVATE OR PROVIDE OPPORTUNITIES FOR VIOLENT BEHAVIOUR 384
7.5 SECTION FOUR: EFFECTS OF PRISON DESIGN AND MATERIAL CHOICE ON PRISON VIOLENCE 399
7.6 SECTION FIVE: RESPONDENTS' PERCEPTION OF SAFETY IN PRISON 414
7.7 RESEARCH HYPOTHESIS REVISITED 422
7.8 SUMMARY 426
CHAPTER EIGHT: CONCLUSIONS AND RECOMMENDATIONS 427
8.1 INTRODUCTION 427
8.2 RATIONALE FOR THE STUDY 427
8.3 SUMMARY OF MAIN FINDINGS 429
8.3.1 Directives that govern prison architecture 429
8.3.2 Environmental theories and practices 431
8.3.3 Forms, motivations, distribution and frequency of violence 432
8.3.4 Design features and construction materials that motivate violent behaviour 436
8.3.5 The application of situational crime prevention strategies for situational prison control 442
8.4 RECOMMENDATIONS FOR FURTHER STUDIES 451
8.5 CONCLUSIONS 452

REFERENCES **455**

APPENDIX 1: **ILLUMINATIONS OF PUNISHMENT AS PRESENTED ON THE PSALTER** **479**
APPENDIX 2: **INTERVIEW SCHEDULE** **481**
APPENDIX 3: **SCHEDULE OF INTERVIEWS AND GROUP DISCUSSION** **486**
APPENDIX 4: **OFFENDER INTERVIEW/QUESTIONNAIRE** **493**
APPENDIX 5: **OFFENDER INTERVIEW AND QUESTIONNAIRE AT CMAX** **532**
APPENDIX 6: **EXAMPLES OF MANUFACTURED WEAPONS CONFISCATED AT MODDERBEE CORRECTIONAL CENTRE** **565**
APPENDIX 7: **INTERNAL CONFIGURATION OF COMMUNAL CELL AT MODDERBEE CORRECTIONAL CENTRE** **567**
APPENDIX 8: **IMAGES OF JOHANNESBURG CORRECTIONAL CENTRE** **569**
APPENDIX 9: **IMAGES FOR MODDERBEE CORRECTIONAL CENTRE** **574**
APPENDIX 10: **IMAGES FOR PRETORIA CORRECTIONAL CENTRE** **578**

LIST OF TABLES

Table 2.1: The Auburn and Pennsylvania prison systems 56
Table 2.2: Institution and classification of prisoner 68
Table 2.3: Design proposals for prisons in the United States of America 71
Table 2.4: Design variables to be applied in New Generation prisons 91
Table 3.1: Twenty five Opportunity-Reducing Techniques 129
Table 3.2: Interpretation and application of the Opportunity-Reducing Techniques and Situational Prevention Techniques 129
Table 3.3: Precipitation-control strategies in prison 137
Table 3.4: Opportunity-reducing strategies in prison 138
Table 4.1: Types of aggression 154
Table 4.2: Toch's (1992) typology of violent behaviour 155
Table 4.3: Components of conflict 159
Table 4.4: Prison violence and the prison environment 170
Table 4.5: Causes and effects of crowding on prison violence 184
Table 4.6: The probability of going to prison based on age of offender 196
Table 4.7: Summary of promising strategies for control of prisoner-prisoner violence 200
Table 4.8: Assault complaints from offenders received by the JICS 202
Table 4.9: Offender racial compositions of offenders at 31st December 2011 207
Table 4.10: Customer survey 208
Table 4.11: Types and function of prison gangs 212
Table 4.12: Military organization of the 28 gang 215
Table 5.1: Prisoner Classification 228
Table 5.2: Detention Laws of South Africa from 1960 229
Table 5.3: The number of correctional centres and percentage of offenders per region at 31 March 2011 245
Table 5.4: Eighteen correctional centres considered critically overcrowded 249
Table 5.5: The set standards for living/sleeping accommodation 263
Table 5.6: Norm guidelines for allowable area per inmate for all other prison areas 264
Table 6.1: Selection criteria for research method 280
Table 6.2: Distribution and the rate of return in the four Correctional Centres 302
Table 6.3: Unit function, allowable capacity *vs.* actual accommodation as at 17 July 2007 313
Table 6.4: Pretoria Central housing unit categorization 318
Table 6.5: Offender and housing criteria and classification within CMax 324
Table 6.6: Reported incidents of assaults between 1999 and 2003 in CMax 325
Table 7.1: Research Questions and Objectives governing the data collection 331
Table 7.2: Numerical breakdown of the respondents from the 4 sample Correctional Centres 334
Table 7.3: Racial composition of respondents 334
Table 7.4: Respondents' Ancestral tribe 335
Table 7.5: Age categories of respondents 336
Table 7.6: Length of incarceration at current institution 339
Table 7.7: Categories of offenses 340
Table 7.8: Security classification of respondents 342
Table 7.9: Respondents' housing category 343
Table 7.10: Cross tabulation of prison samples and threats to safety 344
Table 7.11: Chi Square test for prison samples and threats to safety 345
Table 7.12: Respondents' experience of assault by another offender 346

Table 7.13: Chi – Square test for prison sample and respondents' experience of assault by another offender 347
Table 7.14: Reasons for respondents' involvement in a fight cross-tabulated with four sample prisons 348
Table 7.14b: Chi-square test for prison samples and reasons for respondents' involvement in a fight 349
Table 7.15: Cross tabulation of assault and ethnicity 351
Table 7.16: Chi-Square Test for ethnicity and assault 351
Table 7.17: Cross tabulation assault and housing type 351
Table 7.18: Chi-Square Test for assault and housing type 352
Table 7.19: Respondents' involvement in assault cross-tabulated with housing type 353
Table 7.20: Frequency of witnessing an assault 355
Table 7.21: Assault frequency cross-tabulated with prison sample 355
Table 7.22: Cross tabulation for reasons for assaults among other offenders and prison sample 356
Table 7.23: Common reasons for assaults among offenders cross-tabulated with living accommodation 357
Table 7.24: Weapons adopted during an assault cross-tabulated with prison sample 361
Table 7.25: Weapons adopted during an assault cross-tabulated with accommodation 362
Table 7.26: Injuries brought about as a result of assaults 365
Table 7.27: Types of prison gangs cross-tabulated with prison sample 368
Table 7.28: Gang propensity to be involved in assaultive behaviour cross-tabulated with prison sample 370
Table 7.29: Motives for assaultive behaviour by prison gang members 371
Table 7.30: Planning of violent assaults between offenders in prison 374
Table 7.31: Time of day perceived as safer 375
Table 7.32: Cross tabulation for time frequencies and type of accommodation 375
Table 7.33: Chi-Square Test for time frequencies for safety and type of accommodation 376
Table 7.34: Time of day for increased likelihood of assault 376
Table 7.35: Specific activities associated to the frequency of assaults 378
Table 7.36: Motivation for assaults associated to assault frequencies 378
Table 7.37: Perceptions of safety in relation to day of week 379
Table 7.38: Motivations for increased assaults during specific months of year 382
Table 7.39: Respondents' perception of whether prison is safe 385
Table 7.40: Perception of safety for all areas of the prison 385
Table 7.41: Areas of risk inside the prison cross-tabulated with the 4 case study prisons examined in this study 387
Table 7.42: Motivations for assaultive behaviour in specific prison locations 397
Table 7.43: Prison facilities most likely to be damaged or in need of repair 399
Table 7.44: Facilities recommended to be incorporated into cells 403
Table 7.45: Cross tabulation of frustrations of communal living and ethnicity 406
Table 7.46: Chi-Square test for frustration and Ethnicity 406
Table 7.47: Frustrations associated with protection of personal belongings 407
Table 7.48: Frustration as a result of personal safety 408
Table 7.49: Frustration as a result of the risk to others' safety 409
Table 7.50: Frustration associated with lack of security provided by officials 410
Table 7.51: Respondents' preference of cell type (communal cell respondents) 411
Table 7.52: Cross tabulation of Ethnicity and preference to housing type (Single cell respondents) 412
Table 7.53: Chi-Square test for Ethnicity and housing preference 412
Table 7.54: Grounds for preference for single cell accommodation 413

Table 7.55: Factors that influence respondents to remain in their cell 414
Table 7.56: Factors to improve the safety of prisons cross-tabulated with prison sample 415
Table 7.57: Locations where additional officials required 419
Table 7.58: Benefits of undertaking a Correctional Program 421
Table 8.1: Twenty Five opportunity-reduction techniques in the prison environment 443
Table 8.2: Precipitation control strategies in communal cells 447
Table 8.3: Opportunity reducing strategies in communal cells 449

LIST OF FIGURES

Figure 1.1: Structural mapping of Thesis 20
Figure 2.1: Newgate Prison 35
Figure 2.2: Howard's (1777) plans for the construction of a county gaol 45
Figure 2.3: Howard's (1777) proposals for window blinds and beds 46
Figure 2.4: The house of correction in Rome 49
Figure 2.5: The Maison de force Ghent 50
Figure 2.6: Image of the Panopticon 60
Figure 2.7: Pretoria Central Correctional Centre entrance 62
Figure 2.8: Radial prison designs as adopted by Johannesburg Management Area 63
Figure 2.9: Examples of the security barrier principle applied to varying security prisons 89
Figure 3.1: The relationship between environment and behaviour 120
Figure 3.2: Interpretation of the environment behaviour relationship 121
Figure 3.3: Opportunity Structure for Crime 126
Figure 3.4: Two-stage model of situational prison control 136
Figure 4.1: Relationship of variables affecting social density and prison violence 184
Figure 4.2: Reported assaults recorded per year by the DCS 202
Figure 5.1: Total inmate population in South Africa between 1995 and 2011 244
Figure 5.2: Occupancy rates in prisons per region for the years 2010 and 2011 248
Figure 5.3: Crime categories of offenders incarcerated in 2002, 2006 and 2011 252
Figure 5.4: Remand detainees detention periods per region at 31st March 2012 255
Figure 6.1: Procedure to undertake research through the DCS 283
Figure 6.2: Aerial view of Johannesburg Management Area 310
Figure 6.3: Aerial view of Modderbee Correctional Centre 313
Figure 6.4: Aerial view of Pretoria Correctional Centre 317
Figure 6.5: Aerial view of CMax 319
Figure 6.6: Units of Analysis 327

CHAPTER ONE: INTRODUCTION

1.1 BACKGROUND TO STUDY

This study investigates the influence of prison design on violent behaviour in male maximum security prisons in South Africa. Violent behaviour is examined in relation to the prison environment and area of assaults; the forms, motivations, distribution and frequency of assault; the method employed and the instruments used in violent assaults. Prison design is examined for the opportunities it provides for the violence to take place.

The study examines violent behaviour between male offenders. The type of violent behaviour assessed involves individual violence rather than any form of collective disorder, such as riots. According to Dillingham and Montgomery (1985:20) collective disorder (riot) in prison is defined as disorder that involves 15 or more offenders and which results in *"property damage or personal injury*". Other definitions indicate that 5 or more offenders need to participate in disruptive behaviour for the behaviour to be classified as a riot (Wortley, 2002). Generally, prison disturbances are classified as collective disorder (riots) when additional staff are required to control the disruption (Wortley, 2002) and when the environment is seized or controlled by offenders as a result of force. The result of the action is willful destruction of the property and demands are made by the offenders for some form of change to the environment (Flynn, 1976). Much research has been undertaken within the field of collective prison disorder and prison design has altered to prevent collective violence (riots) from occurring. However, little research has been undertaken which addresses prison design in relation to individual non-collective offender violence (Atlas, 1982; Wortley, 2002).

In this study prison violence, offender-on-offender violence and offender violence are rhetoric for physical assault between offenders. Assaults on officials by offenders, offenders by officials, assaults by offenders on visitors, self-inflicted assault (self-harming) and offender assaults that take place as a result of escapes are not addressed in this study. Prison violence is contextualized in the prison environment as a product of or response to the

physical environment, where the physical environment presents opportunities and motivations for violent assaults between offenders.

There are two specific perspectives of prison violence. The first focuses on the type of person involved in the violent behaviour and in the prison environment that is inhabited by the violent offender. This view posits that prison violence is a direct result of violent offenders; the violence carried out would occur in any setting where violent people are accommodated (Cohen, 1976 and Toch, 1976). The second view argues that prison violence is a product of the prison environment. This view posits that prison architecture and specific control measures employed, such as staff and technology, impact on the levels of violence in the prison setting (Toch, 1997). While both viewpoints are valid assumptions for the causes of prison violence the situational context of prison violence leans more toward the view that prison violence is a product of the prison environment. Despite leaning toward this view the proposition for this study does not suggest that prison architecture produces violence. The supposition is rather that prison violence is affected by prison architecture and as such can be increased or decreased through specific design variables in prison architecture (Wortley, 2002).

While this study examines prison violence and prison design in male prisons in South Africa it builds on previous research by applying and further developing the theories of Atlas (1982) and Wortley (2002). Atlas (1982) examined the architectural determinant of prison violence within four male prisons in Southwestern United States and Wortley (2002) considered situational explanations of crime where specific crimes or behaviours can be examined with reference to specific environments. Moreover, this study applies Wortley's (2002:4) *sub-environment* proposition and examines why certain behaviours take place in certain locations in a prison and why certain areas of a prison are more dangerous (perceived or actual). The study further examines why offenders who are housed in certain areas are more likely to carry out certain violent assaults.

Given that prison architecture has evolved to meet with the theories of punishment, prison architecture has reflected the purpose of punishment at any given period; as the rationale for

punishment has changed prison architecture has altered to suit. In order to examine prison violence and prison architecture this study will commence with an overview of the development and evolution of prison design in three geographic locations namely: United Kingdom, United States of America and South Africa. The rationale for examining the prison systems in the three specific locations is the impact Britain and America have had on other prison systems particularly on the African continent and specifically South Africa. The design of prisons in South Africa is based on prison designs from Britain, and South Africa adopted the British model for offender classification in 1986 (Van Zyl Smit, 1992). The study examines adult male prisons that impose incarceration as a punishment for major offenses and as such explores prisons classified as maximum security.

Since Howard's (1792) attempt to humanize and improve prison conditions in England between 1773 and 1790 little has changed with regard to prison design and function (Wilson, 1934). Although several innovative prison designs have emerged since Howard (1792) it has been stated that today, 200 years later from Howard's initial vision, the only similarity between the prisons of 200 years ago and the prisons of today is the lack of improvement in prison conditions with specific reference to prison design (Luyt, 1999). In a number of specific cases many of Howard's initial theories for prison architecture particularly for the purpose of offender segregation are finding their way back into prison architecture. Howard's (1792) vision for prison architecture sought to reduce the spread of gaol fever and improve offender rehabilitation through religion and solitude. Recently, borrowing from Howard's (1792) theories prison architecture has sought to reduce offender violence and enforce more direct supervision and control over offenders in a number of settings. The most extreme example of prison architecture being adopted for offender control and segregation is the current trend to construct *Secure Housing Units* (SHU) or *Extended control units* (ECU's) as separate prisons or within existing prisons (Collins, 2004 and Morris, 2000).

However restrictive and imposing prison architecture is on the individual offender and despite the application of rigorous security, the levels of prison violence have gradually increased. Prior to 1950 prison violence was sporadic and violence using weapons was uncommon (Atlas, 1982). It is widely agreed that there has been a shift in the levels, nature

and way in which prison violence is carried out (Park, 1976). Evidence suggests that on the whole, more prison violence is taking place and more violence between equal contenders is taking place; ethnicity and offender history particularly background are affecting the nature of prison violence (Toch, 1976). It is widely noted that in America aggressors in prison tend to be young, black, urban, gang affiliated offenders while their victims are increasingly young, white, unsophisticated males (Toch, 1976). In line with the growing levels of prison violence the nature of prison violence has altered. Since 1950 both the frequency and severity of violent assaults in prisons particularly using weapons has increased (Atlas, 1982). Although much debate is awarded to the rationale for the growing levels of prison violence, the rate of assaults in male prisons is estimated to be three times that of the general community (Wortley, 2002 citing Cooley, 1993). Wortley (2002) suggests that 26,000 offender assaults and 82 deaths were recorded in US prisons during 1995 although according to Wortley (2002) citing Cooley (1993) the actual number of assaults might prove to be five times greater than those recorded.

An example of the escalating levels of prison violence globally is demonstrated in the prison violence statistics for the State of California, USA. Statistics suggest that 366 incidents of prison violence (offender-on-offender and offender-on-official) occurred in 1970 in the State of California. By 1974 the number had risen to a total of 1, 022 recorded incidents (Park, 1976).

According to the California Department of Corrections and Rehabilitation (CDCR) (2005) the total number of inmate on inmate assaults in California institutions increased from 6,868 in 1996 to 13, 686 in 2005. According to the CDCR (2005), the levels of assault /battery between offenders, offenders on staff, and on visitors in both male and female prisons increased by 3,193 incidents from 1994 to 2004. Moreover, statistics by the CDCR (2005) suggest 4,022 recorded incidents of assault/battery occurred in 1994; 1,837 with a weapon and 2,185 without a weapon. A total of 7,217 recorded incidents occurred in 2004 of which 1,790 involved a weapon and 5,427 occurred without a weapon. In both male and female prisons assaults/battery offences with weapons accounted for 14.6% of the assault/battery attacks and 44.1% of assaults/battery took place without using a weapon. The rate of

stabbing incidents represented 9.0% of the total incidents. Where fatalities occurred as a result of assault/battery, overall the statistics of fatalities between the years 1993- 2004 suggest the highest number of offenders killed through violent attacks was 16 in 1997 and the fewest being 4 in 1995. The statistics by the CDCR (2005) suggest that overall assaults without a weapon increased whereas assaults using a weapon remained relatively constant throughout the ten years presented.

While it is agreed that over the years prison architecture has sought to meet with the theories of punishment, recently the trend for prison architecture has sought to provide facilities that encourage the application of unit management. Unit Management strategies are principally met through New Generation prisons, the third movement in design principles for prisons. New generation prisons promote housing smaller groups of inmates (50-100) in smaller self-contained housing units. All the units are managed by a multidisciplinary team of staff. The main principles for the application of unit management are correction, care and control and as such closer relationships are encouraged between staff and offenders (Toch, 1997). In an attempt to meet the challenges of overcrowding, the control of offenders and the aim of providing *centres of excellence* the Department of Correctional Services in South Africa have embraced the New Generation and unit management philosophies. The Department of Correctional Services has highlighted the significance of all correctional centres and facilities to be *needs based* and it believed that New Generation prisons meet with the needs based principles (Department of Correctional Services, 2005a). As noted by the Department of Correctional Services (2005a:172):

"The correctional facilities of the Department should be designed as Correctional Development Centres that are designed to provide facilities which make provision for rehabilitation, adequate security and conditions consistent with human dignity. The prototype design should be sufficiently flexible to allow for sections of the correctional centre to accommodate a particular category of offender, with the necessary specific features that they require inherent to the design".

In order to meet these challenges the Department of Correctional Services (n.d.a) strategic plan for 2006/7 – 2010/11 indicates the Department of Correctional Services proposal to construct four of the first New Generation correctional centres providing accommodation for 12 000 inmates. While the theories of unit management have been applied in 36 prisons in South Africa through the initiation of Centres of Excellence, only one New Generation prison built specifically for the application of unit management has been completed during the time of this study (Department of Correctional Services, 2010). Notwithstanding the completion of one prison based on unit management philosophies, results indicating the success of the new correctional centre in meeting the unit management philosophies have not, to date, been tested or reported. Therefore, the question of whether New Generation prisons will work in South Africa has not been addressed despite three further prisons being proposed for construction. While support for the application of the New Generation philosophy is given as one mechanism to alleviate overcrowding, each new prison is proposed to accommodate 4 000 offenders. Although their allowable capacity will reduce overcrowding in a number of existing prisons, each new prison might as a result become overcrowded. It is significant to note that while the Department of Correctional Services (2012a) concentrates on levels of overcrowding and persists in holding overcrowding accountable for many problems, research suggests that overcrowding in prisons and the overall size of a prison has little to do with prison violence.

Farrington and Nuttall (1985) examined the effects of large prisons on offender behaviour during incarceration and post release. They specifically examined the correlation between large prisons and levels of violence within the prison and recidivism levels after release. *Large prisons* indicate the size of the prisons where the size reflects the large numbers of offenders that can be accommodated. Large prisons are not necessarily *overcrowded* prisons; overcrowded prisons are those facilities that accommodate a greater number of offenders than the prison was originally designed to house. Farrington and Nuttall (1985) argue that previous research recommends prisons should be designed to accommodate between 150 and 1200 offenders although studies inconclusively indicate the rationale for these figures. Farrington and Nuttall (1985) examined previous studies by Sylvester, Reed and Nelson (1977), the South Carolina Department of Corrections, and Megargee (1976). All the studies

do not conclusively present the relevance between prison size and prison violence; large prisons do not necessarily present higher levels of assault. However, Farrington and Nuttall (1985) citing Paulus, McCain and Cox (1978) indicated the importance of overcrowding in prisons and linked overcrowding to high stress, psychological impairment and high mortality rates. In analyzing the Home Office prison (UK) statistics for 1978 Farrington and Nuttall (1985:118) argue that in closed prisons as the size of the institution increases the *"average number of offences per institution also tends to increase"* although the average number of offences per offender was lower in larger institutions (400+ offenders). Bowker (1980:30) argues that it is not the levels of overcrowding that is significant but rather the type of offender causing the overcrowding that is important.

When assessing assaults in training prisons the number of assaults per 100 offenders tends to decrease with the size of the prison population although assault rates did not correlate to size in local prisons. Farrington and Nuttall (1985) suggest the difference is related to overcrowding and not specifically to prison size; local prisons tend to be more overcrowded than training prisons. In 1978 the 24 local prisons examined by Farrington and Nuttall (1985) had a total capacity of 11, 787 offenders although were housing 16,819 offenders; only 8 of the training prisons were overcrowded at the time of the statistics. In terms of architectural design overcrowding is significant as the cells of local prisons in England generally comprise of single cells designed for one man. Overcrowding signifies the cells are occupied by two or three men. Concurrent with this theory is that the 8 training prisons that were identified as having high assault rates were overcrowded (Farrington and Nuttall, 1985).

According to Farrington and Nuttall (1985) in an assessment of prison architecture on prison violence it is significant to identify the offenders characteristics in any given prison, as assault rates may be indicative of the offenders disposition rather than the prison environment. Statistics suggest that prison violence is highest where high security/maximum security offenders are housed although the statistics did not reflect whether the offenders who conducted the assaults were maximum security offenders or not.

Where offender characteristics are identified for their impact on prison violence levels the prisons were relatively new and not overcrowded. Although findings were inconclusive by their own admission Farrington and Nuttall (1985) suggest that although prison size and levels of violence indicate that smaller prisons present greater levels of violence, larger prisons may not have the appropriate staff/offender ratio to notice and/or report all incidents of prison violence.

1.2 RATIONALE FOR THE INVESTIGATION

The statement of reason on which this study is based can be addressed in three parts namely:

- This study is undertaken to develop an under-researched area namely, the effect of prison architecture on prison violence.
- The study will address previously unanswered questions and propose practical solutions, such as, the positive or negative influence of prison features on offender behaviour and specifically prison violence.
- This study will add to the growing body of knowledge in respect of criminal justice.

One of the most serious problems to face South Africa is that of crime. The problem of crime is not specific to South Africa; the problem is being experienced globally. According to Luyt (1999) the number of reported incidents of murder in South Africa rose from 24 588 in 1997 to 24 875 in 1998, attempted murder increased from 69 693 reported incidents in 1997 to 88 319 in 1998 and the number of hijacking cases increased from 13 011 in 1997 to 15 111 reported cases in 1998 (Luyt, 1999 citing Bothma, 1999:7). According to the South African Police Service (SAPS) (2012) more recent crime statistics for South Africa indicate a decline in the reported incidents of aggressive crimes. According to SAPS (2012) the reported incidents of murder have fallen from 19 824 during 2003/2004 to 15 940 during 2010/2011; the reported incidents for attempted murder have declined from 30 076 during 2003/2004 to 15 493 during 2010/2011 and the reported incidents of hijacking have increased from 901 during 2003/2004 to 999 during 2010/2011.

In order to reduce crime the profits of crimes must not be seen to outweigh the penalty, and punishment for a crime must be seen as a method of deterrence. With the number of crime

cases increasing it can be assumed that the theories of punishment and the reason for punishment which historically have been deterrence, rehabilitation and retribution are not adequate and prison in the form of punishment is not assisting in the reduction of crime. As noted by the Judicial Inspectorate of Prisons, Office of the Inspecting Judge (JIP) (2004) (from 2008 referred to as the Judicial Inspectorate of Correctional Services (JICS)), a common theory among those opposed to imprisonment as punishment is that prisons are learning centres for crime and offenders return to society worse than when they went inside. By the unnatural environment of prisons and the nature of the offender population male prisons house violent men (Atlas, 1982). The question of whether offenders have to revert to violent behaviour in order to survive and the repercussions of that on return to society questions the function of prisons in terms of offender rehabilitation. Furthermore, the function of the prison to deter crime is highlighted when prison violence contravenes the potential of prison as deterrence; further crimes are taking place in the specific situation that is intended to prevent them.

Given that prisons, as a form of punishment, are failing to meet the criteria for the theories of punishment, namely: prevention, deterrence and rehabilitation; the question remains, why are prisons failing to meet their criteria?

South Africa experienced a great deal of political instability between 1964 and 1995 and this peaked from 1992 to 1994 with the emergence of democracy (Luyt, 1999). The political changes that took place have filtered down into every sphere of the country and that includes the prison systems. During the latter part of the 1990's the government of South Africa proclaimed that it intended to reform the prison system and in this vein the prison system was separated from the Department of Justice and renamed the Department of Correctional Services. According to the White Paper on Corrections in South Africa by the Department of Correctional Services (2005a) a significant milestone during this period was the concept introduced for categorizing offenders. In an attempt to address overcrowding in prisons categorizing offenders in the community was introduced and was referred to as *correctional supervision*. Within the prisons themselves the emphasis of the change began with demilitarizing the prisons and then moved onto the role of the prisons themselves, the most

important function of which was identified as the rehabilitation of the offender (Van Zyl Smit, 1992 and Luyt, 1999). With this new aim in mind prisons were renamed *Correctional Centres*; prisoners were renamed *offenders* and warders were renamed *officials* (Department of Correctional Services, 2005a).

According to the Department of Correctional Services (2005a) the first introduction of transformation into prisons in South Africa took place in 1993 with the introduction of the Interim Constitution. The Interim Constitution (1993) promoted the rights of all citizens in South Africa and included the human rights of prisoners. The Department of Correctional Services had to ensure prisoners were kept in humane, safe and secure conditions.

Following the Interim Constitution (1993) was the passing of the South African Constitution on 8 May 1996. At the core of the Constitution (1996) is the Bill of Rights which addresses aspects such as human dignity, freedom and equality. Section 12(1) of the Bill of Rights (Republic of South Africa 1996:7) deals with the freedom and security of the person and is of specific interest within the prison context. The section states that everyone has the right to freedom and security, not to be detained without trial, not to be tortured or subjected to any form of violence from either public or private sources and all persons have the right not to be treated or punished in a cruel, inhumane or degrading way.

In order to align with the new Constitution the Department of Correctional Services reviewed its legislation and promoted The Correctional Services Act 111 of 1998. Enacted on 19 November 1998 the Correctional Services Act 111 of 1998 meets the standard minimum rules of the United Nations in that it describes the rights and duties of offenders. Human Rights are at the core of the legislation. Section 35 (2) of the Bill of Rights seeks to meet basic human rights and grant detained and accused persons certain privileges that would be regarded as a fundamental right namely: satisfactory accommodation, exercise, medical treatment, adequate food, safety and privacy.

Although the Correctional Services Act 111 of 1998 attempts to address the fundamental rights of offenders, the wording of the Act can lead to vague interpretation. For example, it

does not make provision for rules to ensure that the Act is adhered to in any formal manner and the realization of the Act is left to the prison management (Luyt, 1999). One of the most serious problems in the successful implementation of the Act is that it allows the prison management to apply their own theories with regard to prison management, and the theories employed do not necessarily support offender rehabilitation (Luyt, 1999). According to Van Zyl Smit (1992) it is the duty of the South African prison authorities to ensure the safe custody of all offenders and safe custody includes both the physical and mental well-being of an offender. This premise has continued. As noted by the Department of Correctional Services (2011: 18) prisons should provide "*safe and secure conditions for all persons incarcerated consistent with human dignity, and thereby provide security for personnel and the public*".

Despite the function of the Department of Correctional Services being primarily to house offenders in humane, safe and secure conditions findings from this study show that offenders are assaulted inside the centres which are legally obliged to keep them safe. While findings in this study indicate the types of assaults that take place, Van Zyl Smit (1992) argues that threats to prisoners' safety often occur as a result of prison gang activities, most notably through gang violence. The Department of Correctional Services acknowledges the prevalence of gang activity in prisons and also acknowledges that it is the duty of the prison authorities to take *reasonable care* to ensure the violent acts are prevented. Measures indicated in the Department of Correctional Services Annual Performance Plan 2012/2013 (2012:23) state as strategic objective to "*prevent persons incarcerated from participating in criminal activities and escaping, by providing an environment that ensures the safety of all persons entrusted to the department's care as well as the safety of the public*". One key output required by this objective is to improve the security and safety of all inmates. Strategies to meet with this objective were implemented during 2010/2011 when all regions were required to report on the actions taken within each prison to deal with prison gangs. In order to assist with this objective the DCS has put in place the establishment of DCS gang management units within each region. However, the DCS (2012) notes that work regarding this objective will be implemented during 2012.

Despite the rules set out in the Correctional Services Act 111 of 1998 the prisons in South Africa are overcrowded, old and are not designed for the individual offender but rather the masses (Luyt, 1999; and Louw, 2001). The Judicial Inspectorate for Correctional Services (JICS) (2011:6) notes that the existing prison in South Africa were built in a "*previous era*" and were required to "*warehouse detainees*". Furthermore, the JICS (2011:6) argues that it is not feasible to "*sweep away*" the existing prisons and construct new prisons. In order for the existing prisons to meet with current demands, the prisons require extreme refurbishment and reconstruction to support the implementation of rehabilitation systems (JICS, 2011:6). While it is debatable how and when the refurbishments will take place in the older existing prisons, without the infrastructure or resources to support the implementation of current rehabilitation systems it is questionable whether the systems can be implemented. While this debate continues the existing prisons continue to accommodate existing offenders and continue to receive recently sentenced offenders. Without the measures to implement systems of rehabilitation in existing prisons and while the prisons continue to "warehouse" offenders, it is questionable whether offenders accommodated in older prisons continue to be in prison *as* punishment, not *for* punishment (Sykes, 1958 citing Bates, 1936).

Being the victim of prison violence violates Section 12(1) of the Bill of Rights on several levels not least that prisons are failing to protect the society which they house. It is argued that prisons in South Africa are in such violation of Section 12(1) of the Bill of Rights that interpreting the Bill of Rights in light of the situation in prisons in South Africa questions whether the two can be connected at all (Luyt, 1999).

Prison conditions must be improved so that the prisons are conducive to the safe custody of offenders and ultimately their rehabilitation. Prisons should not present the opportunity for violence; violent acts amongst offenders harden those incarcerated and in turn harden the offender against rehabilitation. Prisons must be designed for the protection of society as well as those incarcerated and this must be considered as a function of prison architecture. Although explorations have been made, the causality of prison design on prison violence has not been fully examined, particularly in the South African context.

This study examines the forms, motivations, distribution and frequency of violence within four male maximum security prisons in South Africa. The study examines all forms of prison violence in male correctional facilities and associates the area of assaults; the forms, motivations, distributions and frequency of assaults; the method employed and instruments used with opportunities for violent behaviour within the prison environment. The locations of prison violence are examined in the situation within which they occur and prison design is examined for the opportunities it provides for the violence to take place. International theories are examined where prison architecture has been adopted to enforce greater control of offenders and where studies have been conducted to examine the potential of prison architecture as a method of reducing prison violence.

1.3 JUSTIFICATION FOR THE STUDY

Despite findings from researchers such as Farrington and Nuttall (1985), Louw (2001), the JIP (2004, 2006, 2008a, 2009), JICS (2010 and 2011), and Department of Correctional Services (2005a, 2006, 2007b, 2008a, 2010, 2011 and 2012a) argue that the most serious problem faced by prison officials and those responsible for South Africa's prison system is overcrowding. The Department of Correctional Services (2012:85) notes that overcrowding poses risks regarding *"compliance with safe, secure and human conditions for those in custody*".

South Africa's 237 prisons were collectively designed to accommodate 114 559 offenders. According to the JIP (2008a) Annual Report for the period 1 April 2007 to 31 March 2008, on 31 January 2008 there were 165 987 offenders in custody; 51 428 over the allowable capacity. The composition of those incarcerated was 53 435 un-sentenced and 112 552 sentenced. While overall number of offenders in prisons increased, the number of prisoners serving long term sentences also continues to increase. At 31 March 2008, 68% of the 112 552 sentenced prisoner population were serving sentences of more than 5 years and 7 574 prisoners were serving life sentences. While the JIP (2008a) Annual Report for the period 1 April 2007 to 31 March 2008 noted the increase in number of prisoners serving long sentences the Inspectorate also noted the significance this growth has on the need for more prisons and the nature of those prisons. The cost of accommodating an offender is R 190.00

per day and with the total figures of those incarcerated this amounts to R2.2 million per day (JIP, 2008a). According to the JICS (2011) more recently there has been a slight decrease in the number of offenders accommodated in South Africa's prisons. According to JICS (2011:15) at 31 March 2011 there were a total of 160 545 offenders in custody (sentenced and remand detainees) in the 241 operational correctional centres in South Africa. With an occupational capacity of 118 154 the overcrowding level's at 31March 2011 was 135.87%. However, according to the JICS (2011) more recently the overcrowding levels in South Africa's prison have been further reduced and by August 2011 there were 157 375 offenders in custody and the centres were 133.19% overcrowded. The JICS (2011) further notes that while the cost of accommodating an offender during 2007/2008 equated to R190.00 per day, at 31 March 2011the cost of incarcerating an offender was estimated to be R243.04 per day, and at 31 March 2011 the cost of incarcerating 160 545 offenders equated to approximately R39 million per day.

While the numbers of prisoners held continues to be over the capacity of many prisons the design, management and administration systems adopted in prisons are not appropriate to the overcrowding levels; in several cases it has been implied that the control of the prisons has been transferred to the offenders. As a result of the overcrowding and lack of control prison violence between offenders and between offenders and staff is increasing and the types of violent assaults are changing (Wortley, 2002).

According to Act 108 of the Constitution of South Africa (1996) Section 35 (2)(e) South Africa guarantees that offenders will receive "*conditions of detention that are consistent with human dignity, including at least exercise and the provision, at state expense, of adequate accommodation, nutrition, reading material and medical treatment*". Due to poor conditions created by overcrowding, the rights set out in the Correctional Services Act 111 of 1998 are being violated (JIP, 2004). According to Louw (2001) the problem with offender overcrowding in an understaffed environment combined with badly designed and structurally unsafe buildings, exacerbates the problem of prison violence. Ineffective prison architectural design hinders effective management, reduces effective offender rehabilitation techniques and increases the probability of recidivism. This theory is endorsed by JIP (2004) who

suggest that rather than reducing crime, overcrowding in prisons results in conditions that *create criminals* and generate conditions where meaningful rehabilitation is impossible.

The problem of prison overcrowding is recognized as a global problem (Farrington and Nuttall, 1985). Farrington and Nuttall (1985) citing Chan (1977) state that the United States has one of the highest imprisonment rates which have resulted in an increase in the prison population leading to extensive overcrowding. Overcrowding is a 'double-edged sword'. Firstly, overcrowding has been found to increase the likelihood of recidivism and increased levels of recidivism leads to more overcrowded prisons (Farrington and Nuttall, 1985). Secondly, where prisons are overcrowded classification and grouping of like-minded offenders is severely hindered and offender classification and housing has been identified as being crucial to reducing prison violence. In overcrowded conditions offenders are more likely to be contaminated by other offenders, rehabilitation techniques and programs are harder to implement, and living in overcrowded conditions leads to higher stress levels and increased aggression (Farrington and Nuttall, 1985).

Given that the number of offenders exceeds the available prison accommodation in South Africa and given that there are limited resources available to generate Government supported facilities to meet with the growing demand for new facilities, the Department of Correctional Services, in line with global trends, has embarked on constructing more prisons as a possible solution. According to Louw (2001) the current South African prison system is in need of reform and given that the South African Government has chosen to explore constructing additional prisons, prison designers and architecture must be in line with those designs deemed appropriate for effective management, implementation of human rights, offender security, safety, discipline and rehabilitation.

1.4 BENEFITS OF THE RESEARCH FINDINGS

In generic terms

A study of the prison environment and its ability to provide opportunities for prison violence in male prisons will expose areas within the prison that pose risk to offenders' safety. The findings of this research therefore expose prison designers (and management) to the

implications of prison living conditions from the users (offenders) view point. It is only with greater knowledge regarding use from the offenders perspective, that safety in prisons can be addressed and ultimately improved through prison design and management principles.

In specific terms

The findings from this study will be beneficial to the all the key stakeholders involved in the correctional process specifically those parties involved with control, rehabilitation and management, architectural designers and ultimately the offenders and society in general.

1.5 STATEMENT OF THE RESEARCH PROBLEM

Human Rights and the rights of the offender specifically in terms of provision of safe custody are being hindered through prison design and choice of construction materials that motivate, and promote opportunities for, prison violence. As a consequence prisons are dangerous places where opportunities for assault through design variables in the built environment motivate an increase in the levels of assault. Continuous exposure to unsafe environments increases the offenders' propensity and immunity to violent behaviour and as a result offenders are returning to society more prone to violent behaviour than on entering the prison system.

Specific design variables and construction materials within male prisons are providing opportunities for, and motivating, violent assaults amongst offenders. The snowballing effect is that offenders are becoming increasingly more violent and, while efforts are focused on measures to reduce violent outbreaks, the potential of successful rehabilitation are being undermined. An increase in violent behaviour amongst offenders and the lack of effective rehabilitation of offenders contributes to an increase in the overall crime levels.

1.6 RESEARCH QUESTIONS

The questions to be addressed in this study are:

1. What have been the directives that govern prison architecture and what are the benchmarks that measure effectiveness in terms of prison design?

2. What are the principles that govern environmental psychology theories and practices?

3. What is the theoretical debate regarding the factors that motivate violence in prisons?

4. What are the forms, motivations, distribution and frequency of violence that take place in male maximum security prisons in South Africa?

5. What are the design features and construction materials adopted in prison architecture that motivate and provide opportunities for violent behaviour which in turn jeopardize offender and staff safety?

6. What are the measures that can be implemented through prison design and construction materials that can reduce prison violence?

1.7 HYPOTHESIS

Generic hypothesis:

Prison violence among male offenders is perpetuated through design features applied in prisons

Sub-hypotheses:

- Specific geographical locations within the prison environment motivate and provide opportunities for prison violence among offenders in male prisons

- Design features and material choice adopted in the prison environment motivate prison violence among offenders in male prisons

- Design features applied in prison design motivate frustration and in turn perpetuate prison violence among offenders in male prisons

1.8 RESEARCH OBJECTIVES

1. To evaluate the literature relevant to the history and evolution of prisons, specifically the relationship between architectural function and form.

2. To evaluate the existing literary theories pertinent to environmental psychology and situational design, specifically in terms of the influence of architecture on deviant behaviour. To evaluate and present the theoretical debate on the factors that motivate violence in prisons.

3. To evaluate and contextualize prison violence in male prisons in South Africa in terms of forms, motivations, distribution and frequency.

4. To identify where and how prison design and construction material choice in prison design impacts on prison violence.

5. To propose principles of architectural design and construction material choice that would minimize the occurrence and frequency of prison violence in male prisons in South Africa.

1.9 RESEARCH METHODOLOGY

The research strategy adopted in this study was a descriptive survey. The survey was undertaken to determine offender's perception of prison violence. The survey was undertaken in four case study Correctional Centres in the Gauteng Province of South Africa, namely Johannesburg Correctional Centre, Pretoria Correctional Centre, Modderbee Correctional Centre and CMax.

The results from the survey were strengthened with data generated through on-site observations, discussions with prison personnel, unstructured interviews with officials and structured interviews with offenders within the four correctional centres.

1.10 STRUCTURE OF THESIS

Chapter Two presents the history and evolution of prisons. This Chapter presents the development of prison design and evaluates the prison functions, requirements and prison facilities that have evolved with prison architecture.

Chapter Three presents the theoretical debate of environmental psychology.

Chapter Four presents a theoretical overview of prison violence. The causal factors that impact on prison violence are presented.

Chapter Five reviews prison development in South Africa.

Chapter Six presents the methodology applied and an overview of the case studies applied.

Chapter Seven presents the analysis of the findings

Chapter Eight presents recommendations and conclusions.

Figure 1.1 maps the structural presentation for addressing the Research Questions and Research Objectives applied in this study.

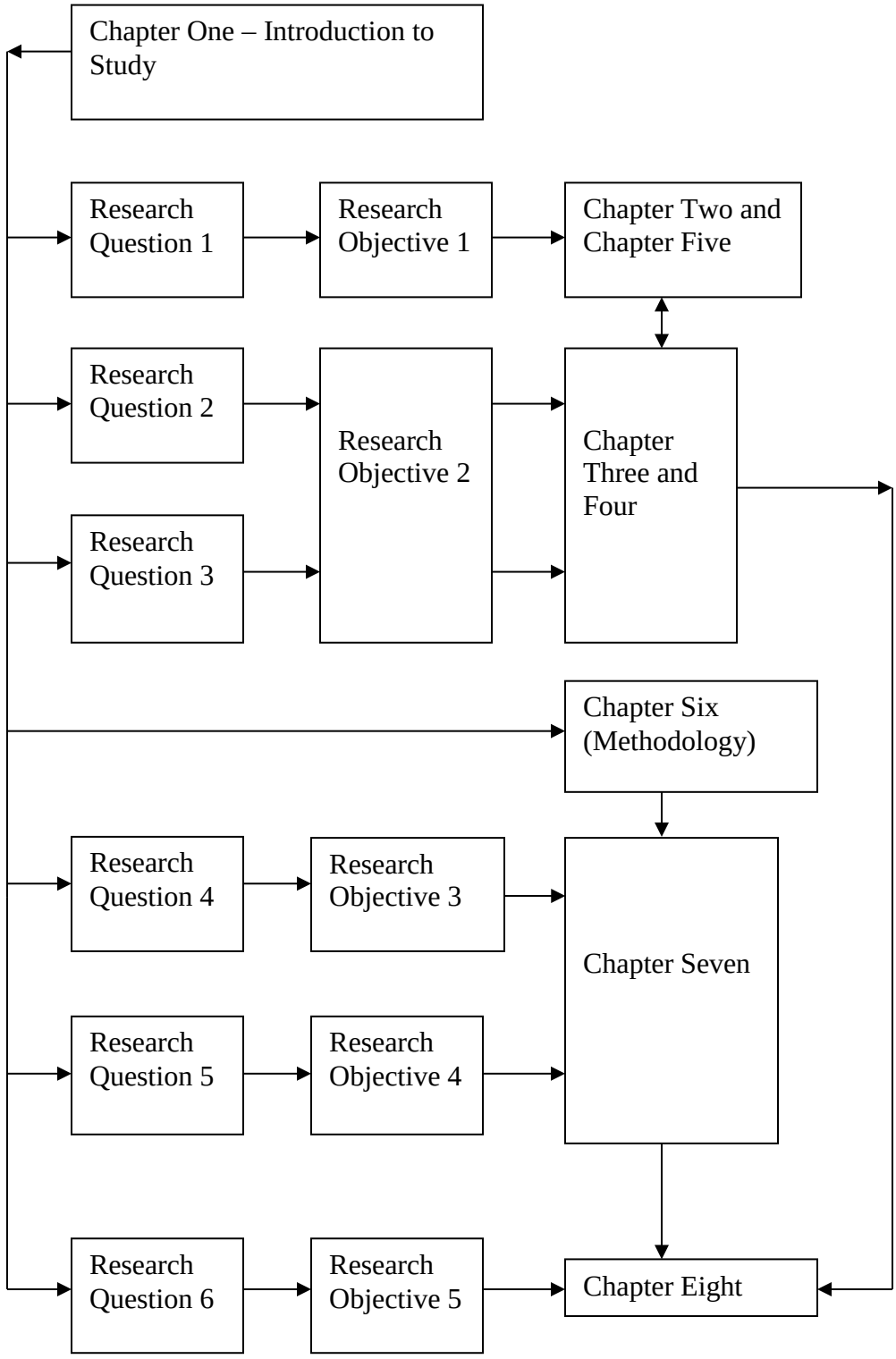


Figure 1.1: Structural mapping of Thesis

1.11 SCOPE AND LIMITATIONS

Examples and comparisons are drawn from international theories and contexts although the forms, motivations, distribution and frequency of prison violence is representative of a specific geographic location namely Gauteng Province in South Africa.

While findings of this study promote theories for prison design that might reduce opportunities for assaults in prison, the findings are not tested in a real life model.

CHAPTER TWO: PRISON FORM AND FUNCTION – A HISTORICAL OVERVIEW

2.1 INTRODUCTION

This chapter presents a historical overview of the development of prison design and evaluates the prison functions, requirements and facilities that have evolved with prison architecture. The details presented here address the first research question (presented in Section 1.6), and describe the directives that govern prison architecture and the benchmarks that measure effectiveness with reference to prison design. The chapter also addresses the first research objective (Section 1.8).

Prison design encompasses the physical environment of the prison. The physical environment for this study includes the prison architectural design, the construction materials employed in the prison environment and the materials used in a variety of provisions used in the prison environment. Wortley (2002:36) defines the physical environment as that which *"includes the design and layout, the building style, the construction materials, furnishings and security hardware"*.

In line with Wortley's (2002) proposition that there are three distinct eras for prison design, this study presents prison design in three distinct areas, namely first, second and third generation prisons. The transformations in design that have taken place reflect the changing attitudes towards punishment and the role of the prison as a method of punishment. Wortley (2002) claims the prison environment is made up of three distinct facets that might be designed and altered *(manipulated)* for the purposes of control. Wortley (2002:13) defines the specific components as *"the physical environment; the social environment and the institutional regime or prison management"*. While these three factors might be collectively or individually manipulated for the purpose of control they have been instrumental in advancing alternative prison designs.

First generation prisons conceived from 1750 reflect the first generation philosophy towards imprisonment. From 1750 prisons were regarded as a specific form of punishment which on

the most part considered reform theories and the morality of punishment (Evans, 1982 and Wortley, 2002).

While it is generally agreed that second generation prisons date from 1970 (Wortley, 2002 citing Atlas and Dunham, 1990 and Werner *et al*., 1987; and Johnston, 2000), this study presents second generation prisons from 1945. From 1945 prisons in the United Kingdom and the United States of America concentrated on punishment, safe custody, deterrence and the health and safety of prisoners (Johnston, 2000). From 1960 the theory of punishment specifically with regard to the purpose of imprisonment altered from reform and retribution to security and incapacitation and as such, prison design moved from large facilities of incarceration to smaller prisons.

The third stage in prison design, depicted by third generation prisons, presents *New Generation prisons* where prison designs stem directly from the form of management and control required in the new era. New Generation prisons house small groups of prisoners (50-100) in small self-contained units. The cells in the units are arranged around a multi-use area. Control is imposed through multidisciplinary teams of staff which have complete authority. Citing Levinson and Gerard (1973), Toch (1997) suggests that prison units designed to work within the parameters of unit management or New Generation prisons function for three reasons namely, correction, care and control. In order for these functions to be adequately fostered closer working relationships between staff and inmates are encouraged. Relationships are encouraged and improved through a shared environment and closer association between staff and inmates; inmates are encouraged to view themselves as part of the unit team (Toch, 1997).

According to Wortley (2002) and as this study presents, New Generation prisons as third generation prisons essentially materialized from prison design concepts formed in the second generation theories, namely that of podular designs housing smaller groups of inmates. However, New Generation prisons evolved as the mandate for more direct hands on supervision, prisoner segregation and increased offender observation was required. Wortley (2002) argues that the most pressing momentum for New Generation prisons was the need

for prisons to promote a relatively *normal* environment; normalizing the environment will ultimately *normalize* the person, improve offender behaviour and ultimately reduce levels of recidivism (Wortley, 2002).

Despite the shift in prison philosophy over the centuries, prisons continue to house offenders away from the rest of society. On the whole, prisons are self-contained facilities that provide most, if not all, of the requirements for normal human functioning. With this in mind Goffman (1961) referred to prisons as *total institutions*. In general, total institutions provide for the three essential spheres of life, namely, sleep, recreation and work. Within the confines of the total institution all components of life are conducted within the company of others under the same authority. All the participants held within are treated the same and all activities are conducted under a tight measure of control under predetermined schedules (Goffman, 1961). Although the philosophy of prisons has altered over time prisons continue to function under the guise of total institutions although prisons often have to serve additional demands. For example, in South Africa the Department of Correctional Services posits that prisons must *"correct offending behaviour, in a secure, safe and humane environment, in order to facilitate the achievement of rehabilitation, and avoidance of recidivism"* (Department of Correctional Services, 2005a:71). With these and other requirements being set, prison architecture is at the core of providing the total environment, and prison architecture must meet with the challenges being demanded of the prison environment.

The evaluation of prison development in this study indicates how prisons have sought to meet the changes. The development of prison architecture in this study is evaluated on the most part from the United Kingdom and the United States of America. It is significant to note prison development from these contexts for the influence British and American prison theory has had globally on penal theory and specifically in South Africa.

2.2 FIRST GENERATION PRISONS

According to Wortley (2002) the architectural design of first generation prisons presented an image of an imposing, heavy and harsh environment on a large scale. The management theories implemented enforced a regime that sanctioned total seclusion, silence, hard work,

solitude and moral and silent introspection. Overt security measures were applied on the premise that the offenders, by virtue of being offenders, would carry out unruly behavior. In order to prevent breaches in security offenders were mostly confined to their cells. As a result of restricted offender movement, security did not focus on offender safety; security measures were applied that were more concerned with preventing escapes (Wortley, 2002).

First generation prisons emerged as a result of several penal problems during the eighteenth century in Great Britain, not least, existing prison conditions. In England, prison design as a specific form of architecture was instigated through William I of England who constructed the Tower of London for the imprisonment of royal enemies of the King. The Tower was completed in 1097 following the Norman Conquest in 1066. Originally the prison cells (vaults) in the white Tower were built below ground although over time the main floor and the upper two levels were used to hold offenders. Over time the original white tower was extended and now presents 20 towers contained on the inner and outer walls able to hold prisoners. During circa 1200 the Tower was one of three prisons serving the London area. Records suggest that the first prisoner in the Tower of London was the Bishop of Durham in 1101 and the Tower ceased being used as a general prison in 1485 (Johnston, 2000). Despite not serving as a general prison since 1485 the Tower has made concessions and the last prisoner to be held at the Tower was Rudolph Hess in 1941.

2.2.1 Gaols

While the Tower of London represents the first form of prison architecture in England the first official prison building program in England was ordered by Henry II during the Assizes of Clarendon in 1166 (Pugh, 1968 and Bailey, 2000). Henry II (1166) ordered county sheriffs to build *gaols* in each county in England (Pugh, 1968 and Bailey, 2000). The purpose of the gaols was to confine presumed wrongdoers who had yet to be tried and as such are regarded as the first regulated confinement system for untried prisoners. Later, the gaols were used for coercive purposes, specifically for securing a payment for a fine or debt and existed under the name county gaol until 1878 (Pugh, 1968).

By the time Henry III was crowned on 28th October 1216 (aged nine) all but five counties in England had a gaol (Churchill, 1956 and Pugh, 1968). However, due to the lack of guidance provided by Henry II the gaol design and construction in use differed greatly. According to Webb and Webb (1922) many of the gaols were commonly located in rooms in a tower, municipal gatehouse, dungeons, or as in Reading, three rooms in the public Inn. Where cells were not available steel cages were provided for offenders either on the ground or suspended from the ceiling.

Where Counties did not have a gaol or "prisoner's cage" a gaol had to be provided at the King's expense (Du Cane, 1885). In these instances the gaols were provided in the confines of the King's castle. Most commonly, the gaol was located within the walls of castles as the walls of the castle were thought to provide appropriate security (Du Cane, 1885; Pugh, 1968 and McConville, 1981). According to Johnston (2000) castles were constructed of wood and placed on earth mounds or rocky outcrops for purposes of defense; it was during circa 1300-1400 that castles were constructed of stone. A wall invariably surrounded the castle which contained guard towers and an entrance gate with a drawbridge. Located inside the castle yard surrounded by the perimeter wall was the *donjon*, a stone structure several stories higher than the surrounding structures. Although originally intended as storeroom facilities the donjon often housed offenders and so served as a gaol (Johnston, 2000). As the centre for governance the primary function of the castle was to hold captive offenders of the state and political enemies. While most of the castles had facilities to hold offenders the accommodation and treatment of offenders was not standardized (Johnston, 2000).

In the absence of a castle the location and construction of the gaols was at the discretion of the county sheriff and while the sheriff kept the gaol it remained the property of the King (Du Cane, 1885; Webb and Webb, 1922 and Pugh, 1968). Where the Sheriff was a county sheriff the gaol was referred to as a county gaol and where the gaol belonged to the bishop, manorial Lords or other dignitaries the gaol was referred to as a private gaol.

While Pugh (1968) posits that gaols in medieval England provided custody for those awaiting trial, for those suspected of an offence (custodial), for coercion of debtors (coercive) and for

punishment (penal), McConville (1981) suggests that a gaol was only used for custodial and coercive methods and that gaols were only used for punishment during the 1400's.

2.2.2 Bridewells or the house of correction

The function of the Bridewell later known as the house of correction, and gaol are often merged although the original function of each differed. The house of correction can historically be traced to Bridewell Palace. Built in 1522 by Henry VIII of England Bridewell Palace was originally built for entertaining Charles V of Spain. Awarded to the city of London by Edward III in 1552 the Palace became shelter for the homeless, idle and poor and was used to confine petty criminals from 1555. Founded in the premise of rehabilitation through regular work, twenty six trades were conducted inside the palace. The premise of instilling hard work on those housed was so the poor could earn their keep and learn the merits of hard work; the function was also thought to promote virtue and reformation (Evans, 1982; Johnston, 2000 and Webb and Webb, 1922). Bridewell was recognized as the headquarters against the unruly and impoverished in London. Reports indicate that rogue hunts were carried out in London to gather all the vagabonds off the street and house them in Bridewell (Pendry, 1974). Although Bridewell was referred to as a hospital it functioned as a prison. Prisoner development in skills training was conducted hand in hand with corporeal punishment. Skills such as spinning, cap making, knitting and winding silk were all carried out through the power provided by the treadmills and the prisoners powered the treadmills (Pendry, 1974).

The essential difference in the origin of the gaol and the Bridewells, or as they were later known the houses of correction, was that debtors could only be committed to a gaol while vagrants (the poor) could only be sent to the house of correction (Du Cane, 1885). Although the two establishments were often housed under one roof the gaol was under the jurisdiction of the sheriff and the house of correction was under the jurisdiction of the Justices (Du Cane, 1885).

Following its initial conception at Bridewell Palace the self-supporting scheme of the house of correction spread to Oxford (1562), Salisbury (1564) and Norwich (1565); followed by

Gloucester, Ipswich and Chester. In an Act of 1576 justices of the peace were ordered to develop Houses of Correction modeled on Bridewell in each county (Pendry, 1974 and Johnston, 2000). The justices in quarter sessions controlled the house of correction through the justice of the peace, although later control was awarded to masters or keepers who ran them as private ventures. By the time of James I in 1609 it was ordered that a Bridewell house be built in every county or borough in England (Du Cane, 1885).

Despite evidence that suggested the concept of the Bridewell worked, the house of correction became synonymous with debauched behaviour. In an attempt to reduce overcrowding in the gaols, offenders were moved from gaols to the houses of correction and by 1715 it was common practice to commit criminals to houses of correction as punishment (Du Cane, 1885). As the number of offenders grew in the houses of correction disciplinary measures had to be adopted in line with those of the gaols (Farringdon, 1996). According to Pendry (1974), it was the application of the increased discipline that ultimately brought about the decline of the house of correction. Strict discipline obscured the original intentions of the scheme which were to put the idle and poor to industrious work. Once the original intentions were lost and various types of offenders were housed unsavory practices started to emerge (Pendry, 1974). However, while the blame for the house of corrections demise is often given to the application of discipline and overcrowding the ultimate reason for the decline was lack of funds. The system could not self-support its fundamental ideals (Pendry, 1974). As Howard (1777:4) stated:

> *"It will perhaps be asked, does not their work maintain them? For every one knows that those offenders are committed to hard labour. The answer to that question, though true, will hardly be believed. There are few bridewells in which any work is done or can be done. The prisoners have neither tools, nor materials of any kind: but spend their time in sloth, profaneness and debauchery, to a degree which, in some of those houses that I have seen, is extremely shocking".*

Howard (1777) noted that prisoners held in Bridewells were short of food, water and air and there was no provision made for prisoners to be provided with bedding unless it was at the

cost of the gaoler (Howard, 1777). In terms of the morals of the prisoners Howard (1777) indicated that the problem of vice in the various gaols was due to housing various prisoners together. Housing felons with debtors; men with women; lunatics with sane and experienced with new offenders, often children, all contributed to the spread of wickedness within the Bridewells (Howard, 1777).

By the end of the 1700's the Houses of Correction served as punishment for minor offences and by the early 1800 there was no practical distinction in terms of form or function between the gaol and the house of correction. The house of correction and county gaol were made the same through the Prisons Act of 1865 (Webb and Webb, 1922).

According to Johnston (2000), on the continent the first house of correction was set up in a disused convent in Amsterdam during 1596. The disused convent housed twelve inmates whose indeterminate sentences were carried out through work for the purpose of rehabilitation. Work for the purpose of rehabilitation was further established in the *Rasphuis* for male offenders and the *Spinhuis* for female offenders (Johnston, 2000). The initial design of the Houses of Correction comprise of an array of rectangular buildings surrounding an inner courtyard. Construction of Houses of Correction in Germany during circa 1600 adopted the design of the Amsterdam Houses of Correction and as such all offenders were grouped together for congregate sleeping and working arrangements (Johnston, 2000).

Although the design of the Tower of London indicates a move toward specific architecture for incarcerating offenders in England from 1097, the history and development of prison architecture in England as a specific form is suggested to have emerged from 1750 when the function of prisons altered from punitive to reformative (Evans, 1982).

Before 1775 major crimes were punished with banishment, whipping, hanging, the stocks and/or the pillory rather than imprisonment. Where punishment required a custodial sentence the accused was placed in stocks and as such the stocks have become recognized as one of the first forms of imprisonment (Pugh, 1968). Evidence of the stocks as a historical form of punishment is presented through the illuminations contained within the 12 Century

Canterbury Psalter (Appendix 1). Illuminations presented within the Psalter illustrate punishment using the stocks and also shows the ridicule associated with the punishment (Canterbury Psalter, circa 1200, held in and accessed through the Wren library at Trinity College, University of Cambridge). Similar to the stock the pillory was used solely for punishment and ridicule (Newman, 1978).

Imprisonment was used by justices of the peace to punish offenders found guilty of offences such as vagrancy, desertion, bastardy, disobedience and embezzlement, theft of turnips and other field vegetables, stealing firewood and minor game law offences (Ignatieff, 1978). While Ignatieff (1978) suggests that following 1775 imprisonment was adopted for offences such as manslaughter, commercial frauds, perjury, acts against an employer and rioting, Evans (1982) suggests that imprisonment subsequent to 1775 was for debt; for felons awaiting assize trial or awaiting punishment and corrective discipline for petty offenders.

Subsequent to 1775 imprisonment was seen as part of the machinery of punishment and imprisonment was described as a *condition rather than an event* (Evans, 1982). Detained offenders were not completely secluded from the outside world, there was no work ethic or enforced hard labour; there were no uniforms, prisoner classification or welfare service (Pendry, 1974). Most importantly, prisons had no financial backing and were self-supporting (Pendry, 1974).

In order for the prison to function financially, prisoners were required to pay imprisonment fees to the gaoler in addition to paying for provisions inside the prison. Irrespective of where the prisoners were housed they had to pay fees to be held. Examples of the price of imprisonment at Newgate are presented by Langley (1724). At Newgate prison paying high fees to the gaoler resulted in less crowded and more comfortable accommodation. The first fee an offender had to pay was the prison fee or turnkey's fee. The Turnkey's fee for imprisonment during the 1700's amounted to six shillings and six pence. The second fee which was in the region of ten shillings and six pence was paid to the steward of the ward for his *Garnish* money. Garnish money was not only paid to the gaoler, records indicate that the system was adopted by prisoners (Pendry, 1974). In addition to the admission fees and

garnish fees prisoners were required to pay for bedding. Where a prisoner paid for a bed and sheets the price was 2s. 6d. per week (two shillings and six pence). Where a prisoner provided his own sheets the price for a bed was two shillings per month. Prisoners had to pay for food while incarcerated (not more than six shillings per week) and each prisoner was required to further pay discharge fees to be released. At discharge the prisoners were required to pay seven shillings and ten pence and furnish one shilling to the turnkey (Langley, 1724).

Where high fees could not be afforded prisoners shared barracked beds in decayed areas; debtors were generally housed in the garrets and felons in the cellars (Evans, 1982). Poorer prisoners performed specific functions in the prison such as cooking and cleaning which in turn paid for food and in a number of cases housing (Langley, 1724). Where prisoners could not afford fees they could beg at the begging gate which was a begging hole located in the prison wall. The begging gate was given various names, for example at Newgate it was referred to as the *gigger*. At Newgate the gigger was not only a begging gate, it was also used for socializing with outsiders and for purchasing supplies from the adjoining shops (Evans, 1982). Records also indicate that poorer prisoners were not able to share in the proceeds of the begging box until they had paid the gaoler 2*s*. 6*d* (two shillings and six pence) (Dixon, 1850).

With the interaction between prisoners and the outside world it is argued that the prisons of the eighteen century were an extension of the street and not for the purposes of segregation or confinement. Various trades and activities took place within the prison most notably; shops, stalls and drinking houses in the form of *tap rooms* (Langley, 1724). Evidence suggests that in the more infamous prisons, such as Newgate, specific nights were set aside for enjoyment and debauched behaviour. Accounts suggest that in certain prisons a wine club was held on Monday nights and a beer club was conducted on Thursday nights (Langley, 1724 and Howard, 1777). Dixon (1850) suggests that on these nights the prisons in London acted like a public house and the bad behaviour associated with them on specific nights went on until the early hours of the morning (Langley, 1724 and Dixon, 1850). The behaviour was reportedly so bad that a number of gaolers suggested that tap rooms should be banned from

prisons and gaols. Writings further indicate that many gaolers believed that any form of prisoner reform could only be attempted by banning the tap houses in prisons and gaols altogether (Howard, 1777).

Although prisoner classification was not implemented in the early 1800's each prison held specific types of offenders which gave the prison its character and reputation (Pendry, 1974). The type of prisoner each prison housed was most often associated with the court the prison served. For example, Marshalsea prison most often held pirates as the prison served the court of the admiralty while Newgate prison most often held felons as Newgate served London and Middlesex sessions (Pendry, 1974). Where prisoners were classified and separated inside the prisons they were classified in terms of gender, felons and debtors and between masters and commoners (Langley, 1724).

Of the prisons situated in London during the 1700-1800's the most notorious were the Fleet and Newgate prison. It is significant to feature Newgate and the Fleet prison in this study as historical records of the prisons compared with modern prisons in South Africa indicate how similar the prisons are.

- ***Newgate prison***

According to Johnston (2000) from the beginning of circa 1300's the emphasis for the location of imprisonment changed from the donjon to gatehouses, rooms in boundary walls and towers. The gate house, at the entrance to the castle grounds or to a City, contained accommodation facilities. Utilizing the accommodation as gaols enabled guards to keep watch over both the property and the offender (Johnston, 2000). By 1598 records suggest that prisons and gaols were set up within the various gates houses around London and were used to house those arrested for debt or trespass (Stow, 1598). Although many of the gate houses within the City of London were used as gaols the two most notorious are generally agreed to be the Newgate followed by the Fleet.

The true origin of Newgate is debatable (Griffiths, 1884). Stow (1598) argues that Newgate began life as a gate which was erected during the reign of Henry II or during the reign of

Richard I, while Langley (1724) suggests that Newgate *prison* as a distinct form was first built during the time of Henry I (1100 – 1135). Churchill (1956) on the other hand posits that Newgate emerged during the time of King Stephen (1135 – 1154), while Pugh (1968) and Ignatieff (1978) suggest Newgate was a gate house formed in the wall of London during 1188.

Although debatable, Stow (1598) and Griffiths (1884) suggest that the gate was erected as a result of a fire. The Cathedral Church of St. Paul was burnt down during the year of 1086 during the reign of William the Conqueror. Mauritius, the Bishop of London, initiated new work on the foundations of a new church. Later, Mauritius Richard Beamore continued with the work and purchased a number of streets surrounding the site. Beamore built a *strong wall of stone* around the church and surrounding streets and in the wall he located a gate and a gate house; as the gate house was relatively new the house became known as Newgate (Stow, 1598). As time went on a number of gates were built into the wall; gates such as Aldgate on the east side of the wall and Ludgate in the West. Most of the gates contained gatehouses and it was in the gate houses that the prisons were located (Griffiths, 1884).

According to Stow (1598) Newgate operated as a gaol or prison for felons and trespassers as far back as the reign of King John during 1218 (Stow, 1598 and Griffiths,1884). During 1218 King Henry III ordered the Sheriffs of London to repair the gate for the safe keeping of prisoners (Griffiths, 1884). Records indicate that from 1255 a number of prisoners were incarcerated in order to enforce a payment of a fine. Records suggest that by the year 1414 there were 64 inmates incarcerated for debt in Newgate prison (Stow, 1598).

Newgate the prison is significant to this study as the prison was notorious for the behaviour of the inmates. Reports of mediaeval Newgate indicate that the prison was foul, noisome and terrible (Griffiths, 1884). Further reports of the offenders behaviour suggest that *victims of public justice* were housed *"under the complicated distresses of poverty, nastiness and disease"* (Griffiths, 1884:13 and 25). With statements such as these it is with irony to note that three emblematic statues representing truth, justice and mercy stood in niches on the external wall of the prison to represent the purpose of the building (Griffiths, 1884; Ignatieff,

1978 and Evans, 1982). Newgate articulated the character of imprisonment at that time; it was brutal, temporary, haphazard and disorganized. The architecture was not a specific method of expression. The building being effectively a gate house was indistinct from other buildings and developed into a prison rather than being designed specifically for imprisonment. Figure 2.1 presents the image of Newgate.

Of the published work that describes the conditions of prisons in the eighteenth century the most recognized is John Howard's *the State of the prisons* first published in 1777. Prior to the *State of the Prisons*, John Stow produced his *Survey of London* (1598) and the London gaol Committee produced several documents that detailed conditions in many of the prisons in London up to the 1770's. Reverend Walter Lowe Clay, a prison Chaplin, wrote in 1861 that *"before Howard's time the state of English prisons was horrible and disgusting"* (Evans, 1982:10). Accounts of Elizabethan prisons by Dekker (1606) cited by Pendry (1974) suggest that in the *thirteen strong houses of sorrow* prisoners wasted their time away in misery.

According to Evans (1982) the most accurate account of *modern* or new Newgate the prison was presented by Langley (1724). According to Langley (1724) Newgate *prison* as a distinct form was built during the time of Henry I (1100 – 1135) and was used to detain debtors and felons. (Griffiths 1884; Pugh, 1968; Ignatieff, 1978 and Evans, 1982). By the year 1412 Newgate was found to be so *loathsome* that it was demolished and rebuilt (Langley, 1724:2). According to Griffiths (1884) there are numerous records in historical notes that refer to Newgate as a hot bed of vice and sin and a nursery of crime. Newgate was rebuilt by Whittington in 1412 and was referred to as "Whits Palace". As rebuilt in 1412 Newgate lasted until 1629 when in a state of utter ruin it was renovated (Griffiths, 1884). The prison was completely destroyed in 1666 by the great fire of London. It is therefore from 1666 that it was rebuilt specifically for the purpose of imprisonment and it is from this date that an assessment of prison architecture can be made. Although the prison was burned by rioters during 1780 it was rebuilt on the same plan as adopted in 1666**.**

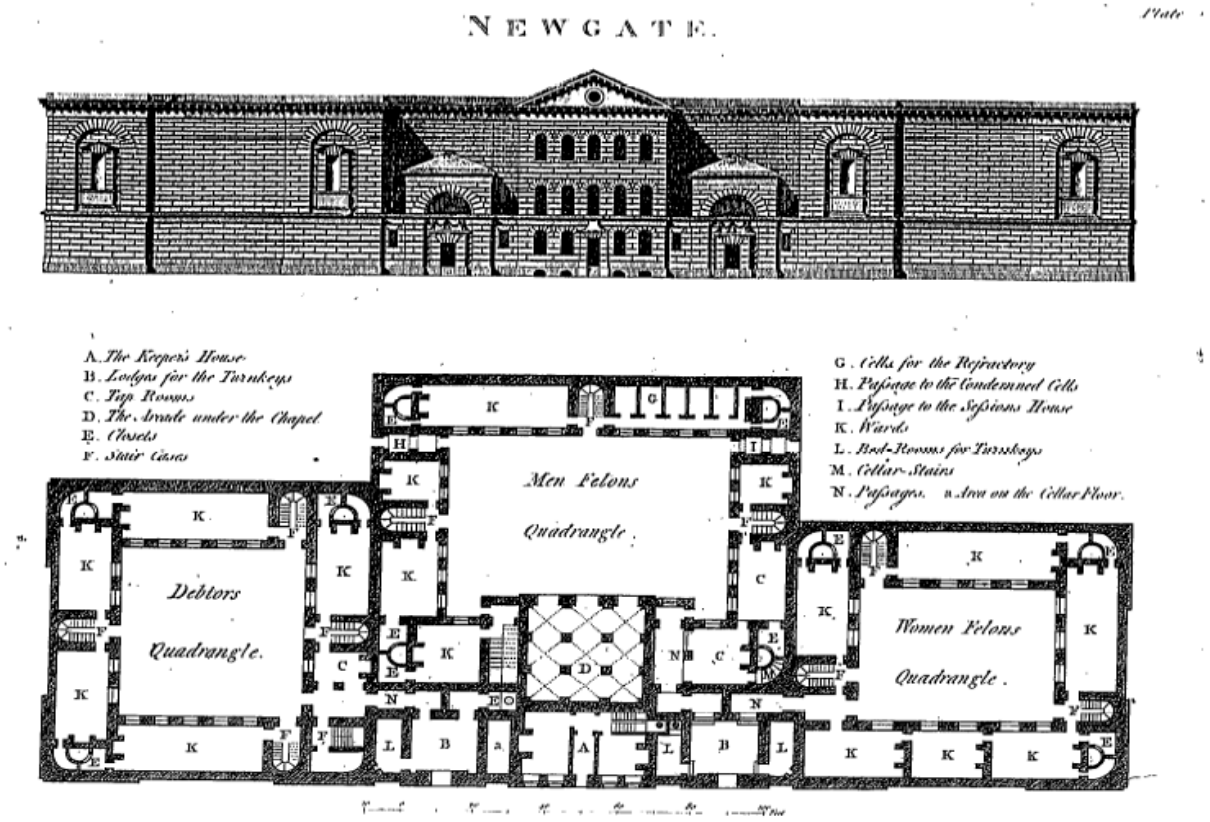


Figure 2.1: Newgate Prison
(Source: Howard (1777:212))

Generally, the prisons of the 1700's in London were built around an arrangement of open quadrangles. The *new* Newgate (of 1666) contained 42 chambers extending from a central staircase. Newgate had incorporated into its design 3 courtyards that produced a one large central square and 2 smaller quadrangles. The inmates were housed in a number of large congregate rooms that surrounded the open courtyards. There were originally five individual cells for punishment contained on three floors (Howard, 1777). Each cell contained a double grated window and a door which was four inches thick. The stone walls were lined with planks. According to Howard (1777:214) *"criminals who had affected an air of boldness at their trial and appeared quite unconcerned at the pronouncing sentence upon them, were stuck with horror, and shed tears, when brought to these darksome solitary places".*

The prisons were generally divided into two or more *sides* and elsewhere of one or more wards. A ward by definition referred to a place that had many chambers (Pendry, 1974); today these wards would be referred to as units. In this configuration the prisons did not contain cells as such. Dungeons were used to punish prisoners and single rooms or suites were used for solitary confinement for important prisoners (Pendry, 1974). *Close* prisoners were confined to the rooms within their wards although prisoners who were *awarded liberty of the house* could move about the prison at will (Pendry, 1974). Newgate prison contained five separate divisions namely, the masters side (for debtors and felons), the common side (for debtors and felons) and the press-yard/room.

It is interesting to note the various sides as each side housed a distinct type of offender. As a consequence each side manifested different forms of behaviour from within. The Lodge as first described by Langley (1724) acted as the prison admittance office and as such prisoner classification took place in the Lodge. Indicative of the moral fiber promoted by imprisonment is the remark that *for the convenience of debtors* the lodge sold very good beer, ale, and tobacco. Added to which suggestions are made that there were a number of females (such as a *Ms. Spurling*) who once admitted into the prison provided other *dealings* for the prisoners (Langley, 1924). Once classified, wealthy prisoners were moved to the masters' side or to the commoners' side if they were poorer. According to Pendry (1974) a new inmate to Newgate prison *chose* a side according to status and wealth. In a physical description of Newgate Langley (1724) illustrates the dimensions of each housing quarter and the general living conditions such as if the quarters contained a window and/or fireplace. Better living conditions were determined by low density levels, the availability of beds, ventilation and heat. Lock up for each ward was between 21h00 and 8h00. Once the doors were unlocked in the morning the wards were cleaned. Cleaning was carried out by the last prisoner to be housed in the ward (Langley, 1724). The Master's Side was unique to the prison as it housed a convenient room and a hall ward where the prisoners were able to take recreation.

Langley (1724) notes that each ward of the master's side generally had a *reciprocal conversation* with each other. Prisoners were encouraged to make visits and help each other

as much as possible. Langley (1724) notes that during the afternoons and evenings the prisoners were involved with draughts and cards or any other manner, as their *inclination directs them.* While all this information provided by Langley suggests a life of civility in Britain's most notorious prison, it is clear that this type of behaviour was particular to the master's side. The living conditions and prisoner behaviour was not similar in other quarters of the prison; particularly in the common side. According to Pendry (1974) all prisoners had to endure a life of idleness and as such many succumbed to a life of heavy drinking, gambling and quarrelling.

Langley (1724) suggests that for those prisoners housed in the commoners side the name Newgate was synonymous with terror. The commoner's side of Newgate housed felons (in the commoner felon's side) and the *blackest sort of malefactors* (in the commoner's debtor's side). The commoner's debtor's accommodation comprised of wards or apartments (Langley, 1724). Unlike the freedom awarded to prisoners housed in the master's side, prisoners housed in *the iron hold* were held in fetters and irons such as their risk of security dictated. The commoner's debtor's side housed a tap house which sold alcohol. According to Langley (1724) it was in the tap house that the prisoners' decorum was most wanton. Felons and debtors mixed freely in the tap house and Langley (1724) states that such wickedness abounded within the tap house that the place *conjured up the image of Hell*. Furthermore, Langley (1724) suggested that the wickedness was so great that only one debtor in ten who went in an honest man came out the same. The commoner's debtor's side contained Jack-Catch's kitchen; which was the place where the quartered bodies of executed prisoners were boiled. On the whole, the image of the commoner's side portrayed by Langley (1724) is one of debauchery and brutality.

According to Langley (1724) the common felons side was unquestionably the most *terrible, wicked and dreadful* place of all the housing quarters in Newgate. The three wards (stone hold, the lower ward and the middle ward) in the common felons side were all located below ground. Being underground the three wards did not receive any natural light or fresh air. Prisoners were incarcerated for outstanding fines and were held in the wards as they could not afford the gaol fees. They were not released until the fine and fees were paid. Although

the conditions were bad in all of the common felon's quarters the most disgraceful behaviour was noted by Langley (1724) to take place in the *bilbows*.

The bilbows housed those prisoners prior to transportation. It was positioned opposite the press-room where prisoners who would not plead were, in the process of obtaining a plea, pressed, often to death. According to Langley (1724) prisoners in the bilbows were nothing short of poisoned by their own filth and their conversation was nothing but a stream of curses and swearing. The type of behaviour that went on in the bilbows was according to Langley (1724) debauchery the extent of which went *beyond description and belief.* Although the men's behaviour was reportedly disgraceful, Langley (1724) indicates that the female prisoner's behaviour in Newgate was often on par with, if not worse, than the worst of the men.

In order to amplify the degenerative conditions seen in prison quarters other than that portrayed in the masters side of Newgate prison Langley (1724) makes a comparison between the master's debtor's prison of Newgate and several Sponging-Houses in the country of Middlesex. This description amplifies the *incivilities, Extortions, Importations, Abuses and other base practices* that took place in prisons other than in the master's side at Newgate (Langley, 1724).

The historical portrayal presented by Stow (1598) Langley (1724) and later by Howard (1777) suggests that Newgate like most other prisons in England during that period lacked appropriate administration and management. The image suggests that the prisoners were left to their own devices and that resulted in unruly and debauched behaviour.

- ***The Fleet***

The Fleet is recognized as the first purpose built gaol and debtors prison in England. In existence between 1130 and 1780, the Fleet was the first building specifically constructed as a gaol in London for incarcerating commoners for debt. It is generally agreed that the King's Baulk house in Winchester High Street built in 1103 was the first true debtor's prison to exist in England (Pugh, 1968 and Burford and Shulman, 1992). Originally the Fleet was used to

confine offenders who were to be tried by the King. By circa 1198-9 until 1231 it held approvers; by 1270 it held suspected murderers and later felons, debtors and defaulters of both genders (Pugh, 1968 and Burford and Shulman, 1992). By the reign of Henry VII (1485- 1509) the Fleet was used to incarcerate those tried and found guilty by the Star Chamber and as such housed high profile offenders and the very wealthy. The Star Chamber was abolished during the 1600's during the reign of Charles I (1625-1649) and from this period the Fleet became a prison for debtors (Churchill, 1956 and Howard, 1777). It existed in its original form until it was burnt down during prison riots in 1780 (Dixon, 1850).

Peters (1995) suggests that by the beginning of circa 1300 the prisons in London included the Tower of London, the Fleet; Newgate; Ludgate; the Marshalseas; the Tun and the counters (compters). The Tun was a small prison located in the centre of London for vagrants, the idle and the morally wrong (Evans, 1982) and the counters, referred to as the compters, were prisons in Elizabethan London (circa 1600's) used to detain offenders of financial crimes. In Elizabethan times there were three Counters in London. They were located in Wood Street, the Poultry and in Southwark. Of the Southwark Counter there are few remaining records. The Wood Street and Poultry Counters were situated in the walls of the City of London. The Wood Street Counter was built of stone pierced with windows of all shapes. It was four storey's high and arranged around a courtyard (Pendry, 1974).

Like Newgate prison Fleet prison was synonymous with disgraceful and debauched prisoner behaviour. Attempts to curb the prisoners' unruly behaviour are evident in the table of rules and orders that were posted on the prison walls. According to Howard (1777) the rules of the Fleet began during the reign of Queen Elizabeth (1558-1603) and were later enforced during the reign of George III in 1729. Included in the rules of conduct were rules for disruptive unruly behaviour. According to Howard (1777) the rules included:

- Prisoners who (*greatly*) misbehave, may be shut in a close room or dungeon.
- Those who blaspheme, curse, swear or are disorderly, to be set in the stocks
- No garnish to be demanded from a newcomer
- No prisoner is obliged to sleep with a prisoner who is diseased

- That warden and officers are to treat prisoners with tenderness and humanity.
- Prisoners are required to behave themselves toward the warden.

It is significant to note that in many instances the rules for conduct presented in 1729 in the Fleet continue in many prisons to this day. According to the Correctional Services Act 1998 section 23 disciplinary infringements in prisons in South Africa include the following:

23. (1) A prisoner commits a disciplinary infringement if he or she –

> *(b) disobeys a lawful command or order by a correctional official or fails to comply with any regulation or order*
> *(c) is abusive to any person*
> *(f) uses insulting, obscene or threatening language*
> *(g) conducts himself or herself indecently by word, act or gesture*
> *(h) commits an assault*
> *(i) communicates with any person at a time when or a place where it is prohibited*
> *(j) makes unnecessary noise or causes a nuisance*
> *(n) commits a theft*

In many instances infringements for the same rules carry the same penalty. For example, in 1729 an inmate could be shut in a closed room or dungeon for gross infringements of the rules, a prisoner in South Africa who contravenes the rules may be dealt with as described below:

In the case of serious or repeated infringements, solitary confinement for a period not exceeding 30 days (Section 24 (5) (d) Correctional Services Act 111 of 1998)

Like Newgate the Fleet was separated into distinct areas or sides. In the Masters Debtors side there were 18 Codes of Law printed by D. Jones in 1774 (Howard, 1777). The Codes of Law were enforced by a prisoner committee; all members of the committee were prisoners. The committee had a president, a secretary and other members who were chosen monthly. In

addition, three prisoners were chosen to be involved from each gallery. The committee met every Thursday and at other times when called on by the *Cryer*; the committee would also meet on the request of the president or the majority. The committee heard complaints, settled disputes, levied fines and seized goods for payment of debt (Howard, 1777). Howard (1777) notes that the committee would determine an appropriate fine for any prisoner found guilty of blasphemy, swearing, drunkenness or riotous behaviour.

According to Howard (1777), the rules of the prisons in England during the latter part of the 1700's indicated the haphazard nature of imprisonment. For example, in a description of the rules for the Kings Bench prison in Southwark (Howard, 1777) indicates that those prisoners who were blasphemers, abusive or swearers or riotous would be punished in the stocks. Further rules and orders for the Kings Bench prison in Southwark state that weapons inside the prison were forbidden; any prisoner who assaulted another, who blasphemed the Name of God, swore, or who instigated a riot would be sent to another prison as punishment. Prisoners found guilty of violating the rules of the prison would be confined at the other prison for one month for their first offense and three months for their second offence (Howard, 1777). Rules in other prisons noted by Howard (1777) suggest that for riotous behaviour, drunkenness and obscenity, the prisoners involved would be severely punished.

In prisons such as the Sheriff's ward, Exeter which was the county Prison for debtors, the rules and orders clearly state that it was against the rules for a prisoner to abuse the turnkey, the punishment of which was confinement. It is appropriate to assume that confinement in this instance referred to solitary confinement. The rules of order for Exeter Ward also state that a keeper should place any prisoner in a place that would ensure the prisoner's safety (Howard, 1777). This indicates the first acknowledgement of safely housing vulnerable prisoners or prisoners with victimization potential. It also indicates that the prison authorities acknowledged that certain areas of the prison could provide more protection for certain prisoners and that prisoner assault was likely in specific areas of the prison. Two hundred and thirty one years on these rules are maintained. According to the Correctional Services Act 111 of 1998 Section 30 (1) (c) segregation may be used *when a prisoner displays*

violence or is threatened with violence or *(a) Upon written request of a prisoner* such as when threatened or vulnerable or for the purposes of studying.

2.3 PRISON REFORM – THE INFLUENCES

Despite records suggesting the conditions of prisons during the eighteenth century, Howard's *The State of the Prisons* first published in 1777 is significant for this study. Howard (1777) was the first to examine the effectiveness of imprisonment as a form of punishment. Furthermore, Howard (1777) was the first to theorize that punishment should serve some good.

2.3.1 John Howard

John Howard (1726-1790) was appointed as High Sheriff of Bedfordshire in 1773 whereon, at age 48, he undertook to inspect every gaol, jail, prison and houses of correction (Bridewell) on the British Isle (Griffiths, 1884). The study was carried out *"not for general entertainment; but for the perusal of those who have it in their power to give redress to the sufferers"* (Howard, 1777:3). In total Howard undertook four English tours and seven foreign tours following which in 1777 he produced *the State of the Prisons* (Howard, 1777; Griffith, 1884; Ignatieff, 1978 and Evans, 1982). The study meticulously highlighted the bad customs in prison, proposed improvements in the structure and made recommendations for managing prisons in England. Howard further detailed European, Irish and Scottish prisons and provided an insight into the state of hospitals, Hulks and the conditions that might fuel an outbreak of gaol fever (Howard, 1777). In total he reported that in the spring of 1776 there were 4084 prisoners incarcerated in prisons in England and Wales.

Howard's (1777) details regarding the location and type of prison facilities being utilized as gaols in the British Isle suggest that the locations of the gaols in the eighteenth century varied from those on the outskirts of the town to those located within the centre of the town. The facilities utilized as gaols and prisons were gatehouses, taverns, various rooms, cottages, or portions of lodging houses. The facilities identified by Howard (1777) are the earliest record of prison architecture during the eighteenth century. The study suggests that the common factor for all gaols in the eighteenth century was the emphasis placed on preventing escape

(Howard, 1777 and 1792 and Evans, 1982). This is demonstrated by the fact that chains and weights were often tied to prisoner's legs to prevent them from escaping and they were applied to prisoners who were considered refractory (Dixon, 1850). In addition to evidence that suggests prisoners were physically restrained, records indicate that prisoner details were kept. The details recorded each prisoner's behaviour while incarcerated (Fitzpatrick, 1790).

Continually throughout Howard's (1777) study it is apparent that the prisons in England during the eighteenth century were inadequate and not uniform in function or form. Underlying the study Howard (1777) continually makes reference to overcrowding, inadequate food, poor bedding and lack of security. For example, Howard (1777:375) suggests that although tap rooms were forbidden without prior consent and despite the prison door being locked at night the rules stated that *no large jugs of beer to be brought but pints or quarts may be put in at the window in prisons*.

Where the building designs are noted, Howard (1777) continually makes reference to prisoners being housed together; segregation or isolation was a specific form of prison punishment. It is evident that Howard supports the theories that congregate housing affects prisoner behaviour and as such he disapproved of mixing various types of offender, overcrowding prisons and mass housing.

Howard (1777) referred to the behaviour of those incarcerated as the bad customs in prisons. Although previously noted he described the custom of the *Garnish* (also referred to as the *Footing* or the *Chummage*). At the core of the Garnish was the saying *pay or strip* (Howard, 1777). According to Howard the Garnish could produce fatal results as those without money were stripped of clothing and left naked to survive the conditions in the prisons; this often led to disease and ultimately death. Moreover, Howard (1777) suggests the event was carried out in a form of riot and resulted in drunken debauchery.

Although not against gambling *per se* Howard's (1777) writings note that riotous behaviour, brawling and profaneness went alongside the gaming pursuits in prisons. Comparing the behaviour of prisoners in 1777 to those of today indicates that little has changed. Between

April 1994 and December 1995 approximately 200 years on from Howard's (1777) findings, 1,566 prisoners (835 young offenders and 731 adult male prisoners) in two male adult prisons and two juvenile institutions in America were chosen as a sample to examine prison violence. Incidents of assault, robbery, threat, insult, exclusion and cell theft were examined as specific forms of victimizing behaviour. The findings suggested that specific activities such as assaulting others, being involved in verbal abuse and being party to trading in tobacco and drugs as well as gambling encourage acts of violence. These forms of behaviour were categorized as high risk behaviour. High risk behaviour suggests that some form of assault is the likely outcome of a specific form of behaviour although prisoners might not necessarily be aware of the risks (O'Donnell and Edgar, 1996 and Edgar and O'Donnell, 1998).

Being horrified at what he saw Howard (1777) sought to remedy prisoner behaviour through a systematic measure of reform in which religion and solitude was foremost. Howard (1777) asserted that reform measures could be put in place through specific forms of prison architecture. Howard emphasized reforming the prisoner rather than correcting the prisoner and in order to achieve this proposed an architectural design for a new gaol. The new prison design proposals addressed health, order and security. In order for prisons to meet these objectives Howard (1777) suggested the following:

- Prisons should be positioned near a river in an *airy* position
- The walls of the prison should not be so high that they obstruct the free ventilation of air.
- Wards should be square or rectangular
- The wards should be built raised on arcades to increase air circulation.
- All rooms should be vaulted to prevent the spread of fire
- Only communal areas such as the chapel, keeper's house and staircase should be constructed from ground level
- Prisoners should be separated at night. This Howard suggested would prevent escapes and prevent prisoner assault (specifically those prisoners who are to give evidence to the King)

- Solitude should be encouraged as it leads to repentance particularly those prisoners sentenced to death.
- Women should be incarcerated separately from men.
- New offenders (especially the young) should be housed separately from old offenders
- Debtors and felons should be housed separately
- The penalties for transgressions (quarrelling, profaneness and obscenity) should be exhibited on the prison walls

Howard (1777) devised the ideal design for a prison or gaol. The design ultimately met with Howard's prison reform proposals presented in Figure 2.2

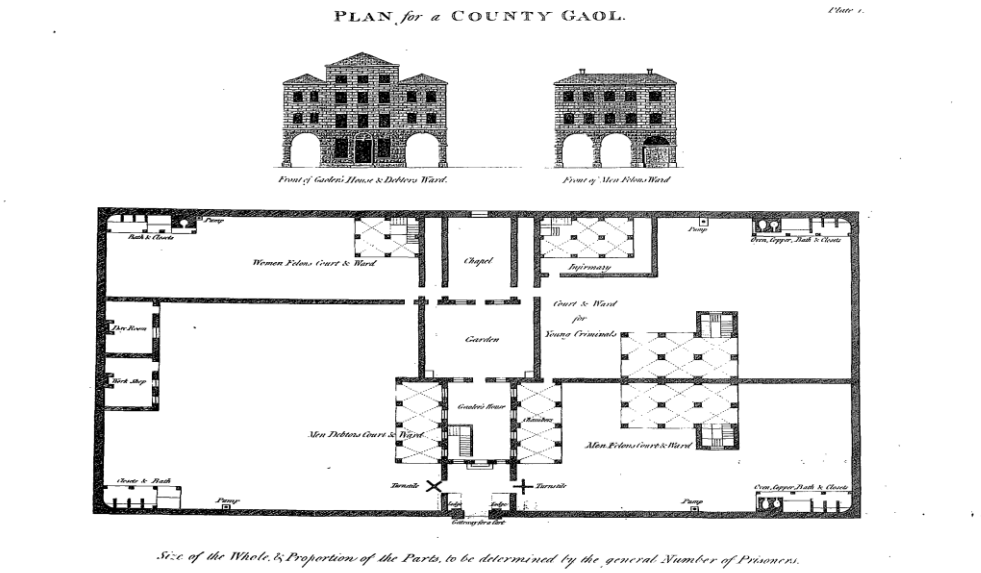


Figure 2.2: Howard's (1777) plans for the construction of a county gaol
(Source: Howard (1777:20 Plate 1))

Included in Howard's (1777) prison reform proposals were suggestions for furniture and fittings as presented in Figure 2.3

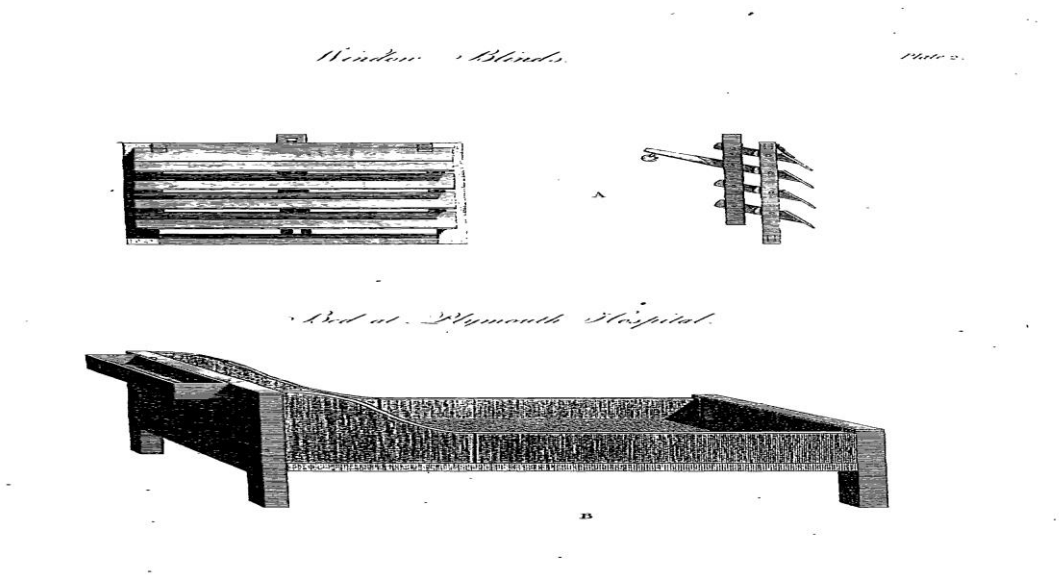


Figure 2.3: Howard's (1777) proposals for window blinds and beds
(Source: Howard (1777: 36 plate 2))

Security encompassed containment, preventing escapes, and policing prisons. Howard (1777:49) argued that the prison structure alone could not reduce the *wickedness, disease and misery* present in prisons and that gaols should be regulated or policed. The policing of prisons, Howard (1777) argued, would prevent quarreling among the prisoners. It is significant to note that Howard (1777:34) stated that:

> *"No fighting should be suffered in a gaol: no quarrelling, or abusive language; nor the frequent occasion of them, gaming. If any one be injured, let him complain to the Keeper, who should hear both parties face to face, decide the matter, and punish the aggressor by close confinement. Faults that deserve more severe animadversion should be reserved for the cognizance of the Magistrates, or inspector".*

Although the images depicted by Howard were such to propel him to take action, records suggest the misconduct continued. Du Cane (1885) suggests that in 1817 a prisoner incarcerated in Newgate prison would lead a *brutal* life and would have to give themselves up to a life that *violated all order and decency*. Du Cane (1885) suggests that being incarcerated in prison during the 1800 - 1900's exposed criminals to a number of *low*

pleasures which they could only procure in gaol. The conditions were reportedly so bad that Du Cane (1885) argued that a Chaplain's efforts to improve the prisoners mind in such conditions would be a useless attempt.

While accounts of prisons during the eighteenth century indicate that prisoners lived a life of debauchery and *low pleasure*, very little evidence explicitly details accounts of prison violence. However, although not specifically noted, it is conceivable that the life portrayed by inmates particularly in terms of their debauched behaviour involved violent outbreaks amongst the inmates. Of the specific accounts recorded it is suggested that prison violence existed in the form of minor quarrels and fights (Howard, 1777 and Spierenburg, 1991). Where more detailed records exist of the violent acts *per se* they suggest that prison violence as a specific infraction was first recorded in England during the 1790's where preventative measures were put in place to protect inmates from each other (Spierenburg, 1991). The first recorded incidents of prison violence suggest that prison violence was believed to be a function of prison life and was not thought to be a result of the offender's character. The first specific recording of prison violence in Europe was during 1635 in a prison in Hamburg. Records suggest the incident occurred in desperation and the assailant wanted to commit manslaughter in order to be heard by the court (Spierenburg, 1991). Although historical records indicate the use of weapons during prison infractions, weapons, in the form of knives, were smuggled into prison primarily to aid escape.

While being shocked by the conditions of prisons in England between 1726-1790 Howard was impressed with prison reform theories taking place in Europe. At the core of the prison reform theories in Europe was prison design. The design principles were believed to promote an environment where reform could be achieved. Being impressed by the philosophies in Europe, Howard introduced the design principles to England. The basis for Howard's design principles was that prison design should be simple, plain and effective while continuing to be places of punishment and not places of comfort. Although Howard's visit to European prisons during 1784 concentrated to a large extent on the design and function of the prisons he did explore to some extent on the behaviour of the prisoners. He notes that in French prisons it was forbidden to fight, quarrel or make riot. This rule was applied to the inside of

the prisons as well as to those areas where the prisoners were allowed to take air. The punishment for violating the rules was noted to be punishment as the *offence may require* (Howard, 1792).

Prisoner reform emerged in Rome through Pope Clement XI (1700-1721) who founded the house of correction for boys in the Hospital of San Michele in 1704 (Howard, 1777). Originally referred to as a hospital Howard (1777: 113) referred to it as a *"large and noble edifice"* and described it as an *"excellent institution"*.

The Hospital of San Michel housed orphan or destitute boys and served as a prison for boys or young men over the age of 20. The Hospital also housed women, the aged and the infirm (Howard, 1777). The prison section was referred to as the *Silentium* (silence). The name emerged as the primary function of the prisons was to encouraged industrious work from the prisoners in silence. According to Howard (1777:113 and 1792:114) the inscription: *It is of little advantage to restrain the bad by punishment unless you render them good by discipline* stood for the reason of all civil policy relative to criminality. Inscribed above the door of the prison section was the following declaration:

Pope Clement XI
For the correction and instruction
Of prolifigate youth:
That they, who when idle, were injurious,
When instructed, might be useful,
To the State.
1704.

The plan of the house of correction in Rome as noted by Howard (1777) is presented in Figure 2.4

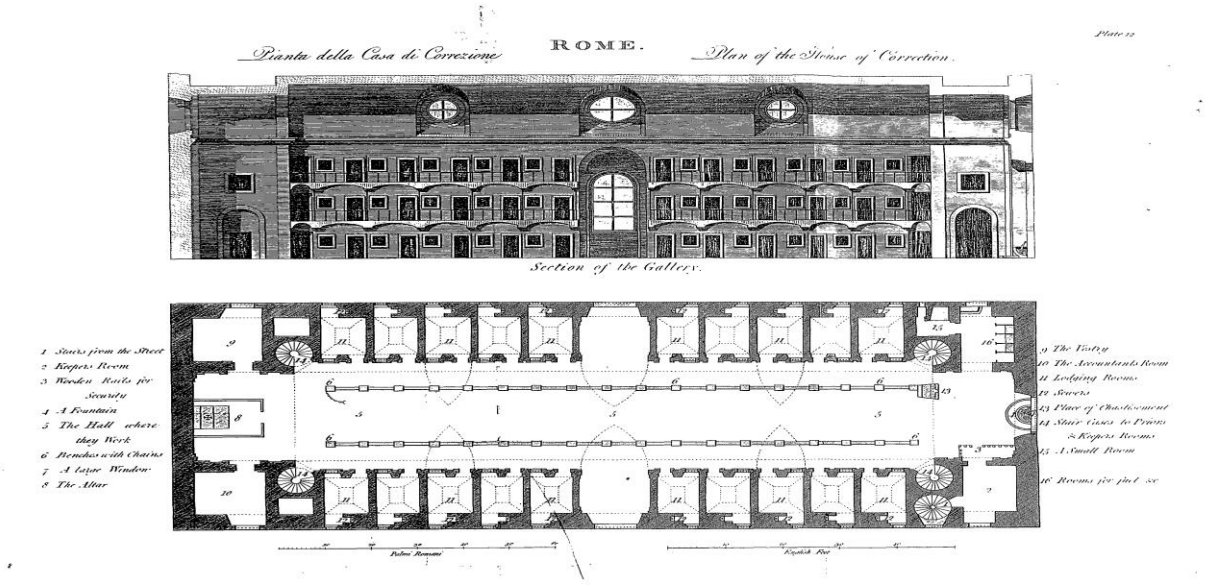


Figure 2.4: The house of correction in Rome
(Source: Howard (1777:114 plate 12))

At the core of the reform practices was prison architecture. Architecture was believed to enhance the environment to such an extent that reform would be the inevitable result. The house of correction for boys was built on the cellular principle of design. It contained three tiers of 10 cells each, lined up on two sides of a large rectangular building. The centre was used as the workshop by the inmates (Howard, 1777).

In conjunction with the house of correction in San Michele, J. P. Villain, a magistrate and urban reformer produced the *Maison de Force* in 1771 in Ackerghem, Ghent, Austrian Flanders presented in Figure 2.5 The Maison de Force was a four story octagonal building in which the prisoners were housed individually in separate cells. According to Howard (1777) gaming was forbidden as was quarreling among the prisoners. There were specific rules enforced for mending morals, preserving health and for training (Howard, 1777).

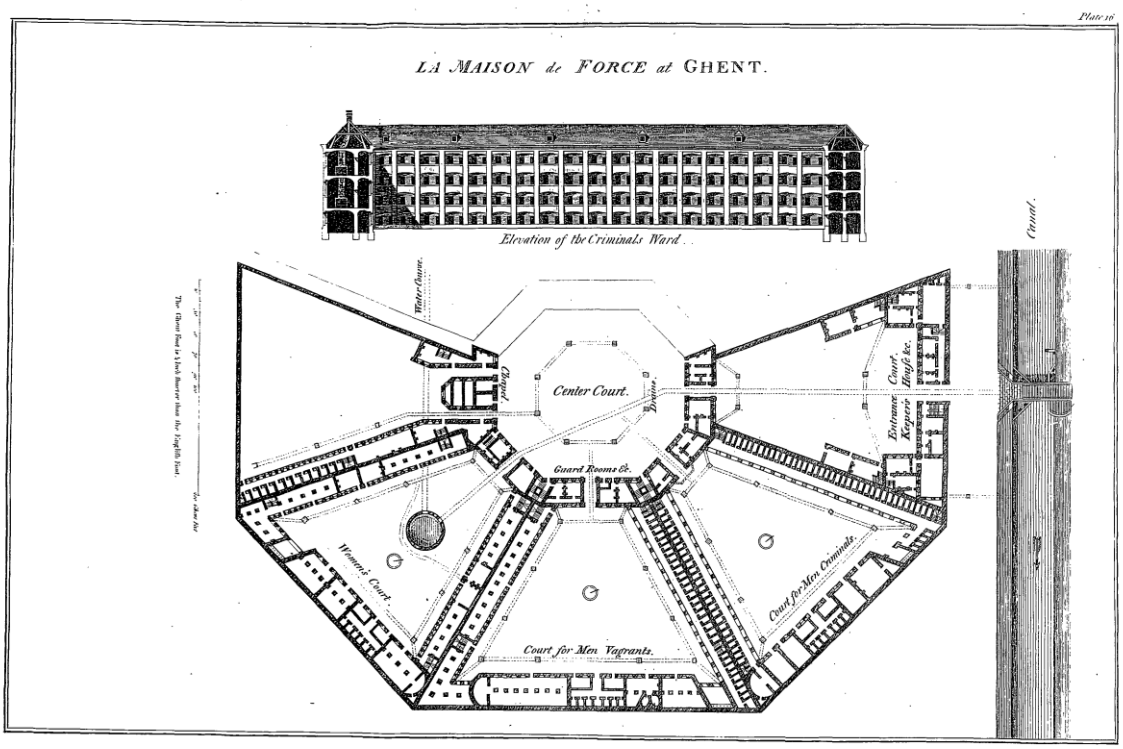


Figure 2.5: The Maison de force Ghent
(Source Howard (1777:145 Plate 16))

The reform theories incorporated into the *Maison de Force* namely, hard labour, silence, solitary confinement, religion and architecture, were borrowed from the Silentium. According to Foucault (1977) it was through the incorporation of work to achieve prisoner reform that the techniques of correctional treatment originally formed part of the institutional structure of penal detention, or what Foucault (1977) refers to as *accompanying mechanisms*. Incorporating penal reform into penal institutions such as Maison de force suggests that prisoner reform is not a recent phenomenon although prison reform is.

The *Maison de Force* presented Howard with several reform theories to consider incorporating into British prisons such as separating offenders by gender and establishing work principles that result in profit. Moreover, the conditions of the European gaols emphasized to Howard that prisoner reform could be promoted through the application of

prison systems or regimes such as, fixing the waking hours of prisoners, reading the bible, praying, solitude, and forced labour (Evans, 1982 and Ignatieff, 1978).

Despite being impressed with the reform theories in Ghent Howard (1777) suggested several physical alterations to the architecture of La Maison de Force. La Maison de Force was a four-storey regular octagon 190 meters across with segmented courtyards that surrounded a round administration centre. The design presented eight cell wings radiating out towards the octagonal containing wall and as such is believed to be the first utilization of the inside-cell construction (United States Bureau of Prisons 1949). Howard (1777) proposed the building was too high and the ceilings of the corridors and rooms were too low. He suggested separating the informatory and female dormitories, improving the sewerage system and increasing the daily provisions (Howard, 1792). Moreover, Howard (1777) suggested that a list of well-behaved prisoners should be sent (on Good Friday) to the Emperor for consideration of a pardon.

The reform theories presented by Howard (1792) although detailed were not novel. In addition to examples from Europe Howard borrowed ideas from several British reformers of the time. One of the key reformers at the time was Thomas Bray who was founder member and Chairman of the Society for the Promotion of Christian Knowledge during 1701/2 (S.P.C.K.) (Evans, 1982 and Ignatieff, 1978). Bray advocated two theories of reform, one for prison reform and one for prisoner reform. His theories focused on Newgate where he suggested that persons awaiting trial should be separately confined. Although solitary confinement for awaiting trial prisoners was also presented by reformists such as Mandeville (1725), Henry Fielding (1740/50), Jacob Ilive and Joseph Butler, it was Jonas Hanway (1775) who first suggested that solitary confinement should be adopted for sentenced offenders (Ignatieff, 1978). While other reformers suggested methods for prison improvement and reform, it was Howard who brought the ideas together through the underlying self-promoting premise that God would forgive all. Unlike reformers such as John Wesley who believed that only those close to dying could be redeemed, Howard believed that given the correct guidance and opportunity, the living could be saved and reformed (Ignatieff, 1978).

2.3.2 Gaol fever

The most significant propulsion for building the 45 reform prisons in England between 1775 and 1795 was gaol fever. gaol fever was believed to manifest in gaols that were overcrowded, dirty and badly ventilated (Howard, 1777). In the concern to reduce the existence and further spread of gaol fever, prison architecture had to ensure that all putrid contaminated air would be removed from prisons in addition to being appropriate for prisoner reform (Evans, 1982). In order to eradicate the putrid air Stephen Hales introduced ventilating machines into gaols and prisons; first introducing it to Newgate in 1752 (Pugh, 1968 and Evans, 1982). While support was given to Hales ventilating machines Howard (1792) argued that the most appropriate method to eradicate gaol fever was through architecture, most notably that apertures should be introduced into cells, the size of the cells should be increased, the gaols should be clean and walls should be *lime-whited* twice a year (Howard, 1777).

Some such as Dr. John Pringle suggested that prison architecture should incorporate ventilation as a fundamental design requirement (Evans, 1982). Following Pringle's suggestion and being adamant to eradicate gaol fever Howard (1777) presented the *ideal design for a county gaol*. The rationale for the design was to redress the *various evils* that presented in existing prisons; the proposed improvements were presented in terms of situation, plan and regulations. Above all Howard's (1777) prison design proposals addressed health, order and security. Figure 2.2 presents Howard's (1777) proposed design for a county gaol.

According to Evans (1982) prison architecture had to promote security, seclusion and, with this new proposal, health. Several prison plans to this effect were produced and several prisons were reformed with these objectives in mind. For containment, perimeter walls were devised, and for policing radial designs evolved. Radial designs presented three variations; the hub with detached wings, the hub with attached wings and the hub facing a polygonal range of buildings. The principle for the radial and polygonal designs was for the gaoler to have total observation from one central point; initially observation as policing was to detect and prevent escape (Evans, 1982).

In order to prevent gaol fever in prisons air had to be moved into and out of the prisons. Prisons were elevated off the ground and built on arcade; large semi open spaces beneath the arcades, labeled *piazzas*, opened onto large open airing spaces (yards) that were positioned between the radial cell blocks (Evans,1982). Airflow inside the prison was encouraged with floor vents, iron grilles on the windows, and lattice doors and in some instances the designs resembled a colander (Evans, 1982)

The premise of order from an architectural perspective came from the stand point that correct architecture would result in prisoner reform, and reform could only be achieved through separation, solitude and silence. The obstacle to effective prisoner reform was communication. Preventing communication between sexes; different types of criminals and experienced offenders from new offenders would increase the potential for reform. In several instances designs that encouraged solitude and separation were architecturally designed into the prisons so that the prison presented solitary cells for day and night; the cells and attached exercise yard resulted in complete separation (Howard, 1777 and Evans, 1982).

To sum, security required the prison to be enclosed; health required the prison to be open and reform required individual confinement within a secure and open environment. In order to achieve the requirements of security, health and reform, function prevailed and aesthetics were disregarded (Evans, 1982).

2.3.3 Prison reform and religion

The influence of religion on prison reform was the belief that the prisoners could only be totally reformed if positive reflection was encouraged. Giving the offenders mind nothing to be occupied with except its *own sordid contents* would only encourage more immoral thoughts (Evans, 1982). Reflection, repentance and a reform in character could only be promoted through religion. Physical punishment was believed to only affect the body; reformers believed it was the mind of the offender that needed to be punished and reformed. The only system that would enforce repentance was solitary confinement and the recommended method to enforce solitary confinement was through architecture (Evans, 1982).

As a prelude to his theories of reform and to stress the importance of reform, Howard (1777) argued that prisons must move away from the *gothic mode of correction* as severe punishment techniques which *harden the heart.* The theory was welcomed, as it was also proposed that *passion* drove the offender to undertake crime, and violent punishments fuelled the passion (Evans, 1982). This theory was initially proposed by Montesquieu (1990); Hobbes (1990) and Rousseau (1990) who all suggested that the severity of punishment should differ depending on its purpose. Although it was believed that severe punishments deterred potential offenders more effectively, more severe punishment techniques were believed to *harden* criminals rather than reform them. Aquinas II (1990) first presented Howard's subsequent theory of *hardening of the heart* when he proposed that punishment was an evil and evil *per se* should not be carried out in the hope that good will emerge. However, Aquinas II (1990) also implied that evil as a punishment must be administered for the sake of good when the good is the redemption of the offender.

In terms of religious influence on prisoner reform specific attention must be given here to the Quakers impact on prison and prisoner reform. The Quakers were consistent advocates of prisoner reform and in that were greatly admired by Howard. Suffering, hard work, silent prayer, introspection and a strong belief (fear) in God were constant to Quaker religion. Howard welcomed these principles and eagerly promoted the Quaker theories into a system for prisoner reform. In the same instance the self-disciplined Quakers found an inviting audience in prison reformers in the USA who were drawn to the concept and potential of regimented discipline to reform the confined. While Quakers were more influential in the United States of America the Quaker influence was seen in the United Kingdom through reformers such as Elizabeth Fry (Ignatieff, 1978 and Farringdon, 1996).

According to Ignatieff (1978) examples of their influence to reform are most notably found in the Pennsylvania Quakers' reform of the Walnut Street jail in Philadelphia in 1786 and further in the Walnut Street solitary block at Philadelphia built between 1790 and 1792. The Walnut street jail built in 1790 initially followed the model for a large framed house. Prior to the Quaker influence prisoners were encouraged to mingle in an undisciplined state (Ignatieff, 1978). The most significant force to introduce imprisonment as a mode of

punishment came from the American Quaker Dr. Benjamin Rush. Rush passed a Law on April 5th 1790 that permanently established imprisonment and hard labor as the normal method of punishment for convicted criminals (Ignatieff, 1978).

Examples of prisons in America that are important in penal history for design and reform are prisons such as the Charlestown Prison in Massachusetts. Charlestown prison was the first to enforce prisoners to wear uniforms. Difficult-to-control prisoners were separated from the general living quarters and housed in isolation on a sparse diet (Rothman, 1971). As more prisoners were incarcerated for longer periods of time the costs of imprisonment escalated. In order to meet with the costs of imprisonment and in order to occupy the offenders time the offenders were "encouraged" to work and several rooms were set aside specifically for prisoner employment. The Quakers ardently argued that industrious work would encourage prisoner reform. As the enforcement of work in prisons escalated it was realized that the design of prisons could not support the work ethos. Examples of this developing philosophy can be seen with the introduction of the treadmill and the crank, which served no purpose other than keeping inmates occupied (Rothman, 1971). From the influence of the Quakers two penal theories emerged during 1790 namely the Auburn and Pennsylvania prison systems and the two systems are recognized to be the two most influential reform systems to have developed in America. In both systems the prisoners were required to carry out punishment in complete silence; silence encouraged reform by preventing cross contamination among prisoners (Rothman, 1971). In the Auburn system, referred to as the *silent system*, prisoners slept alone although associated together for work and dining, all forms of communication were forbidden. The Pennsylvania system known as the *separate system* enforced isolation and silence for the prisoners' entire sentence. All activities including eating and working took place in the individual cells (Rothman, 1971). Details of the two systems are presented in Table 2.1.

Table 2.1: The Auburn and Pennsylvania prison systems

Rationale for system	Auburn system	Pennsylvania system
System adopted	The Silent System	The Separate System (and the silent system)
	Referred to as the Auburn system, congregate system or silent system. The silent system was implemented through solitary confinement. Prisoners were housed in solitary confinement although gathered together for work assignments and dining. Communication was forbidden.	Implemented by the Quakers Solitary confinement known as the solitary system. The system led prisoners to live in silence completely isolated from each other in individual cells. All activities took place in the cell. The system proposed inner reflection and penance
Region where theory initially adopted	Fingerlake region of New York. In 1878-1892 the Western penitentiary located at Woods Run near Pittsburgh. The penitentiary enforced the solitary system. The first prison in the US to have running water, toilet facilities, electricity and ventilation in each cell. The prison initiated gang locks. Most famous prison to adopt theories was Ossining (sing sing)	Walnut Street Jail in Philadelphia in 1790-1792. Eastern Penitentiary at Cherry Hill, Pennsylvania in 1829. The term penitentiary grew from the initial concept of punishment and penance.
Architecture adopted to implement system	Individual cells without exercise yards. Rectangular cell house plan replicated from St. Michael. Cells designed back to back along central rectangle. Cells were 7 ft long, 3 ft 6inches wide and 7 ft high. It became practice in the design of the prisons to provide an entrance into the cell houses that intersected the cell houses. The external wall of the cell houses functioned as the perimeter wall of the prison.	Initially the design involved outside cell construction that utilized a central corridor. Cells contained a small window although did not contain any form of convenience or furniture. The system was based on the Ghent model. The cells were 11 ft 9 inches long, 7ft 6 inches wide and 16 ft high. The cells had two doors one led to the central corridor and the other to an individual high walled unroofed exercise yard.
Date ended	Prisoners became ill, committed suicide or went insane. Abandoned in 1824	Continues to be in use to the present date (solitary confinement)

(Source: United States Bureau of Prisons (1949:23) and Rothman (1971))

2.3.4 Prison architecture – Constructing Reform

The construction and development of prisons particularly in the United Kingdom was in part perpetuated by the abolition of transportation. Transportation or the deportation of convicts to penal colonies emerged in 1597 during the reign of Elizabeth I (1558-1603) and continued as a form of punishment until the American War of independence in 1783. Following the American war of Independence transportation as a form of punishment ceased and as a result the prison population in the United Kingdom began to swell. The Hard Labour Act (1779) which was drafted by Howard, Blackstone and Eden advocated that incarceration if applied effectively would successfully replace transportation (Evans, 1982).

In order to apply the requirements of the Hard Labour Act of 1779 Parliament called for the construction of two penitentiaries in London, one for 600 inmates and the other for 300 inmates. Both of the penitentiaries were to be controlled and financed by Parliament (Ignatieff, 1978 and Evans, 1982). According to Evans (1982) this stage in penal order set the stage for the onset of penal centralization. In order to encourage architectural creativity a competition was held in order to acquire the most appropriate designs; a total of sixty three entries were submitted. William Blackburn was appointed architect for the male penitentiary for 600 inmates, and Thomas Baldwin was appointed architect for the female penitentiary for 300 inmates (Evans, 1982). According to Evans (1982) Blackburn is recognized as being the first who turned prison architecture into a science or technology which promoted design that demanded symmetry and geometry. The focus in architecture became the interaction between parts and function and form (Evans, 1982).

According to Evans (1982) two of the original entries remain; those by John Soane and Thomas Baldwin. Soane's entries detail three identical cruciform compositions, the plan also includ chapels, workrooms, an informatory and an area for dungeons for disorderly inmates. Soane's design allowed for a tripartite classification of prisoners where each sentenced offender had to progress through three distinct stages each with its own specific regime. The first stage involved cellular confinement and manual labour, the second offered improved confinement and work in small groups while the third stage involved less arduous

communal work (Evans, 1982). Each stage, as required by the Hard Labour Act (1779) required distinct accommodation.

Of the plans submitted for the architectural competition John Soane's details were considered the most applicable to meet the requirements laid out by the Penitentiary Act of 1779. Soane's architectural designs amplified Howard's (1777) suggestions; the designs were airy and incorporated arcades, cellular design with work rooms and solitary cells (Howard, 1777 and Evans, 1982). Although the plans were accepted the designs were not followed through to construction (Evans, 1982).

According to Evans (1982) by the 1780's three ingredients were required for reform prisons; security; salubrity and reformation. Security demanded enclosure; salubrity demanded exposure and reformation demanded isolation. In order to address these demands the first issue to be met was the demand for external security in the form of containment and internal security in the form of observation. External security had to prevent any forms of escape and to address this isolated boundary walls emerged. In terms of internal security in the form of enhanced observation three initial designs were conceived; the attached radial design, the detached radial design and thirdly, the polygonal arrangement (Evans, 1982). These three designs emanated from Blackburn's original concept. The design was originally devised so that the spaces between the cells blocks could be observed and as such reduce any attempt at escape. Salubrity was incorporated into prison architecture for the sole purpose of enhancing air flow. Enhanced airflow would ultimately reduce the likelihood of the spread of infectious diseases (Evans, 1982).

Reformation, unlike security and salubrity, addressed the issue of punishment. Punishment was from this point for the good of the offender; it brought about reform. The only method of enforcing reform through punishment was by eliminating any form of communication (Evans, 1982). Silence and solitude remained the most logical methods to promote reform and the only technique in which to enforce this system of reform was through architecture. According to Evans (1982) architecture had to meet with one main focus for effective reform, that of separation. Three specific types of separation were called for namely, separation of gender and offender by age group; separate sleeping accommodation for all offenders and

thirdly separation of offenders depending on offence both during the day and at night (Howard, 1777).

- ***The Panopticon***

As noted, penal requirements of the late eighteenth century were based on health, security and order. Penal reformers of the time such as Howard sought to implement penal practices based on meeting these requirements. Others such as Jeremy Bentham (1787) amplified Howard's theories. While it was recognized that solitary incarceration met with the philosophies of punishment critics of complete isolation emerged. One of these critics was Jeremy Bentham. Bentham criticized the prison system as a form of chronic punishment and posited that specific forms of incarceration would control the offender and shape their behaviour (Bentham, 1787). In order to endorse this theory Bentham came up with the Panopticon of Inspection House prison design (Figure 2.6).

The Panopticon prison design proposed by Bentham in 1787 was designed solely to control and form human behaviour. The Panopticon was designed to meet with the challenges of prison at the time namely, safe custody, confinement, solitude, forced labour and instruction all of which had to be carried out under strict observation.

The Panopticon differed from previous designs in several ways. Firstly, the design was round. Prisoners were housed in individual cells on the circumference of the building; the inspector was positioned in the centre. Each cell had to have a window and the light from the window was to illuminate the actions of the offender so the inspector could continually observe prisoners. Continual observation and control would ultimately reform the offender. Based on the Hard Labour Act (1779) Bentham (1787:48) proposed the enforcement of hard labour for the benefit of the prisoners' reform stating:

> *"and the general notion seems to be, that as people were to be made to work for their punishments, the works to be given to them should be somewhat they would not like; and, in that respect, it looks as if the consideration of punishment, with its appendage*

of reformation, had kept the other of economy a little behind the curtain…..the discipline of the house would so effectually keep from all kinds of mischief".

Figure 2.6 presents an image of the Panopticon submitted by Bentham in 1787

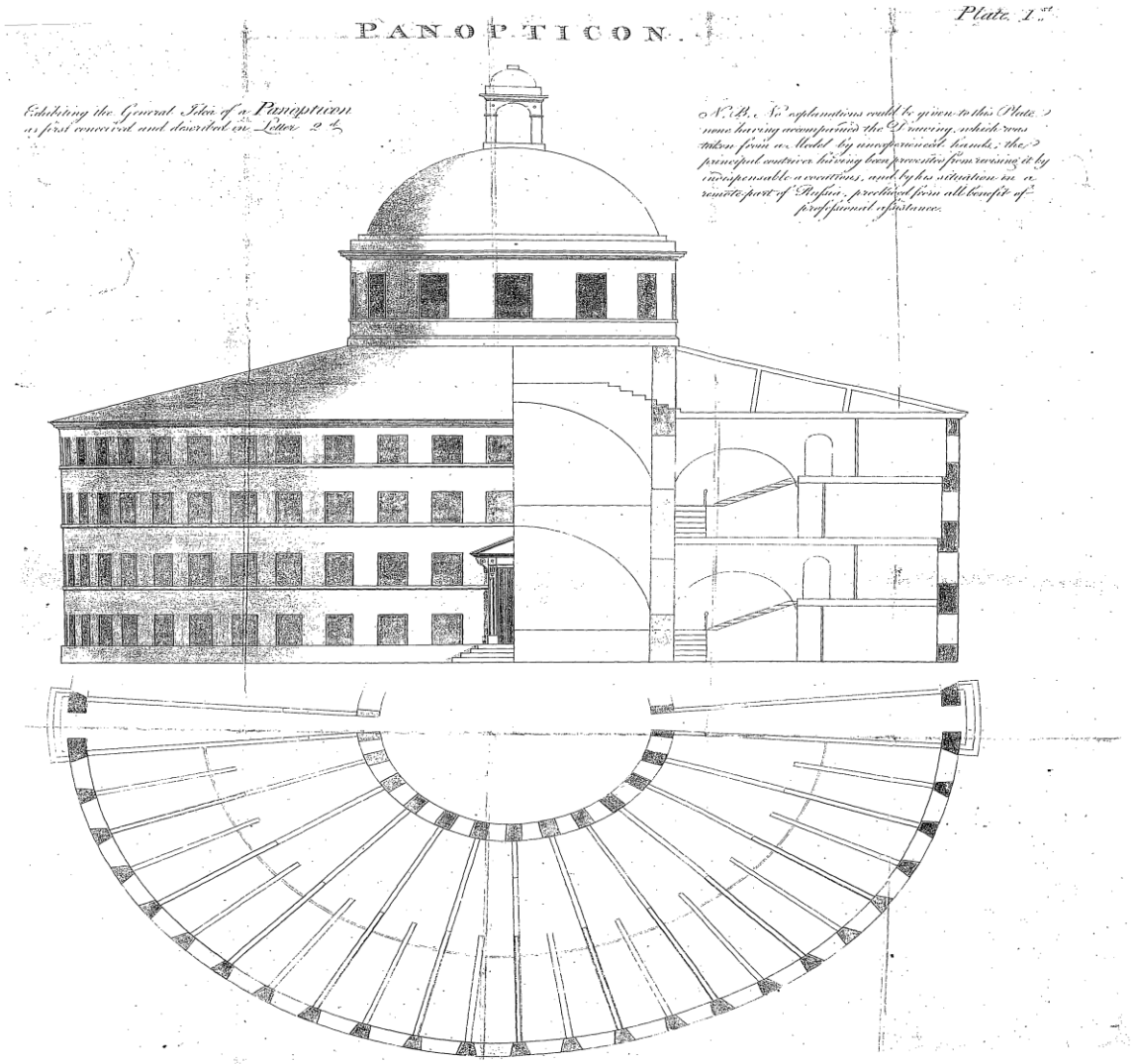


Figure 2.6: Image of the Panopticon
(Source: Bentham (1787))

- ***Radial and polygonal prisons***

According to Evans (1982) prison design from 1808 in England concentrated on two distinct forms, polygonal and radial. The emphasis of prison design in the nineteenth century had moved from that of security, health and order, to the additional requirements of discipline, management and morality in the nineteenth century. Underlying the three new goals the premise of imprisonment continued to be security, health and reformation although, presented as classification, inspection and employment (Society for the Improvement of Prison Design, 1820).

The three new theories proposed in 1816 by the Society for the Improvement of Prison Discipline (S.I.D.P) and for the reformation of young offenders dominated the philosophy of penal punishments between 1818 and 1830. A Report by the Committee of the S.I.P.D (1820) noted that up to 1818 there were 518 gaols and houses of correction in the United Kingdom. The facilities housed 107, 000 persons although only 23 of the facilities classified the offenders. Fifty nine of the facilities did not separate male and female prisoners and 136 only made one division; 73 prisons had *employment of any description* (SI.P.D, 1820). The S.I.P.D came from the theory that defective construction and discipline in many of the gaols produced further crime and misery. The society acknowledged that the purpose and ultimate end of all punishment was the prevention of crime. Deterring criminals and reforming offenders, they suggested, required constant inspection, moral and religious instruction and prisoner classification as well as hard labour. Applying all of these components, they argued, would soften the most *obdurate* (S.I.P.D, 1820). In order to put the theories into action the committee was dedicated to implement a number of designs for gaols. The new designs promoted the new founding principles of imprisonment, namely: security, health, constant inspection, classification, employment and moral and religious improvement (S.I.P.D, 1820). The proposed prison designs concentrated on the radial, polygonal and windmill. However, despite their promotion of surveillance the concept of radial design envisaged by Blackburn in the Liverpool Borough gaol (1785-1789) was regarded by the S.I.D.P as naïve. Such was their disapproval of the radial design that architects abandoned the design until its rediscovery early in the 1800's (Evans, 1982).

The theories of the S.I.P.D (1820) did not end with prison discipline or internal prison mechanisms. In order to promote the notion of punishment and instill the idea that punishment was harsh the S.I.P.D (1820) required the external aesthetics of the prison to present the image of severity and harshness and further instill that the function of the building was punishment. The S.I.D.P advocated simplicity in prison design. Prisons were required to give the impression of oppression and as such promote general deterrence. On the most part the image required by the S.I.P.D. was met through the designs incorporated into prison entrances and external walls. The aesthetics and designs promoted by the S.I.D.P are currently adopted, as suggested in Figure 2.7 which presents the entrance of Pretoria Central Correctional Centre, South Africa.



Figure 2.7: Pretoria Central Correctional Centre entrance
(Source: Department of Corrections (n.d.f))

To promote the theories of classification, inspection and employment, prison architecture continued to be primary. With the continued growth of prisoners in the UK (7,000 in 1800 –

14,000 in 1832) prisoner classification emerged. It was contended that prisoner classification and separating the offenders into distinct groups would prevent the spread of corruption in prisons. An example of this is amplified in records of Cold Field Baths which show 11 distinct classes of prisoners during 1801 and 24 classes in 1843 (Evans, 1982). New prisoner classification required separation of offenders by gender and offense; Howard (1777) only conceived separating the new and old, and sick and healthy offenders. Further distinction was made between charged and awaiting trial prisoners and those prisoners waiting to give evidence on behalf of the King. The S.I.D.P came up with 20 classifications of offenders in 1820 and based on the introduction of prisoner progression introduced by the Penitentiary Act of 1779 the S.I.D.P further implemented separation of offenders based on offender occupation (Evans, 1982).

Where Bentham developed prison design for inspection the S.I.D.P required *unobserved inspection* through prison architecture. Inspection was required to promote visual and audible inspection and, to achieve this, S.I.D.P campaigned for the radial design. However, radial prisons were only found suitable when they presented a limited number of wings; increasing the number of wings projecting from the central inspection tower reduced visibility and the effectiveness of inspection (Evans, 1982). An example of the radial design is presented in Figure 2.8



Figure 2.8: Radial prison designs as adopted by Johannesburg Management Area (Source: Department of Corrections (n.d.d))

Where the S.I.D.P advocated the radial design George Holford promoted the polygonal prison design (Evans, 1982). Arguably, the most renowned prison built on the premise of the polygonal design was Millbank. Polygonal design involved core or circular centre around which was built a hexagonal surround. Where the core contained a chapel the hexagonal surround contained the administration centre of the prison. Millbank had six pentagons at the core of which were positioned inspection towers. On entering Millbank prisoners were segregated, over time prisoners could progress to distinct categories through a system of awards for good behaviour. Each category brought specific privileges, for example second category prisoners were permitted to work in small groups (Evans, 1982).

- ***Alternatives to radial design***

According to Johnston (2000) prison design pre 1945 can be categorized into five distinct forms, namely: rectangular/linear, self-enclosed or courtyard, radial, polygonal, telephone-pole and campus.

According to the United States Bureau of Prisons (1949) prison design throughout Europe and America were primarily radial design until the middle of the twentieth century. Radial design encompassed long corridors projecting from a central observation hub, the long tiers of back to back cells faced onto galleries. The only design deviation from the radial design during the eighteenth century was the Telephone Pole design. Designed by Francisque-Henri Poussin for a prison in Fresnes, France in 1898 the telephone pole prison design presented a central corridor (the post) from which cell blocks (crossbars) spanned across the central corridor connecting all the cell houses and other facilities. The central hub favored by the radial design was exchanged for separate control in each block or crossbar (United States Bureau of Prisons, 1949). In the classic telephone-pole design, the long connecting corridors intersect the cell houses at right angles. This original design has altered and modern telephone-pole designs connect the housing units at various angles.

In addition to radial and telephone pole designs prison design included self-enclosed prisons, where the wall of the building formed the perimeter wall. Examples of this design are encompassed into prisons arranged around a courtyard or campus; open or cottage prisons,

free and open layouts; Panopticon and multi-storey building design. While prison designs were determined as a result of requirements for order and discipline prison designs have contributed to the implementation of various prison management techniques.

- ***Pentonville prison (the model prison)***

Designed by Joshua Jebb, Pentonville prison was built between 1840 and 1842 at a cost of 82,272.00 pounds. Positioned on a six acre site in North London surrounded by a twenty-five foot wall interspersed with officers' residences, Pentonville contained 520 identical cells thirteen feet deep, seven feet wide and nine feet high. The prison comprise of four vaulted gallery wings 16 feet wide and 40 feet long (Evans, 1982; Ignatieff, 1978 and McGowen, 1995). The three-story brick and concrete fill wings held cells on either side; the cells met at a central hall where each length of cells could be continuously observed (Evans, 1982). The prison was designed for application of silence, separation and solitude and for that purpose each cell was a self-contained unit where a prisoner would spend the whole day except for exercise and chapel visits. Pentonville is described as the *model prison* as it incorporated the past theories of imprisonment and merged them into one setting. Pentonville proposed the model example for future prisons. By 1847 fifty-one prisons based on the model prison design had been erected or were under construction in England (Markus, 1994).

While it was generally agreed that Pentonville presented the model for future prisons, debate continued over the effectiveness of architecture to reform offenders. Prison architecture as an element for prisoner reform was founded in the belief that prisoner separation and solitude evoked moral transformation. Where the silent system hinged on silence and no communication between inmates, the success of the separate system was effective only through appropriate architecture. Prison architecture as a function of reform was founded in compartmentalization, classification and observation.

2.3.5 Progressive stages

The rise of the Progressive stage system was introduced by Joshua Jebb between 1847 and 1856. The first stage imposed separate confinement for offenders, in the second stage offenders were set to work and the third stage offered conditional release for offenders who

presented obedient conduct while incarcerated. Early release as reward for good behaviour ensured cooperation (McGowen, 1995). Adaptation of the progressive stages was further applied by the Prison Commission (1878-1894). The Prison Commission relied on imposing regimes, prison conditions and hard labour to promote deterrence. Where Jebb introduced three progressive stages the Prison Commission introduced four. The first stage enforced the offenders to hard labour for ten hours a day six days a week; beds were not provided. After one month at the first stage the offenders progressed to the second stage where they were put to industrious work, allowed to sleep on a mattress and permitted to earn one shilling. Labour during the third stage of progression was similar to the second stage, although the offenders were permitted to sleep on a mattress for six nights of the week. During the fourth stage the prisoner would work in a position of trust in the prison, a mattress was permitted seven days a week and the prisoner could earn two shillings. Despite being effective for long term offenders the progressive stages system was inappropriate and not implemented for short terms of imprisonment (Webb and Webb, 1922).

In 1895 the Gladstone Committee was formed and produced the *Report on Prisons* (1895). The Committee sought to investigate prisoner accommodation; the conditions for Juvenile and first offenders; prison labour and occupation, and the rules for prison visitors. Research for the report sought to investigate the rules governing prison offences and prison management which included the treatment of habitual prisoners and prisoner classification. The report questioned the ability of prisons to deter crime both on an individual and general level. The *Report on Prisons* by the Gladstone Committee (1895) suggested that the treatment received in convict and local prisons for first time offenders was ample for the purpose of detention, although the report indicated that imprisonment for first time offenders and less hardened offenders produced a *deteriorating effect.* The report suggested that prisoner classification should be adopted for the purpose of prison discipline as it would help and guide the individual offender and make a *priceless change in his intentions or dispositions.* It was envisaged that prisoner classification would help to reform offenders who were disobedient to authority. The Gladstone Committee (1895) reported on prison offences and argued that for the year ending 31st March 1894, 5,489 punishable offences had taken place inside the convict prisons (2,098 of which were punished) and a total of 207,702

prison offences had taken place inside local prisons (23,071 of which were punished). The report suggested that the high numbers of offences that take place in a prison are a direct reflection on the *nature of prison life*. Suggestions made in the report were reflected on later by the Home Department. In 1959 the Home Office presented a white paper entitled *Penal Practice in a Changing Society* which reinforced the importance of prisoner classification. Later, Mountbatten (1966) added that prisoners should not only be classified but should also be housed according to their risk of escape and dangerousness.

2.4 SECOND GENERATION PRISONS

According to Wortley (2002) citing Atlas and Dunham (1990) and Werner *et al.* (1987) the design of second generation prisons date from 1970 although for a critique of the historical development of prison design second generation prisons are examined from 1930.

Second generation prisons are distinguishable from first generation prisons in their shift from sporadic surveillance to remote or indirect surveillance (Wortley, 2002). While surveillance was given more emphasis in second generation prisons, the surveillance was undertaken remotely and at a distance from the offenders. Although surveillance measures were improved through second generation philosophies, any interaction between officials and offenders was severely restricted. Control of offenders was implemented through electronic devices such as automatic systems to open and close doors (Wortley, 2002).

In America, the Federal Prison Systems, which obtained its basic charter and authorization through several acts passed by Congress in 1930, set up the Bureau of Prisons (FBP) to carry out and implement various policies. The basic laws of 1930 established a new legislative standard of prison construction and administration. The legislative standard stated that all correctional facilities should ensure the *"proper classification of and segregation of prisoners according to their mental condition"*. In addition, "*other factors should be taken into consideration in providing an individualized system of discipline, care and treatment of the persons committed to such institutions"* (United States Bureau of Prisons, 1949:40). However, the declaration did not mandate or set down a standard for punishment and as a

result there was a diversity of prisons that attempted to meet the objectives of the prescribed legislation.

In 1949 the prospectus of the United States Bureau of Prisons identified the methods to be adopted to implement the program of classification, segregation and individualized treatment prescribed in the legislation of 1930. Table 2.2 presents the types of institution required, the classifications to be adopted, the offenders to be housed and the types of custody to be applied.

Table 2.2: Institution and classification of prisoner

Type of institution	**Institution classification**	**Types of offenders**	**Type of custody**	**Prison examples**
1. Penitentiaries	Super-Security	Serious criminal records Long term offenders High escape risk offenders Disruptive behaviour Violent behaviour while incarcerated	Protective	Alcatraz
	Maximum security	Extensive criminal record Long sentences for serious offences	Protective and Punitive	Atlanta Leavenworth
	Medium security	No serious previous criminal record Short sentences	Punitive	Lewisburg Terre Haute
	Mixed Custody	Overflow from Atlanta-Leavenworth and Lewisburg-Terre	Punitive	McNeil Island
2. Correctional Institutions	8x Medium security 1x minimum security	Misdemeanants Men serving up to 3-year sentences	Punitive	In total 9 institutions
3. Reformatories	Medium/Minimum security	Types of offenders Young men between age 17-30 Men for agricultural and industrial training Women of all ages serving all types of sentence Camps – 4 camps for young men	Punitive	4 Federal reformatories housing 4 specific type of offender
4. Juvenile Institutions	Minimum security	Juvenile delinquents between the ages of 12-19 years of age First time offenders between the ages of 16-21	Reformatory	2 institutions, 1 in Washington and a second in Colorado.

(Source: United States Bureau of Prisons (1949:43))

In 1946 Congress approved and financially supported the establishment of the Advance Planning Unit within the Bureau of Prisons. The purpose of the Advance Planning Unit was to develop and retain a collection of prison designs for the construction of penal and correctional units. From the designs the Bureau released the *Handbook of Correctional Design and Construction* in 1949. The handbook served as a source book for the construction of institutions from small jails to maximum security prisons (United States Bureau of Prisons Advanced Planning Unit, 1949). The recommendations made by the United States Bureau of Prisons (1949) for prison design and planning were as follows:

- Inmate population should be reduced and Penitentiaries should house a maximum of 1,200 inmates. Large facilities (+5,000 inmates) should be avoided as they demoralize and encourage idleness
- Prisoner rehabilitation is hindered by larger prison size, overcrowding, overbearing security and excessive supervision
- Penitentiaries should incorporate a variety of designs
- All Penitentiary planning and design should be based on the principle of inmate classification and the requirements that demands
- Prison housing design should be appropriate to the classification of prisoner as this would reduce construction costs
- There should be only one Maximum-security prison per state
- Only 15-25% of adult felons should be housed in maximum-security housing

Recommendations for medium and minimum security institutions were as follows:

- Design should be dictated by geographical location and inmate population
- Freedom, flexibility and diversity of programs should be the objectives for design.
- The treatment program should primarily be rehabilitative with the punitive element coming secondary
- Educational, academic, vocational, recreation and training facilities should be incorporated into the design
- The receiving unit should be spacious and self-contained and comprise house examination area, fingerprinting area and interviewing facilities

- More than usual freedom should be awarded to prisoners leaving housing units to participate in treatment programs
- Day rooms should be provided in each housing unit that do not require additional supervision
- Designs should have facilities for educational and treatment programs and the programs should be able to be conducted at night without being a security risk or additional security being needed. All facilities should be grouped and placed as close to the housing units as possible

For all correctional institutions, defined as *all institutions used to detain and house convicted offenders*, the United States Bureau of Prisons (1949) recommended that the design of housing units should reflect the classification of offender to be housed. Generally, the designs should follow a straight line and rectilinear form which is best suited to assure security, ease of supervision and circulation of large groups. In support of this proposition the United States Bureau of Prisons (1949) outlined design proposals for dormitories, facilities, outside cells, inside cells, admission cells, strong rooms, restraint rooms, disciplinary cells, prison enclosures, recreational areas, sally ports, guard towers and visiting areas. Table 2.3 details the specific design proposals as outlined by the United States Bureau of Prisons (1949).

Table 2.3: Design proposals for prisons in the United States of America

Specific location or design criteria	Design proposals
Dormitories	• Must be founded upon the principle of classification • Should only be occupied by those suited to dormitory housing • Dormitory housing can accommodate a fluctuation in prisoner population and structural changes are not required to meet with the demands • Misconduct is less likely in appropriately supervised dormitories than individual cells • The use of dormitories allows for a decrease in the square foot per inmate requirement but generally a floor space of 5feet 6 inches by 8 feet 6 inches should be awarded to each inmate in dormitories • In order to maintain control in the event of a riot, dormitories should contain an emergency exit/entrance. The door of the entrance should not have hardware or a key on the housing side and it should not be a sliding door nor should it open outward • Construction materials should be fire resistant. Concrete floors and smooth face hollow masonry walls or block facing for interior walls. • All interior walls should be glazed to improve supervision • Bed allowance should be 2 feet 6 inches by 6 feet 6 inches. The remaining 2 feet of the 8 feet 6 inches allows for the aisle. The remaining 3 feet by 6 feet 6 inches allows space for dressing • Four-bed dormitories are preferable to two-bed dormitories as exterior external wall construction in proportion to allowable floor space is greater • Where the dormitory is single-storey a ridged frame truss with hip roof is recommended • Where the dormitory is multi story internal columns should not be incorporated and each floor height should be eleven feet from floor to floor • All entrance doors should be flush hollow metal incorporating a high proportion of glazing. • Windows should be *detention sash* of either the intermediate or super bar type. They should extend to the ceiling and stop within 3feet to the floor.
Plumbing facilities	• All plumbing facilities to be used by inmates in dormitories should be separated; this allows for more efficient use of the facilities and reduces the likelihood of misconduct • Congregate plumbing facilities (and day rooms) should be placed at the entrance of all dormitories • Maximum supervision should be awarded to congregate plumbing facility areas • Separating partitions should be glazed to increase supervision • All ablution blocks should be tiled • Shower rooms should be arranged so that each shower is visible • Partitions in showers are not recommended • Toilets should not be enclosed, rather small wing partitions 3 feet high and 18 inches thick rounded at the top should be adopted

Table 2.3 continued: Design proposals for prisons in the United States of America

Specific location or design criteria	Design proposals
Outside cells	(Outside cells face the inside of a prison corridor and have a window positioned on the exterior wall) • Outside cells should be 6 feet 6 inches wide, 10 feet long and 9 feet from floor to ceiling • There should be a window in the cell which the prisoner should be able to operate • Ablution facilities with the exception of a shower should be contained within the cell • The cell block unit should have an emergency staircase and entrances at each level • The unit should extend from the main corridor with a day room, congregate plumbing facilities and an entrance at each floor tier • The housing cell blocks should not exceed 3 stories, ideally two. • Gang locking systems should be adopted rather than individual door locking mechanisms • Windows should be 3 feet wide by 5 feet high.
Inside cells	(Inside cells face the outside wall of the prison and are commonly constructed back to back. They are acknowledged to be the most secure of all cell designs. The United States Bureau of Prisons (1949:206) recommends that inside cells be only used for maximum security prisons) • Inside cell blocks should be a maximum of three floors high • Segregation between the tiers by solid floor slabs should be avoided and galleries should be incorporated • The cell block length should be limited to 16 cells. • Stairwells should be positioned at the entrance end of the unit and the emergency and supplementary stairwell positioned at the opposite end • The cell size should be 6 feet wide and 9 feet long and 9 feet from floor to ceiling • A toilet should be provided in each separate cell • The showers should be located at the entrance end of the unit on each tier • The floor should comprise of concrete and concrete or masonry block side and rear walls. Reinforcement bars should be incorporated into the walls • Concrete should be adopted for the side and rear walls of the cell block rather than all-steel plate • The cell lighting should be a 20-watt fluorescent *angle-type* light positioned over the bed at the juncture of the back wall and ceiling. The controls for lighting should be individual and controlled.

Table 2.3 continued: Design proposals for prisons in the United States of America

Specific location or design criteria	Design proposals
Visiting rooms	• The type and design of visiting room is dependent on the type of institution and the character of the inmate population. • The design of the visiting room should minimize stress and not present the prison atmosphere • Informal rooms, modified informal rooms and formal rooms are recommended types of visiting rooms.
Restraint rooms	In addition to strong rooms restraint rooms should be provided in the prison hospital. The size of the strong rooms is recommended to be 7 feet by 9 feet. Construction material should be the most impervious material for example, tile or terrazzo and glazed terracotta walls. Other than a flushing rim floor drain the strong room should be bare.
Disciplinary cells	• All prisons must contain disciplinary cells. • The maximum recommended size of the disciplinary cell should be 7 feet by 12 feet. • Based on inside cell design large disciplinary cells should have a 3 foot wide entrance hall. • The vestibule prevents inmate contact with adjoining cells, prevents contraband being passed between inmates and creates a sound barrier between cells. • The front of the inner cell should contain a stainless steel screen or a detention sash window glazed with tempered glass. • Where there are several detention cells in a prison a number of them should only contain a flushing-rim floor drain rather than toilets. • Disciplinary units should be located in close proximity to the hospital and separate from all other housing units within the prison.
Admission cells	• Admission cells should be incorporated into all correctional institutions except jails. They should be positioned close to the prison hospital, dining hall, admission unit and at the entrance of the institution
Prison enclosures	• The type of prison enclosure is dependent on cost and flexibility. • Walls, single or double wire fences and self-enclosed prisons are recommended as prison enclosures.
Sally Port	(A sally port is a pedestrian or vehicle entrance vestibule, with a door or gate at each end) • The gates should never be unlocked simultaneously. • The design of the sally port in a given institution is dependent on the type of institution

Table 2.3 continued: Design proposals for prisons in the United States of America

Specific location or design criteria	Design proposals
Recreational facilities	• Every housing unit should contain one recreation room (day room). • Furniture, recreational equipment and colour should be considered when designing day rooms. • Day rooms are inherent to inmate rehabilitation. • The recommended minimum size of 10 square feet per inmate should be provided in the day rooms. • Small games areas outside of but adjacent to housing units reduces disciplinary problems. • The games area should be close to the housing unit and enclosed. • In addition to small games areas large athletic areas are also considered to promote offender rehabilitation. • Where there are large areas of land specific for athletic activity the areas should have grass and benches and trees and present a normalized environment, particularly when the areas are used by long term prisoners.
Guard Towers	• External galleries should be avoided as they reduce visibility from inside the tower • The base of the tower should be greater than the top to improve visibility around the base of the tower. • The side walls and windows should be of a material to stop a bullet. • The position of guard tower is dependent on the type of inmates, the topography of the area and the climate.

(Source: United States Bureau of Prisons (1949))

Further to the initial prison design proposals set down by the United States Bureau of Prisons (1949) The National Clearing House for Criminal Justice Planning and Architecture (NCCJPA) was established in the Department of Architecture, University of Illinois. The NCCPJA (1971) published *Guidelines for the planning and design of Regional and Community Correctional Centres for Adults* that presented the functions and purpose of prison design. The proposals recommended smaller prisons housing 300 inmates in single cells; 14 cells to one unit and recreational areas to be contained within each living unit (NCCPJA, 1971).

According to Atlas (1982) following the initial study presented by the NCCPJA (1971) the NCCPJA conducted several studies resulting in a number of publications. Generally the

studies sought to examine the effect of prison design on behaviour. Several studies by the American Corrections Association (ACA) followed by a study by the South Carolina Department of Corrections suggested a correlation between prison violence (collective or individual) and poor prison design, specifically prison design that accentuated overcrowding. Despite recognizing the correlation between prison design and disruptive inmate behaviour the lack of standardization across America with regard to prison design beset designers and practitioners alike (Atlas, 1982). In order to address this disparity several amendments were made to the Constitution to define specific design requirements for correctional facilities across the USA. According to Atlas (1982) Florida was the first State in America to adopt and enforce a *binding cap* or upper limit to the number of male inmates that could be housed in any individual institution; the maximum is 750.

According to Atlas (1982) the ACA (1979) produced *The manual of standards for adult correctional institutions* which suggested the following:

- Prisons should accommodate no more than 500 inmates. Where over 500 inmates are to be housed the design should encourage inmates to be housed in units of no more than 500
- The available accommodation should not be exceeded in any prison
- Prisons should promote one inmate per cell and inmates should be housed in cells for not more than 10 hours per day
- Each cell should contain its own ablution facilities and natural light
- Not more than 50 inmates should be collectively housed in one dormitory
- Each prisoner housed in a dormitory should have adequate access to toilet facilities, natural light, lockers and showers
- Dormitories should produce low levels of noise and beds should not be double or triple bunked

Despite the recommendations made by the ACA (1979), by 1981 of the 1,700 State and Federal prisons in America only 44 met with the requirements (Atlas, 1982). According to

the United States Bureau of Prisons (1949) and further concurred by Fairweather (1994) prison design research conducted in America deduced the following:

- Prisoner rehabilitation is being prevented as a result of excessive prison size, overbearing security and overcrowding
- Inmate populations should be reduced
- Improvement needs to be made to prisoner evaluation and needs assessment
- Prisoner assessment methods should be put in place and alternative treatment should be available
- Workshops, recreation facilities, education facilities and improved visiting accommodation should be provided
- Supervision of inmates should not be the primary function of a correctional facility.
- Prisons should be located within populated areas and not in rural areas
- Prisons should present a normal environment
- Prisoner freedom should be promoted through improved security and monitoring systems, although the security should not be overbearing
- Associations and contact between staff and inmates should be improved and developed. There should be a closer connection between staff and inmates in order to encourage a supportive rather than hostile environment

2.4.1 Second Generation prisons in the United Kingdom (1945 – 1958)

As a result of the various studies conducted initially by the United States Bureau of Prisons (1949) and in an attempt to meet with the requirements for prisons, the second generation or the *New Generation Prisons* model was created in America during 1970. During 1970 the Bureau of Prisons needed to reduce the growing levels of prison violence and provide protection for vulnerable inmates; the proposed method of achieving this was to separate predatory and vulnerable prisoners. The new generation prison philosophies, initially expressed through second generation prisons were seen as a method of adequately separating the two types of inmates (Fairweather, 1994). While the inception of the *New Generation*

Model noted here is with reference to second generation prisons, the model for New Generation prisons were developed through second generation prisons. The concept of the new generation model was developed further and transcended into third generation prisons, and as such, third generation prisons are more likely to be referred to as New Generation prisons.

The premise of second generation prisons focused on new prison management techniques which required modifications in prison architecture in order to be appropriately implemented. Second generation prisons divided offenders into smaller groups which were controlled by a team of staff; the groupings were referred to as units. The units were classified into three groups of inmate type. The first unit housed violent, aggressive, hostile, sometimes psychologically ill, problematic offenders. The second group accommodated *normals*; those offenders who would not cause problems in the unit. The third category comprise of *victims*; those offenders who were liable to be victimized, who were neurotic and/or dependent. Within each unit inmates could be moved to differing levels of security which varied from maximum security units or prisons to more open units or prisons (Fairweather, 1994).

Although it has been noted that the theories for second generation prisons emerged in America during 1970, in this study second generation prisons are evaluated from 1945, when the function of prisons was to punish, provide safe custody, reform, deter and ensure that prisoners remained healthy and *safe* while in custody (Johnston, 2000). In order to achieve this prisons adopted high levels of technology and prison architecture altered to meet with the new requirements of incarceration. Demands were placed on prisons to rehabilitate offenders and as such programs such as schooling, vocational training programs and various clinical programs and workers were put in place (Johnston, 2000). Following the end of the war, there was an expansion in prison building in England resulting in 20 new prisons being built; seven in existing prison buildings and 13 in other buildings (Dunbar and Fairweather, 2000).

Between 1956 and 1958 Everthorpe prison was built in North Humberside England. Everthorpe prison represents the first prison built in England in the twentieth century; it is described as a *new wave* design (Dunbar and Fairweather, 2000). Everthorpe comprise of

two rectangular buildings with a rectangular administration building. Two long wings or cell blocks each divided into two sections held seventy five inmates each. The three story wings open from landings flanked by an open corridor; the corridor is naturally lit by sky lights constructed from glass bricks into the barrel shaped vaulted ceiling (Dunbar and Fairweather, 2000). The wings are joined at the midpoints by a service wing; together this arrangement forms a square. The two cell wings are divided into two parts which resulted in the formation of four distinct housing units. Each unit contained 78 cells although each cell did not have central sanitation (Johnston, 2000). Prisons that comprise of buildings arranged in a square having a hollow square centre (self-enclosed design) persisted into the 1950's and 60's particularly on the continent (Johnston, 2000).

Despite the self-enclosing design being dominant during 1945-1984, radial design prisons continued to be adopted, particularly in USA and in Europe. The radial designs that were integrated into prison design post 1950 differed from the radial design pre 1950 in as much as the new radial design incorporated prisoner facilities. The facilities units were most often designed as triangular or semicircular buildings that were designed to be located at the end of the radial cell houses (Johnston, 2000). In addition to radial design prisons telephone pole prisons design continued to be adopted particularly during the 1950's in the USA although only two prisons incorporating the telephone pole design were built in the USA post 1950 (Johnston, 2000). Problems began to emerge with telephone pole design despite the design being adopted to promote and encourage higher levels of control over inmates. The long length incorporated into the corridors resulted in officers being unable to observe inmate behaviour at the far end of the corridor and during outbreaks of collective disturbance the cellblocks and the corridors proved difficult to control (Johnston, 2000). Adopting telephone pole design in America encouraged a variety of other countries to adopt the design, particularly in West Germany and Japan. According to Johnston (2000) between 1950 and 1970 several countries such as South America, the Middle East and Europe incorporated telephone pole prison design in their prison building programs although after 1970 the design was generally not incorporated into prison design.

In England the design of Everthorpe was considered unsuccessful and with the growing demands for prisons alternative prison designs were required (Dunbar and Fairweather 2000; Johnston, 2000).

In order to address this in 1959 the Home Office presented to Parliament the White Paper *Penal Practice in a Changing Society*. The paper presented information regarding the escalating crime experienced in England during the 1950's and further presented proposals for the Government to deal with the problem of crime. Furthermore, the paper acknowledged that insufficient evidence existed regarding the treatment of offenders in prisons and that the lack of information contributed to the overall crime problem. It was anticipated that future research would indicate the specific measures that could be adopted in the form of treatment of offenders that would ultimately reduce crime (Home Office, 1959).

The paper indicated that both untried and convicted prisoners should be classified and allocated to prisons that *would best suit their training needs*. Moreover, the paper recommended that prisoner classification should be based on the offender's personality and not on their conviction. In order for this to be achieved the paper recommended that a number of observation, classification and training centres be built to implement training programs for medium length prisoners and recidivists. Where modernization was to be implemented into existing local prisons the paper recommended that cells be upgraded particularly by placing larger windows in each cell and upgrading sanitary conditions; facilities such as classrooms, workshops and family visiting areas also need to be provided or upgraded (Home Office, 1959).

The Home Office (HMSO) paper (1959) further suggested rearranging the internal layout of prisons in order to promote prisoner classification. The paper advised that the internal arrangements of a prison should be organized and that prisoners are divided according to length of sentence or according to training category. In addition, the paper recommended: 2,000 *new houses* should be built; a security prison should be built specifically to house dangerous long term offenders; a number of security prisons should be built large enough to house 1,800 long term sentenced male offenders; six detention centres; a program of

reconstruction at local prisons; the reconstruction of Dartmoor prison and the provision for female offenders at Holloway (Home Office, 1959).

Following the paper twenty-two prisons were built that brought the new generation prison (second generation prisons) design theories to United Kingdom. Smaller units were highlighted and several of the new prisons incorporated the telephone pole design and cells designed around an open courtyard. Following this trend forty *new wave* prisons were constructed in England, the first of which was Blundeston in Suffolk (Dunbar and Fairweather, 2000).

Blundeston Prison was a prototype prison; it contains inbuilt regime facilities, workshops, educational facilities, communal dining, association areas and proposed to *"encapsulate the philosophy of providing treatment and training as its primary function"* (Dunbar and Fairweather, 2000:21). The prison design spread out the prison in 4 smaller "T" shaped cell blocks positioned at the four corners of a central facilities block (Dunbar and Fairweather, 2000 and Johnston, 2000). The cell blocks had separate solid floors, not galleries, and each corridor of cells housed 75 inmates. Dormitories were incorporated into the design, small association rooms were incorporated into the corridors and each individual cell contained a large window. According to Johnston (2000) the design sought to separate inmates into smaller groups although the inmates gathered in the association rooms that were positioned on the ground floor. A total of 22 prisons were built in England based on the design principles of Blundeston (Dunbar and Fairweather, 2000).

While the design for prisons during the era of the second generation for prison design focused on control and reform, motivation for improved prison security during the 1960's was motivated in England primarily by Lord Mountbatten (1966). Mountbatten (1966) authored a report into prison escapes and security during 1966 which was presented to the Secretary of State for the Home Department by command of Her Majesty the Queen. The report which was requested in response to the growing concern for security in prisons in light of several high profile escapes, highlighted the design and security adopted in several British prisons. According to Mountbatten (1966) the prisons adopted for use during the 1960's

were constructed during the nineteenth century and the design reflected the purpose of the prison system which was silence through solitude. Mountbatten (1966) argued that the prisons of the nineteenth century were outdated and inappropriate as solitary confinement was not implemented into the current prison system.

Mountbatten (1966) suggested that prisoners be classified. Despite prisoner categorization initially being to identify those prisoners who were more likely to escape Mountbatten's (1966) concept for prisoner categorization remains and determines the life style of prisoners and staff in any given prison to this day. The concept for prisoner classification emerged as Mountbatten (1966) sought to promote the construction of a maximum security prison for prisoners who were deemed to be so dangerous that their incarceration would present a risk to the prison authorities, police and public. He suggested the prison should be of such high security that the prisoners in *no circumstances be allowed to get out*. Mountbatten (1966) posited that prisoners to be housed in the maximum security prisons be categorised as Category A. Following Category A prisoners, Mountbatten (1966) continued to categorize B, C and D prisoners according to their imminent danger to society, their risk of escape and the level of security deemed necessary for their safe custody. In accordance with a prisoners conviction, length of sentence and behaviour, Mountbatten (1966) advised prisoners could move within the various classification categories and/or be moved to prisons more appropriate for their classification. Mountbatten (1966) further suggested a policy of concentration wherein a small number of Category "A" offenders should be jointly housed in purpose built high level security *fortress* type prisons. Mountbatten (1966) recommended the prison be named *Vectis* and built on the Isle of White.

In 1968 the Advisory Council on the Penal System (Radzinowicz Committee) argued against Mountbatten's (1966) proposal and rather suggested that category A prisoners should be dispersed among the prison population in other prisons that have the security measures appropriate to their level of security. The proposal by the Advisory Council (1968) (Radzinowicz Committee) was adopted by the British Government in 1968. The rationale against Mountbatten's (1966) proposal was that the construction of high security prisons would be oppressive; the result of labeling one group of people as the *worst* would have

behaviour repercussions and providing appropriate regimes in one prison would prove difficult.

According to Dunbar and Fairweather (2000) adopting prisoner classification in light of the recommendations in Lord Mountbatten's report had implications for prison design. Although debate continues regarding high risk prisoner dispersal as proposed by the Advisory Council (1968) or high risk prisoner concentration as proposed by Mountbatten (1966), high risk prisoners in the United Kingdom remain housed in maximum security prisons also referred to as dispersal prisons.

In South Africa maximum security offenders are housed in prisons that accommodate other security classification offenders, although a housing unit within a prison generally houses the same classification offenders. Two (super) maximum security prisons are in use in South Africa namely, CMAX and Kokstad. These two prisons accommodate sentenced and remand detainees considered maximum security offenders.

While the argument for housing various category offenders continues, King and McDermott (1995) argue that the concentration of prisoners and the classification of prisoners in prisons are founded in objective factors such as current offences, length of sentence, previous convictions and likelihood of escape. Moreover, they argue that perception plays a significant role in prisoner classification specifically prison officers perception. King and McDermott (1995) posit that prison officers' perceptions of the offender are *profoundly influential* in prisoner classification and the allocated housing. Staff differentiated between good and bad prisoners and good and bad prisons before allocating prisoners to specific prisons (King and McDermott, 1995). The perceived good or bad of a prisoner was determined by the amount of control the prisoner required while incarcerated; where a prisoner exhibited control problems the offender was classified as bad. The goodness or badness of a prison on the other hand, was determined by the prison's capacity to cope with offenders with control problems (King and McDermott, 1995).

Johnston (2000) noted that second generation prisons reflect a move toward reform and *safety* of the offender and this is most evident in the prisons' use of prisoner classification. Where dispersal prisons are not adopted in Britain to house high risk offenders the use of prisoner classification has resulted in specific prisons being designed and built for specific types of offenders. Housing specific categories of prisoners in specific prisons is reflected in the security levels of the prison; namely minimum, medium or maximum security.

Following on from Mountbatten's proposals (1966) Britain has adopted four levels to classify prisoners namely, A, B, C and D where A requires the highest security level and D the lowest. The United States of America adopts five categories to classify prisoners namely, levels 1 to 5. Level 1 is the lowest security risk prisoner and level 5 prisoners require the highest levels of security (Home Office, 1985). Where prisoners are considered higher risk than those offenders classified as level five, countries such as America have further developed the security measures for category 5 prisoners and provide accommodation in "Super-Maximum" prisons. When deemed necessary secure housing units (SHU) that have the security measure appropriate for level 5+ inmates are constructed within maximum security facilities (Johnston, 2000).

South Africa adopted three classifications of prisons through the Prison Act of 1959 namely: minimum, medium and maximum (Cook, 1974 and Department of Correctional Service, 2005a). The three levels are awarded grades of prison namely: Minimum security houses Grade A prisoners (lowest security risk); Medium security houses Grade B (medium security risk) and Maximum security prisons house Grades C and D prisoners who pose the greatest security threat (Cook, 1974). Although South Africa adopted the security classification system utilized in UK the grading system in South Africa is the reverse of that adopted in the UK. The classification system in South Africa's prisons also distinguishes the privileges awarded to prisoners. For example, according to the Prison Act 1959 Category A prisoners were allowed two half hour contact visits of two visitors per month. They could write and receive three letters a month, three books or periodicals per week, receive three photographs and tobacco each week. At the other end of the scale category D prisoners could have one 30 minute visit from one person per month and could write and receive only one letter per

month (Cook, 1974). While prison classification was applied through the Prisons Act (1959) South Africa adopted the British model of prisoner classification in 1986 (Van Zyl Smit, 1992).

The classification of inmates and their being allocated to specific classification prisons is indicative of their general characteristics and likely behaviour or risk while in the prison. According to the Home Office (1985) the five types of behaviour identified by the Federal Bureau in America are as follows:

1. Hostile, aggressive, psychopathic
2. Manipulative dissenter
3. Situationally normal
4. Incompetent and dependent
5. Neurotic and anxious

While design have sought to meet with the security standards required for the various security classifications the security measures adopted in England and America's prisons have continued to raise debate. Despite the increasing levels of security being applied to prisons there was reportedly an increase in the levels of prison disturbances in prisons in England and in America. Questions were raised regarding what systems would be appropriate and the issues were raised by Martinson (1974) who brought to light the question *What works*? *What works?* sought to address the function of the prison system in light of several disturbances in prisons and it further questioned what works in light of reform prisons proposed to reform prisoners through various forms of treatment.

The publication of *What works?* by Martinson (1974) was based on a previous study that examined various measures of offender improvement most notably, recidivism rates, adjustment to prison life, vocational success, educational achievement, personality and attitude change and general adjustment to community life. *What works?* presented data directly related to the effects of correctional intervention or *treatment programs* on recidivism levels. The study stated that with *"few and isolated exceptions, the rehabilitative*

efforts that have been reported so far have had no appreciable effect on recidivism" (Martinson, 1974:146). In supporting the statement Martinson argued that there was very little empirical evidence to suggest that rehabilitation programs result in prisoner reform (when measured through levels of recidivism).

In order to deduce this finding, Martinson (1974) examined the effects of educational and vocational training, individual and group counseling, the institutional environment, medical treatment, the effects of sentencing, decarcerating the convict, psychotherapy, probation or parole and intense supervision on recidivism. While Martinson (1974:154) examined the *institutional environment* as a function of rehabilitation, he suggested that a successful rehabilitative institution should encompass the whole environment and as such the entire institutional environment should be based on the premise of correction rather than custody and punishment. Foucault (1977) refers to the institutional environment function of the prison when prisons are *complete and austere institutions* where the prison is an exhaustive disciplinary apparatus and as such takes on responsibility for all aspects of the individual. Where the institutional environment is founded on the premise of corrections the corrections treatment method is referred to as *milieu therapy*. Milieu therapy is designed so that all components of the inmates' environment are part of the rehabilitative treatment. In order to develop this, the distinction between custody staff and treatment staff are reduced, and a supportive, non-authoritarian and non-regimented environment is encouraged. Examining previous research into the effectiveness of milieu therapy, Martinson (1974) concluded it did not contribute significantly to prisoner rehabilitation.

Gathering research data and previous research statistics, Martinson (1974) stated that in examining the reform techniques adopted in correctional institutions and in questioning *What works?* evidence suggests that *nothing works* in terms of reform treatment programs. Despite the magnitude of Martinson's statement he further indicated the statement was not with reference to *all* offenders and added that *some* methods are of value to *some* offenders. The main problem lies in identifying the offenders for who offender treatment programs would consistently work. Having generally concluded that nothing works in terms of reform treatments, Martinson (1974) further suggested that prison as a function of deterrence may

prove more valuable than prison as a function for reform. Not surprisingly he concluded that rather than curing the offender, preventing the offender from undertaking crime in the first instance may reduce crime more effectively.

While the designs and theories for New Generation prisons were being presented and applied in America, the prison system in Great Britain between the late 1970's and 1980's continued to go through several crises (Dunbar and Fairweather,2000). An increase in the demand for security resulted in a reduction in free access for prisoners; prisoners were forced to eat in their cells and large dining areas were abolished. Moreover, direct forms of security (or the hands-on approach to security) were replaced with physical barriers and staff were contained away from any direct interaction with inmates (Dunbar and Fairweather, 2000).

2.5 THIRD GENERATION PRISONS: NEW GENERATION PRISONS

According to Wortley (2002) third generation prisons, most often referred to as New Generation prisons, are distinguished from first and second generation prisons in their design and function. Through the application of podular design supporting self-contained units prison officials are encouraged to have a more direct personal interaction and surveillance with offenders. The design and management of third generation prisons encourages the development of positive and stable relationships between guards and offenders. The units are self-contained and most of the daily functions take place within the unit, this promotes a sense of ownership and control by the offenders. In line with promoting a normal, stabilizing, less stressful environment the finishes adopted in third generation prisons are softer and more domestic in nature (Wortley, 2002). While similar in design to second generation prisons, the management approach applied in third generation prison underpins the theory that living in normal environments can motivate stable normal behavior (Wortley, 2002).

In 1984 the Home Office (HMSO) through the Control Review Committee produced the Report of the Control Review Committee: *Managing The Long Term Prison System.* The report examined the problems of control in adult male prisons specifically physical security in dispersal prisons. In light of the Government's (1968) decision to adopt dispersal prisons

for housing Category A offenders the report questioned the appropriateness of the decision and highlighted several problems associated with the scheme.

The Home Office (1984) through The Control Review Committee suggested that housing high risk offenders in dispersal prisons reduced the likelihood of escape although resulted in greater problems associated with prisoner control. Of the eight prisons that adopted the dispersal system five had experienced *serious disturbances or major riots*. The disturbances in dispersal prisons were noted to be the result of prison design; prison designs of the 1960's were not appropriate for segregating serious offenders.

In order to alleviate several problems associated with housing Category A offenders in dispersal prisons, The Home Office (1984) through The Control Review Committee considered the practicalities of applying the New Generation prison philosophy to the British context.

As noted in the report, the purpose of New Generation prisons is to *facilitate a decentralized unit management system that is applicable to closed prisons of any security level*. New generation prisons house small groups of prisoners (50-100) together in units. The cells in the units are arranged around a multi-use area. Control is imposed through multidisciplinary teams of staff which have maximum authority. Citing Levinson and Gerard (1973), Toch (1997) suggests that prison units designed to work within the parameters of unit management or New Generation prisons function for three reasons namely, correction, care and control. In order for these functions to be adequately fostered the relationships between staff and inmates must be developed. Relationships are encouraged and improved through a shared environment and closer association between staff and inmates; inmates are encouraged to view themselves as part of the unit team (Toch, 1997). The premise of New Generation prisons expressed through third generation prisons is to increase relationships between staff and inmates which results in more appropriate decision-making. The groups of prisoners can be any security level and the units can be run as separate units depending on the security level required (The Home Office, 1984).

Following *Managing the long-term Prison System* by The Home Office (1984) the Home Secretary called for a detailed appraisal of the developments with New Generation prisons in America during 1985. A working group was formed whose directive was to examine and evaluate the current concepts of prison design in the United States specifically New Generation prisons. Moreover, The Home Office (1985) study further sought to examine the lessons learnt in prison design in England and Wales specifically with regard to prisons that house maximum security offenders in dispersal prisons. In total eight New Generation prisons in the USA were examined by the working group. The eight prisons were divided into three distinct types of prison namely: those that house pre-trial and short term offenders; those that house medium to high security offenders and those that accommodate maximum security offenders.

The Home Office (1985) argued that post-war adult prisons in England and Wales generally comprise of corridor design where a number of cells are contained in long corridors. The long corridor design incorporates separate recreational areas and the housing units promote free association between inmates, unless inmates are confined to their cells. The cell blocks are designed to accommodate between 90-120 inmates. According to The Home Office (1985) report the design impedes inmate control, promotes an institutional atmosphere and obstructs inmate and staff relationships. Given that the corridor plan design was deemed inappropriate for high security prisoners a number of prisons incorporated open systems involved in the New Generation prisons.

The Home Office (1985) argued that the New Generation Prison philosophy does not reflect a specific prison design; rather the philosophy stands for a new approach to prison management. While the Home Office argued that the varieties of prison designs that can be included in New Generation Prisons facilitate implementation of new management techniques the report also stated that at the time of publication little research existed on the psychological effects of prison design on inmates and staff and evidence was lacking that established the relationship between physical design and management. New Generation prisons function on six levels of inmate security and several components of the prison system are considered in light of the security levels required, namely: perimeter security, towers,

external patrol, detection devices, housing unit security, living quarters and staffing levels. Unlike the category system recommended by Mountbatten (1966) which considers the security risk of the offender on a four point grading system, New Generation prisons consider the physical requirements of the prison to accommodate the specific category of offender.

Figure 2.9 presents the security provisions made for each category of offender. The external circle represents the perimeter fencing of the prison and the circles enclosed within the perimeter fencing represent the individual prisoner housing units. The circular diagrams in Figure 2.9 represent the security measures appropriate for Level A, B and C prisoners. Where prison A accommodates high risk, high security inmates and as such present high internal and external security, minimum risk and minimum security prisons are represented by diagram C which indicates low internal and external security measures (The Home Office, 1985).

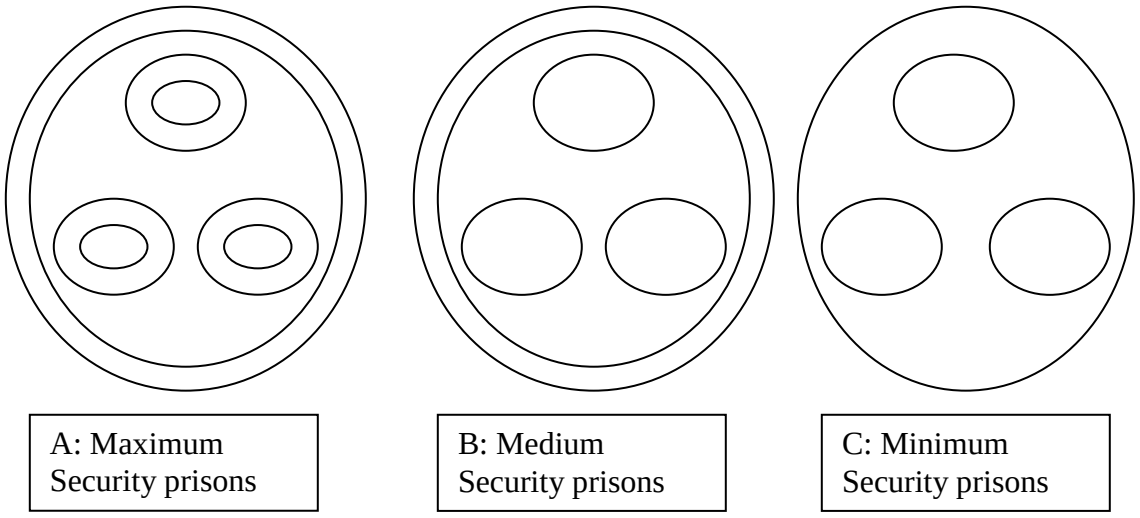


Figure 2.9: Examples of the security barrier principle applied to varying security prisons
(Source: The Home Office (1985))

The Home Office (1985) recognized the shift of emphasis of prisons from punitive to rehabilitation which was reflected in the new management principles applied in New Generation prisons. Historically, one of the rationales of prison was to promote a therapeutic environment where criminal behaviour is treated. The New Generation prison philosophy takes this theory to a new level and aims to provide a safe humane environment that offers support to those inmates who would like to change their behaviour; New Generation prisons offer opportunities and services that encourage change. The report by The Home Office (1985) noted the relaxed atmosphere apparent in New Generation prisons which was in part due to the system of classification and separation of prisoners and further due to the design principles incorporated into the prisons. The atmosphere created in New Generation prisons fosters inmate and staff safety and further reduces stress and inmate tension. Moreover The Home Office (1985) stated New Generation prisons provide a compromise between Mountbatten's (1966) concentration recommendation and the Advisory Councils (Radzinowicz Committee) (1968) recommendation for dispersal prisons. Table 2.4 presents the design variables to be considered in the construction of new prisons in light of the New Generation prisons in America as presented by The Home Office (1985).

Table 2.4: Design variables to be applied in New Generation prisons

Criteria	Specific location	Recommendations
Design and Layout	Living conditions	• Living conditions should promoted a normal environment • Avoid bars, grey walls and long corridors • Design more campus style prisons • Encourage freedom of movement • Use attractive and modern décor that reduce sound transmission. • Housing units should be self-contained
	Size and location	• For new institutions to house a maximum of 400-600 inmates. • Inmates should be housed in units not exceeding 65 inmates • Prisons should be located close to communities
	Staff and management	• Informal contact between staff and inmates should be encouraged • Staff should control unobtrusive manner • Violent inmates should be moved
	Work Incentives	• Inmates should be encouraged to work • Unemployment should be prevented
Layout Philosophy	Overall prison layout	• The prison layout should reflect the philosophy that the inmate belongs to a unit (50-65 inmates) which belongs to the total prison (400-600 inmates) • The inmate should relate to the unit which encourages a sense of belonging.
	Housing Area	• Smaller separate housing units accommodating 50-65 inmates • Weak passive inmate (VP) accommodated separately • Aggressive/violent predatory inmates housed separately • Classification of housing units (a) general housing (b) special program housing • Where possible housing units should be paired

Table 2.4 continued: Design variables applied to New Generation prisons

Criteria	Specific location	Recommendations
Design principles	Central facilities	• Inmates should not visit other housing units • Inmates encouraged to mingle in the central facilities • Inmates circulate outdoors using footpaths and walk at a restricted walking speed. • The vehicle and goods entrance is separate and distanced from the body of the prison • The entrance should be landscaped
	Housing Units	• All housing units should house a maximum of 65 inmates • The central multi use area and circulation area should be designed and arranged to encourage supervision and surveillance • Inmate cells should be on two or three tiers around the central day room • Televisions and reading rooms should be positioned close to the central day room. • Walling should be glazed where possible and flooring should be carpet. • All cells should be single occupancy and should contain a WC, sink, bed, shelf, desk and wardrobe. • A minimum of 8 showers should be provided in each housing unit. • The offices should provide a unit manager's office, a caseworker's office, 2 counselors office, correctional officers' station and secretary's office. • The housing units should contain a beverage area, telephone area, storage rooms, toilet and rest room and janitor's closet.
	Dining area	• Dining areas should reflect the importance they serve to foster a social environment. • Creating a central dining area prevents wasting food that occurs with satellite dining areas • Recognition must be given to the disturbances that occur in dining areas and as such it is recommended to explore communal dining to be adopted as a privilege.

Table 2.4 continued: Design variables applied to New Generation prisons

Criteria	Specific location	Recommendations
Design criteria	Maximum security institutions	• There is a need to restrict movement and thus accommodate inmates in smaller manageable groups • The housing units are completely self-contained • The prison should be contained by a continuous enclosed secure corridor system which encloses all the buildings in the prison as it is present on the outward side of all the buildings. Staff only corridor system should be above. • All unit housing should be positioned to face inwards and all windows should face toward the interior of the prison. • Caged outdoor exercise areas should be provided for each housing unit.

(Source: The Home Office (1985))

Following the report by The Home Office through the Control Review Committee (1984) and The Home Office (1985) report on New Generation prisons, Dunbar (1985) examined and compared the various prison regimes adopted in various countries such as the USA, Canada, British Columbia and the National Swedish prison system, and made recommendations to the prison service in England and Wales. Dunbar (1985) noted that for a prison to function effectively inmates must be treated as individuals and communication must be encouraged between staff and inmates. Furthermore, he argued that to increase good communication physical barriers must be removed and by incorporating fundamental design elements such as smaller housing units and improving communication between staff and inmates *psychological barriers* are broken down. Dunbar (1985) noted that activity was the key to maintaining security, enhancing control and improving the life of the prisoner and staff. He specifically noted that an *idle prisoner is a dangerous prisoner*.

In 1987 the Prison Building Board was established within the Prison Department in England with the function to produce prison design briefs (Johnston, 2000). The parameters were to design prisons that meet the requirements of medium security training prison for 600

inmates. The Prison Design Briefing System (PDBS) produced a series of booklets analyzing the function of the prison. Prison requirements were identified, a description of the prison design was explained and drawings demonstrated how the requirements would be met. The designs emphasized how security would be maintained in a *normal* prison environment that encouraged interaction between inmates and staff. The primary design for New Generation prisons proposed by the PDBS presented separate inmate housing units designed on two levels, accommodating 24 to 30 cells grouped in a rectangle around a central recreation/association area that housed a central glazed observation room (Johnston, 2000).

Prison design for New Generation prisons was initially presented as a series of triangular units referred to as *pods* or *housing units* and facilities connected by a configuration of buildings and corridors (Johnston, 2000). Where triangular units were adopted the third open wall that ran parallel with the association area was glazed and offered external views to offenders in the association area. In order to improve prisoner control the pods were to be managed by unit or team management (Johnston, 2000). According to Johnston (2000) one observer of the New Generation prisons stated that architecture and inmate management styles shape the environment and address the needs of the inmate specifically in terms of safety.

Following the initial design concepts the American Correctional Association published the Design Guide for Secure Adult Correctional Facilities (1983) (Johnston, 2000). The proposed new design for New Generation prisons advised triangular units either as stand-alone units or joined to another unit to form what is referred to as the *bow-tie* configuration. Two sides of the triangular configuration are occupied with cells the third fragment of the triangle is left unoccupied, generally filled with glazing or brick, the centre of the triangle is an open communal recreation area (Johnston, 2000). The design encourages a relaxed environment, unobtrusive observation, greater freedom and a sense of belonging for the offender and improved control techniques for staff. Ultimately the design purports to encourage improved staff/prisoner relationships (Dunbar and Fairweather, 1994).

From the initial triangular design presented for New Generation prisons architectural design currently includes cruciform, stars, clusters, courtyards, rectangles, slabs, semi circles and *trouser* shapes (Fairweather, 1994). The architectural design for New Generation prisons function on the premise that each prison should contain a maximum of 500 inmates and each unit should house a maximum of 70 inmates each. Figures suggest that the units, which function independently of one another, house between six and seventy inmates with an average inmate population of 24 to 36 (Fairweather, 1994). Informal interviews with architectural practitioners at the Department of Correctional Service, South Africa, indicate that the designs for New Generation Prisons being implemented in South Africa apply the principle that each housing unit should accommodate a maximum of 50 offenders. Construction materials most often include brick, stucco and glass and, most commonly, sloping metal roofs in addition to reinforced concrete and cladding (Fairweather, 1994)

While the concept of unit management maintains support in America and the United Kingdom, the Department of Correctional Services in South Africa also supports the concept. Noted in the White Paper the Department of Correctional Services (2005a:84) posits that unit management or the approach of dividing offenders into small groups so that the groups are managed on a direct system of control is considered to be the *"desired method of correctional centre management and an effective method to facilitate restorative rehabilitation"*. Moreover, the concept of unit management is *"regarded as one of the key service delivery vehicles to transform the delivery of correctional services in South Africa"* (Department of Correctional Services, 2005a:84). With this in mind the Department of Correctional Services (2005a) has outlined the objectives of unit management in South Africa's prisons as the following:

- To divide large numbers of offenders into smaller manageable groups. This is carried out by separating the offenders into groups housed in units;
- Harboring and encouraging the relationship of officials and offenders through increased contact and improved relations
- Improve the observation levels of offenders by officials;
- Encourage offender accountability;

- Support more of a team approach;
- Include all aspects of the offender's life in the rehabilitation process;
- Depending on offenders needs or abilities, promote programmes and strategies;
- Place a great deal more emphasis on institutional adjustment and various coping mechanisms.

2.6 SUPERMAX, SEGREGATION AND SECURE HOUSING UNITS (SHU)

While prisons continue to accommodate sentenced and un-sentenced offenders there are a number of sentenced offenders who pose a threat to the prison environment in one way or another. These inmates are considered to be a threat to themselves, other inmates and/or guards. Others by nature of their conviction are at risk of being bullied or threatened by other inmates (Johnston, 2000).

Previously prisoners who fitted into a disruptive category or who required separate housing were placed into separate housing units within a prison environment. Separate housing units have been defined as segregation units, punitive segregation or disciplinary segregation and recently, secure housing units. The name of the unit denoted its function and its individuality from the general population housing (Riveland, 1999). Placing an inmate into one of the distinct housing types generally requires a formal hearing and results in the prisoner being housed in the segregation unit for a stipulated amount of time. The amount of time to be separated from the general population often depends on the seriousness and frequency of the violation or behaviour (Riveland, 1999).

While separate housing units within a prison environment are still adopted, the need for separate housing units remains debatable. Supporters for the systems argue that the prison system needs to implement a heightened form of internal punishment in order to manage a prison population, which in their view, is becoming more aggressive and violent Those opposed to separate housing argue that the severity of the regime which often includes terms of solitary confinement is a cruel and inhumane form of punishment. Opponents further argue that the systems adopted in the segregation units can over time perpetuate offenders behavioural problems (Riveland, 1999 and Fellner, 2000). Opponents to the system argue

that prisoners who are forced to live in isolation have exhibited a wide range of mental disorders including depression, rage and an impaired ability to think logically (Fellner, 2000). Morris (2000) stated that being housed in a Super-Maximum prison in isolation was akin to psychological torture.

While the secure housing units within a prison environment have provided a management and control solution for disruptive prisoners, problems such as growing prison populations, reduced budgets and staff shortages have increased the number of problem inmates. A solution to this has been in providing Super-Maximum prisons.

A Super-Maximum prison is a complete prison system whereas a secure housing unit is a unit within the confines of a prison (Riveland, 1999). *Super-Maximum* or *Supermax* denotes the level of security awarded to the structure. Generally, when a prison has been denoted as Super-Maximum any secure housing unit within the confines of the prison is categorized the same or higher. According to Riveland (1999:3) the National Institute of Corrections Prisons Division and Information Centre in America (NIC) (1997) defined Super-Maximum housing as:

> *"A freestanding facility, or distinct unit within a freestanding facility, that provides for the management and secure control of inmates who have been officially designated as exhibiting violent or serious disruptive behaviour while incarcerated. Such inmates have been determined to be a threat to safety and security in traditional high-security facilities and their behaviour can be controlled only by separation, restricted movement, and limited access to staff and other inmates".*
>
> Riveland (1999:3)

Morris (2000:98) quotes the NIC further by stating that their definition includes:

> *"A highly restrictive, high-custody housing unit within a secure facility, or an entire secure facility, that isolates inmates from the general prison population and from each other due to grievous crimes, repetitive assaultive or violent institutional*

behaviour, the threat of escape or actual escape from high-custody facility(s), or inciting or threatening to incite disturbances in a correctional institution".

A number of Super-Maximum prisons have taken this definition further and include being involved in non-consensual sexual behaviour and/ possessing weapons as an infraction worthy of incarceration in the Super-Maximum (Morris, 2000).
According to Riveland (1999) and Morris (2000) the definition by the NIC allows for wide interpretation. The problem of interpretation according to Morris (2000) is in the wording of "inciting or threatening to incite disturbances" in the definition. The problem with this wording is in the degree that it can be interpreted.

According to Johnston (2000) Super-Maximum security prisons are the last resort. The interior design is severe and reflects the imposed security and the restriction on prisoner movement. Super-maximum security prisons comprise of poured concrete structures. Poured concrete provides secure material for the structure and furniture; beds and furniture are formed in concrete. All of the current 30 Super-Maximum prisons in the USA make extensive use of technology for the purpose of prisoner control (Morris, 2000). The prisoners are housed in small units generally comprising not more than 8 cells (Johnston, 2000). The cells are generally no more than three meters by three and a half meters (Morris, 2000). The cell units encompass both direct and indirect security; all facilities required by the prisoner are contained within the unit. The prisoners are kept in isolation and are fed in their cells. Shower and exercise facilities are in the form of cages which the prisoners are escorted to and from; prisoners are never in groups unless in the library. The cell corridors run on two levels. The lower level is for the transport of prisoners and the raised mesh walkway is for officers (Morris, 2000).

The biggest problem to face corrections in the United States is that Super-Maximum prisons are being used to collectively house all of the most dangerous prisoners under one roof. While initially the theory of Super-Maximum prisons was to collectively house problem inmates to rid other prisons of problem inmates, little consideration was given to the problem of collectively housing the *worst of the worst* (Fellner, 2000 and Morris, 2000).

While South Africa has two correctional centres defined as (Super) Maximum security, the concepts for the centres stem from America. In 1996 a number of delegates from South Africa visited examples of maximum security prisons in the USA and proposed that Pretoria Maximum Prison be upgraded into a Closed Maximum prison (CMax). While the theories for Super-Maximum stem from America, two institutions that present the high levels of security maintained within the realms of the Super-Maximum security prison are *Pelican Bay* built in 1988 and *Corcoran* built in 1989 in the USA. As a result of prison overcrowding, disruptive prisoners, gang violence and prison violence, both Pelican Bay and Corcoran prisons are divided into two distinct prisons with diverse forms of security. Although both prisons are maximum security, both have a secure housing unit (SHU) within their perimeter fencing. The SHU in both prisons falls under the auspices of a Super-Maximum security prison and reflects the current trend for one prison to contain a prison within a prison. Prisons or units that are designed to comply with the security requirements of a Super-Maximum security facility are most commonly designed in the shape of an "X". The X shape allows control of the four corridors from one control area at the centre of the X. All cells are self-contained units and have a shower, basin and toilet. America continues to construct Super-Maximum facilities and many of them contain SHU's (Johnston, 2000).

In order for SHU's and Super-Maximum prisons to successfully house prisoners, Fellner (2000) recommends the following:

- Only prisoners who are extremely violent or dangerous and who pose an extreme threat to the safety of a prison, staff and/or other inmates should be housed in super max prisons or SHU's.

- All prisoners should be housed in the secure units for the shortest period of time.

- Time in the unit should be able to be reduced through good behaviour incentive schemes. Incentive schemes should be allowed for all inmates. Inmates should be encouraged to partake in rehabilitative programs. All inmates must have access to books and reading material.

- Prisoners must be told the specific reasons for them being housed in the SHU or the Super-Maximum prisons. Reviews must be carried out periodically.

- All cells should have windows that allow natural light and natural air circulation. All cell temperatures must be maintained to provide adequate comfort.

- Double cell bunking should be avoided

- Cells should be designed so that they provide enough space for movement. Internally, the cell should contain a desk, a bed and mattress, storage facilities and have a television and radio. Prisoners should be allowed out of their cells for a minimum of one hour per day for exercise. Inmates should be encouraged to interact with other inmates and staff for a minimum of one hour per day.

- Inmates should be given access to outdoor exercise facilities. The exercise area should be exposed to natural light and air and provide a view. Indoor exercise facilities should be available for periods of inclement weather. In either case the exercise area should be sufficient size to allow for vigorous physical activity. Prisoners must be allowed to have time for religious worship and confidential meetings with religious personnel, including congregate religious gatherings. Contact between prisoners and family members should be encouraged. During family visits the prisoner should not be restrained in handcuffs or shackles.

- Common areas should be available. The common areas should have facilities where prisoners can speak confidentially to a medical person or legal advisor.

- All prison officers should be contactable by the inmates through electronic intercoms.

- All mentally ill prisoners should not be housed in a SHU. The mental health of all inmates in SHU's or Super-Maximum security prisons should be monitored.

- All inmates must undergo an effective transition program before being released into the general population of a prison, a reduced security facility or into society as a whole.

South Africa has three categories for prisons, namely: minimum, medium and maximum. Kokstad or Embongweni and CMax are the closest facilities to reach the security measures required of a Super-Maximum prison; although they are not classified as Super-Maximum *per se*. Reported in their Annual Report for 2004/2005 the Department of Correctional Services (2005b) have not yet registered any facility in South Africa under the classification of Super-Maximum (Department of Correctional Services, 2005b and JIP, 2006). Kokstad has approved capacity for 1440 inmates and as of 31st March 2007 it held 360 sentenced inmates (Department of Correctional Services, 2007a). Other than Kokstad, Pretoria CMax maximum security Correctional Centre is the only other stand-alone facility that houses maximum security offenders. CMax is regarded as a facility that houses inmates that are a national security threat. It has approved capacity for 281 offenders; at 31 March 2007 it held 230 offenders, 45 of which were remand detainees (Department of Correctional Services, 2007a). Other correctional centres have facilities within the centres to house offenders classified as maximum security.

Sentenced offenders are classified by a security classification system devised by the Department of Correctional Services (JIP, 2006). The system evaluates the security risk of all prisoners based on the nature of their offence. Segregation in South Africa's prisons is not specifically for the purpose of safe custody (Van Zyl Smit, 1992). Segregation of a prisoner can be ordered by the commissioner or can be through a written request by the individual prisoner. According to Van Zyl Smit (1992) the enforced segregation of a prisoner is generally brought about for the purpose of control. Segregation by the commissioner can be brought about for the following:

- When a prisoner has a harmful effect on another prisoner.
- Causes unrest among prisoners
- Incites another prisoner to complain or contravene a command.

- Has attempted to escape, is planning to escape or is in custody after an escape
- Becomes threatening or violent to any member of the prison
- Conducts himself in a manner that is against the good order and function of the prison

The prison system differentiates between segregation and isolation (Van Zyl Smit, 1992). The fundamental difference is that segregation is not awarded a statutory time limit and there is no maximum time. Time served in isolation is statutorily governed. Although the type of cells used for both isolation and segregation are single one man cells, isolation is used as a form of punishment; segregation is used for control and security.

It is the duty of the prison authorities to ensure prisoners are housed in safety and as such prison authorities should do everything reasonably possible to preserve the mental and physical integrity of the inmates. The prison authorities in South Africa recognize that certain prisoners have *victimization potential* and as such have to be awarded additional care; this is achieved by separate housing. Over and above weaker inmates, gang members, informants, witnesses who have given testimony against other prisoners and those at risk of attack from other inmates are housed separately from the general population (Van Zyl Smit, 1992).

While prison authorities in South Africa recognize the problems associated with housing various offenders in overcrowded prisons, attempts are being made to implement current prison design and management trends to be in line with international trends. This is most apparent in the application of the New Generation philosophies.

2.7 SUMMARY

The raison d'être of prisons has fluctuated over the centuries. Despite the fluctuation, and at the same time because of the fluctuations, prisons have been designed and constructed to meet with these demands. In spite of the continual belief in the prison system as a method of punishment, on the whole prisons have only succeeded to separate offenders from general society. Separating offenders from society is only one issue of prisons; new prison designs

and advances in security have not quelled the problems associated with collectively housing troubled people in concentrated environments.

The problems present in the prisons of the eighteenth century continue. To address these problems prisons are reverting back to the previous theories even if adopting them is often, although not always, presented under a new guise. As the prison populations grow the problems associated with prisons increase. Continued efforts to reinforce the previous theories for maintaining prisons are losing emphasis. New solutions need to be found. However, until a new resolution is generated, prisons will continue to be designed, built, used and ultimately criticized.

CHAPTER THREE: SITUATIONAL INFLUENCES ON AGGRESSIVE BEHAVIOUR

3.1 INTRODUCTION

The relationship of physical design to violent behaviour in prisons is addressed through a historical review of the concepts and theories that surround environmental psychology. The chapter covers the second and third research questions (presented in Section 1.6) and the second research objective (Section 1.8).

3.2 HUMAN ECOLOGY

Human ecology evolved from studies undertaken at the Chicago school of urban sociology between 1915 and1940. Fundamental to the subject was the study of social change and social planning in context of *the city* by Park, Burgess and McKenzie's (1925). Park *et al*. (1925) study is significant for human ecological conjecture in the prison context. Therefore, relating their city and human ecology supposition into the prison context initiates the examination of human ecology in prisons.

Park *et al*. (1925) examined patterns of social behaviour and the social organization of the city where social organization implied social values and social goals. Park *et al*. (1925) referred to the city as a *state of mind* that is entrenched in traditions and customs. Moreover, they posited that the city comprises both physical and natural attributes and is a product of human nature. Park (in Park *et al*., 1925) conceived *human ecology* as a science that describes the gathering and association of humans to physical structures and McKenzie (in Park *et al*., 1925:63) defined human ecology as "*a study of the spatial and temporal relations of human beings as affected by selective, distributive, and accommodative forces of the environment"*. In associating humans to the physical environment Park *et al*. (1925) argued that a city which is formed from the needs of its inhabitants enforces on its users a *cruel external fact* which in turn forms them. The human behaviour that the physical environment forms is in accordance with the design and function it encompasses.

Park (in Park *et al*., 1925) suggests that over time portions of an area (*city*) take on the character of its inhabitants and as such the physical environment is *stained* with the

distinctive attitude of its population. In taking on the personality of its inhabitants a place contains and presents traditions, values and customs that are particular to that place. Irrespective of the external movement, the beliefs of the place move on at a pace defined by the place (Park *et al*., 1925). More significantly, the purpose of a space, its character and image is dependent on its users particularly when the characteristics of the occupiers are intrinsically similar; places are a product of their users (Park *et al*., 1925). Where populations are segregated, complicated social relationships develop which produce divergent individual types. As products of segregation, individuals perpetuate a particular form of behaviour by gravitating toward like-minded people where that specific expression is accepted and supported.

Park (in Park *et al*., 1925) noted that man is not adapted to live within specific environments as the image of the environment precedes the living conditions within it. He argued that environments contain sentiments, attitudes and ambitions and acquired habits of those who lived in the environment before; these *emotions* present an image that must be upheld. The memories contained in an environment are presented in social manifestations through tradition, custom and folk ways. The manner in which a person behaves in a specific environment or social environment is based on these images and a person's response to the images defines their behaviour.

The social environment or society is composed of smaller groups each of which have a specific social milieu within the realms of delinquency. Park (in Park *et al*., 1925) suggests that delinquency is a failure of the community to function effectively. Conceptualized within the prison context, Park's (1925) theory implies that violence in prisons indicates the prison community is not functioning effectively and the result is that delinquent behaviour takes place.

Following the theories presented by Park *et al*. (1925), Sutherland (1939) presented the physical and physiological factors that are inherent in criminality. He suggested that criminality is influenced by various physical attributes such as seasonal variations and day light hours.

Influential to the study of environmental psychology, Shaw and McKay (1942) examined delinquency rates in Chicago; they concentrated on examining the criminal not the area of the crime. Furthermore, they examined the function of the physical environment in forming the social environment which in turn forms the criminal. The original study of delinquents in Chicago developed into *Juvenile Delinquency and urban areas*, a publication that presented findings for tens of thousands of delinquents in twenty cities around USA. Shaw and McKay (1942) hypothesized that city growth manifests from the centre to the periphery. In conjunction with city growth is deterioration of residences and social disorganization which is greater in and around the central business district and less on the outskirts of the city. In line with physical deterioration and social disorganization Shaw and McKay hypothesized that as community disorganization is greater at the centre of the city, juvenile delinquency rates are higher in residential areas at the centre of the city decreasing with distance from the city centre.

Geographic zones were determined at distances of two miles spreading from the centre of the city to the periphery outskirts. Delinquency rates were calculated by examining the ratio of official juvenile delinquents to the population within each zone where the ratio of delinquents reflected those delinquency cases that had resulted in a court hearing. The findings for twenty cities suggested that with the exception of three cities delinquency rates were uniform; a higher proportion of delinquents were found in inner city zones and lower rates of delinquency were located in the outer zones. Shaw and McKay (1942) argued that although additional variables are believed to affect the rates of juvenile delinquency, most notably, bad housing, poverty, tuberculosis, adult crime and mental disorders, they can all be examined as manifestations of a general basic factor which they argued was essentially social disorganization. Shaw and McKay (1942) argued that social disorganization in the community was the fundamental cause of juvenile delinquency as *delinquency-producing factors are inherent in the community.* Variances in delinquency rates reflect the differences in social values, norms and attitudes in certain areas which in turn reflect the area's support of delinquency. Moreover, specific areas that support delinquency accept it as a social norm.

Given that social disorganization followed the pattern of physical disorganization Shaw and McKay (1942) suggest that physical rehabilitation of slum areas and developing communities, specifically through physical organization would organize the social structure in a community and ultimately reduce juvenile delinquency. In order to implement community organization a plan of a neighborhood housing project that would support community organization should include:

- The inclusion of an elementary school
- Diversion of traffic away from the residential area
- Businesses located away from the residential areas
- A park or playground located within the residential area.

Shaw and McKay (1942) posited that in order to confront delinquent behaviour, social organization must be established. Taking this point of view it can be assumed that unruly behaviour in a prison setting can be reduced by instilling social organization.

Leading on from Shaw and McKay (1942), Barker (1968) further presented the concepts and methods for assessing the environment and human behaviour. Started by Barker and Wright in 1947 the Midwest Psychological Field Station in Oskaloosa Kansas was a facility of the Department of Psychology, University of Kansas. The station was initially established to facilitate the study of human behaviour and its environment from an in situ standpoint. Barker (1968) argued that the study of ecological psychology is concerned with a number of issues most notably, molecular and molar behaviour, the psychological environment where a person is affected by the world as perceived by him, and the ecological environment which Barker identified as the *objective, pre-perceptual context of behaviour*, and the real life setting within which people behave. Barker's methodology for assessing behaviour in real life settings rather than laboratory settings sought to grasp the conditions that affect human behaviour rather than the laws that govern behaviour.

Barker (1968) argued than when environments (*milieu*) are uniform and stable the people within the environment are the source of any behaviour variant. However, Barker (1968)

acknowledged that environments are not stable, and as such, an environment's contribution to human behaviour is significant. Given that environments affect behaviour, Barker (1968) sought to address the extent and manner that environments select and shape the people who inhabit them. Although acknowledging the biological and psychological factors that affect behaviour, Barker posited that outside influences affect behaviour which he referred to as the *molar ecological environment* or naturally occurring phenomena that occur outside a person's body.

Barker (1968) suggested a number of guidelines for the study of behaviour in real life settings, most notably:

- The specific type of behaviour to be examined must be identified.
- The environment within which the behaviour occurs must be identified and described
- The boundaries of the behaviour units must be identified in order to classify the unit under examination from others in a large environment
- Each individual person within an ecological unit will differ in psychological attributes and this will reflect on their behaviour. Everyday *ordinary* behaviour must be identified in order to establish anomalous behaviour
- A behaviour setting has both structural and dynamic attributes
- A behaviour setting should present one or more patterns of behaviour within the environment. The environment should accommodate the variation in behaviour
- The environment to be assessed should have boundaries which should be physical and time related, for example examining children's behaviour during a music class will be undertaken in the classroom and be time specific to the duration of the music class. The physical boundaries of the environment should surround the behaviour pattern without a break
- The milieu should be similar or in context to the behaviour

Barker (1968) further suggested that in order to assess behaviour in specific behaviour settings the following should be identified: the geographical location, the occupancy time, the function of the inhabitants, action patterns of the population, behaviour mechanisms; pressure

for behaviour, autonomy and welfare of the population. Findings from studies undertaken at the Midwest Psychological Field station suggest that physical arrangements can *enforce* patterns of behaviour and prevent others. Social forces, psychological processes and psychological perception affect behaviour in addition to behaviour learning, selection by process and selection by behaviour settings.

Significant for the examination of violence within prisons is Barker's (1968) supposition that behaviour cannot be transposed from one behaviour setting to another. Travis, Schwartz and Clear (1984) and Muntingh (2009) citing Homel and Thompson (2005) suggest that to acclimatize to the prison environment prisoners adopt one of two models, either the deprivation model or the importation model. Contradicting Barker (1968), Travis *et al.* (1984) argue that inmates either learn behaviour from the prison environment (deprivation) or alternatively bring into prison certain traits and attitudes which lead to their behaviour inside the prison (importation). Barker (1968) suggests that one behaviour setting can counteract and in some instances prevent the behaviour of another setting. Contrary to this line of thought, violence in prisons suggests that the prison environment is not reducing violence that takes place outside its environment; it is rather containing it in another environment or behaviour setting. According to Muntingh (2009) citing Homel and Thompson (2005) while empirical research supports both the importation and deprivation models, credence should be given to the specific attributes of the prison environment such as the social and physical attributes and the structure of daily life in prison. Moreover consideration should be given to the organization of a prison and the interaction between offenders and offenders and staffs, as these components contribute to the overall prison environment and the situational dynamics that can impact on violence. Debate surrounding these factors has led to the development of two additional theoretical models, the transactional model and the situational model (Muntingh, 2009 citing Homel and Thompson, 2005). Studies that explore the transactional model have argued that offenders behave differently in different prison settings and that in terms of prison violence, certain variables within a prison can impact on violence. The situational model considers situational precipitators and situational regulators to reduce violence (Wortley, 2002 and Muntingh, 2009 citing Homel and Thompson, 2005).

Ittleson, Proshansky, Rivlin and Winkel (1974) trace the origins of environmental psychology to a study undertaken by Ittleson, Proshansky and Rivlin between 1958 and 1959. The study focused on the impact of ward design on the behaviour of patients in psychiatric hospitals. From this study grew a movement that focused initially on the impact of the physical environment in therapeutic settings on therapy. Later the focus expanded to include the effects of other physical settings on various behaviours (Ittleson *et al*., 1974). According to Ittleson *et al*. (1974) Environmental Psychology is not deterministic in its approach, it views the behaviour of human beings as a product of interchange between the environment and the person; it is the "*study of human beings in their everyday, intact settings*" (Ittleson *et al*., 1974:5). As the environment is seen to influence behaviour, Ittleson *et al.* (1974:5) argue all studies of involving Environmental Psychology should be conducted in the milieu, so that man and behaviour are seen as *a "part of the milieu"*.

According to Jeffery (1971, 1977) behaviour is a product of the interaction of organism and environment. The organism receives messages (stimulus system) from the environment and responds (perceptual system) to the signals through behaviour (response system). Behaviour is an adaptation of the organism to the environment and is referred to as operant or instrumental behaviour as it operates on the environment or is instrumental in changing or controlling the environment. Environmental conditions associated with a specific response are viewed as stimuli for behaviour. Where the interaction between organism and environment produce an increase in the behaviour the process is called *reinforcement*; where the behaviour is reduced due to the stimuli the process is referred to as *punishment* (Jeffery, 1971).

Jeffery (1971) argues that specific types of criminal behaviour take place for the immediate consequences of the behaviour and can be classified as a function of positive reinforcement. Conversely, specific criminal acts, with the exception of rape, fit within the realms of negative reinforcement and it is a negative aversive stimulation that leads to a withdrawal response or aggressive behaviour. Jeffery (1977) citing Azrin and Holz (1971) argues there are two types of aggressive behaviour. Operant aggression occurs when the aggression is directed toward punishing an individual or situation and elicited aggression occurs when the

aggression is directed *blindly* at the environment as a general response to the negative stimulation. Given that aggression is stimulated by the environment, Jeffery (1971) further argues that aggression is a response to punishment as the act of aggression removes or terminates the punishing stimulus. To sum, Jeffery (1971) argues that criminal behaviour involves four elements, namely:

- Reinforcement for undertaking the criminal act
- An assessment of the risk involved with undertaking the crime
- The past conditioning history of the individual
- The opportunity to commit the crime

According to Jeffery (1971) the criminal will not undertake a crime unless the environment presents an opportunity. Where previously criminologists argued that criminality was inherent in the criminal, Jeffery (1971) contends that criminality is located in the environment and not in the individual; criminal behaviour will not occur until the environment presents opportunities for the criminal act to take place. This supposition suggests that given the proper environment all people can become criminals (Clarke, 1997). In order to reduce criminal behaviour the environment must be altered and the risk associated with criminal behaviour must increase; rehabilitating the criminal will not affect crime levels (Jeffery, 1971).

Significant for the study of violence in prison settings is a critique of Jeffery (1977) who suggests that the impact of the environment on crime is differentiated into the offender environment and the offense environment. The offender environment is the environment in which the offender lives. The offense environment or area is the area the offense takes place. The prison environment is both the offense and offender area. Boggs (1964) initially suggested that there was a discrepancy between the offense and offender area and suggested that not all crimes occur in the neighborhoods in which offenders live, as *different conditions surround the commission of different types of crimes.* According to Boggs (1964) offenders are attracted to specific areas to undertake crime for the opportunities the area provides. For crimes such as burglary, business robbery, rape and grand larceny Boggs did not find there to

be an association between the offense and offender area, although for crimes such as homicide, assault and residential burglary there was a relationship between the offender area and the offense area. Most notably, Boggs found that the occurrence and place of crime was directly related to how the offender saw the area and whether the crime was considered business or personal to the offender.

Jeffery (1977) posited that Angel's (1968) work was seminal to the study of environmental design. Jeffery (1977) citing Angel (1968) purported that crime rates are related to the social and physical environment, to territoriality, accessibility and victim behaviour. Moreover, witnesses, surveillance and community awareness act as deterrents to crime. Jeffery (1977) citing Angel (1968) argued that areas of low crime are areas of low use due to the lack of targets; areas of high use have low crime due to the high surveillance levels. Contradicting this study, Heron (2004) suggests that high levels of surveillance do not necessarily result in a reduction of crime. Residential areas with high levels of surveillance in the form of observation can produce high levels of crime. This is particularly the case in areas where the offenders are known in the area as familiarity will reduce the likelihood of offenders being reported.

3.3 CPTED, DEFENSIBLE SPACE, TERRITORIALITY AND PROBLEM-ORIENTATED POLICING

Crime prevention through environmental design, defensible space and territoriality are inextricably linked in the theory that the environment impacts on crime, however the rationale and approach differ.

3.3.1 CPTED

Crime prevention through environmental design (CPTED) devised by Jeffery (1971, 1977) seeks to find alternatives to reduce crime, and places the control of crime in environmental design. Jeffery (1971, 1977) proposed crime prevention through environmental design as an alternative and new approach to reduce crime. He argued punishment and treatment do not reduce criminal behaviour. The principles of CPTED are:

- to examine the motive for crime before it is committed
- to focus on direct controls over behaviour
- to examine the interaction of the organism (man) with the environment and not the individual offender
- it is interdisciplinary
- CPTED is less costly and more effective than punishment or treatment.

Jeffery (1977) contends that the distribution of crime in relation to the physical environment is a critical aspect of environmental design and crime prevention. Moreover, the environment plays a critical role in behaviour including criminal behaviour. CPTED maintains that a combination of design changes in the physical environment and a change in people's reaction to their environment will ultimately reduce crime. In order to achieve this CPTED advocates implementing a combination of physical, social, law enforcement and management techniques to reduce the opportunities for crime (Frohman, Hanes, Kohn, McKay, Olson, Pesce and Welke, 1977). The application of CPTED is generally in housing, business parks, public buildings, schools, transportation and industries.

CPTED posits that to reduce the opportunities for crime the opportunities that are present in the physical environment must be evaluated and designed out or altered. The structure of buildings, the layout of neighbourhoods and streets, blind alleyways, unlit streets and overgrown shrubbery present an opportunity for crime (Frohman *et al.,* 1977). In addition to the physical factors a key component of CPTED is to alter the perception of the users of an area. CPTED strategies work within three components namely, punitive, mechanical and corrective. The punitive measure ensures the criminal is exposed, seized and punished. Mechanical prevention comprise of mechanical measures that are incorporated into the physical design that deter an offender. Examples are locks, burglar bars and cameras. Corrective prevention eliminates the criminal motives. CPTED is achieved through a number of methods namely, access control, surveillance, activity support and motivational reinforcement (Frohman *et al.,* 1977).

3.3.2 Defensible space

Given that the supposition of CPTED is to reduce the opportunities for crime through specific physical design variables in addition to attitude changes of users, defensible space seeks to use architectural form to encourage residents to take ownership of the property and as such reduce crime (Clarke, 1997).

The concept of *Defensible space* emerged from a study undertaken by Newman (1972) for the Security Design of Urban Residential Areas as part of a larger series of studies by the National Institute for Law Enforcement and Criminal Justice (NILECJ) in the USA (1969). The project for the security design of urban residential areas sought to examine the effects of the physical layout of residential environments on the inhabitants' criminal vulnerability. Ultimately Newman (1972) proposed that physical architectural design in residential areas could not only deter crime but could also encourage residents to protect their property and as such defend their space. Newman (1972) argued that through appropriate design an area can be perceived by both residents and strangers that it is under the influence and control of a specific group of people. By altering the perception of an area residents will feel safer and strangers will anticipate that their presence will be detected; to such an extent that it will act as a deterrent. According to Newman (1972) defensible space is a paradigm for residential environments to deter crime by creating the *physical expression of a social fabric that defends itself*.

Newman (1972) examined how the design of residential areas could contribute to *victimization by criminals.* Through examining police records from 169 housing projects accommodating 528,000 people in New York, Newman (1972) described the type and location of crime that would likely take place. Furthermore, he determined the most dangerous areas in and around a building and the most dangerous building and project designs. Newman (1972) argued that in order to establish the extent to which the physical design of housing is a variable for crime, other factors that affect crime must be considered. Traditionally, income, density, age, family pathology and biology among others, are variables that are thought to impact on crime levels. Newman (1976) acknowledged that the

strongest predictors of crime in residential areas are the socio economic factors of the population although he argued that the design of the residential environment impacts on the residents' vulnerability to crime. In order to establish the impact of architectural design on crime, a physical location must be chosen where the social characteristics of the community are as comparable as possible. The only variance in the area must be the physical design.

Newman (1972) maintained that a number of specific design characteristics in building design contribute to an area being a high crime area and identified six specific physical characteristics that reinforce criminal behaviour. The specific design variables include:

- Large housing projects,
- High density levels,
- High rise apartments or buildings (over 7 stories in height).
- Mixed use areas,
- Buildings placed on geographical plots in a haphazard manner (*free composition*).
- Grounds that have one continuous space arranged between the buildings and lack of land differentiation.

According to Newman (1972), specific building designs that contribute to high crime areas are cruciform design blocks of flats and buildings that accommodate between 150-500 families. A typical floor plan that encourages crime would be one that consists of a long central corridor with apartments on both sides (*double loaded corridor*). In addition, a long corridor that presents an access point in the centre most notably a lift shaft or stairwell could contribute to high crime levels.

3.3.3 Territoriality

Territoriality is *"the capacity of the physical environment to create perceived zones of territorial influences"* (Newman, 1972:51). Territoriality posits that people are prone to extend control over their immediate surroundings and as such reduce crime; images of territoriality reduce crime as *signs* of territoriality discourage potential offenders. Psychologically, territoriality sends out signals to a potential offender and physically access

is reduced. Physical barriers reduce access and limit the use of an area. This encourages surveillance and familiarity of users (Poyner, 1983).

Territoriality creates perceived zones of control by the use of defensible space where the definition of space reflects the zones and the control of space (Newman, 1976). In order to achieve this four specific categories of zones are identified namely, public, semipublic, semi private and private space (Colquhoun, 2004). Boundaries to differentiate space are created through symbolic or physical barriers. Examples of physical barriers are shrubs, fences, walls; examples of symbolic barriers are vegetation, signs and altering surface treatments (Colquhoun, 2004).

3.3.4 Problem-orientated Policing

According to Clarke (1997), problem-orientated policing does not focus exclusively on crime, but is a police management approach to reduce crime. Citing Goldstein (1979), Clarke (1997) stated that the premise behind problem-orientated policing was to develop solutions to problems encountered every day. In this vein the process involves identifying problems, researching the problems (causes, motives etc.), recording polices responses to problems, determining the adequacy of the approach applied, exploring alternative measures to deal with problems, assessing the advantages of the applied measures and the alternatives and then determining the most appropriate method to adopt for problem solving.

3.4 CRIME PATTERN THEORY

Brantingham and Brantingham (2008) contended that to understand the complexities of crime, it is vital to understand the *crime patterns* associated with criminal activity. A criminal event is the result of many complex issues such as the factors which motivated the offender, the characteristics of the target and the environment in which the crime takes place. Within each of these issues are further constructs (such as constraints in the environment and factors associated with routine activity), and it is only through understanding *patterns* within each of these issues (and constructs) that a deeper understanding of crime can emerge (Brantingham and Brantingham, 2008).

According to Brantingham and Brantingham (2008:79) crime pattern theory is based on the premise that crime is not distributed uniformly or randomly in "*time space or society"*, nor does crime take place randomly within "*neighborhoods"*, or within *"social groups"*. With this in mind, the historical argument which advocates crime as a random event cannot be supported as there are "*hot spots"* (and cold spots) for crime and there are "*high repeat offenders and high repeat victims"*. Given that there is a pattern associated to crime, crime patterns can be developed. Moreover, they argue that in order to understand crime it is important to understand the "*patterned uniformity and non-randomness"* of criminal activity.

Brantingham and Brantingham (2008:78 and 79) developed crime pattern theories or *rules* for assessing crime and these they attributed to factors associated with space and time. The crime pattern theories can be applied to individuals, networks of offenders and combinations of aggressors (defined as "*aggregations of offenders"*). By applying the crime pattern theories "*target/victim assessments, crime locations"* (associated with routine activities and geography), "*crime concentrations* and *crime attractors and generators"* can be assessed. Furthermore, by applying crime pattern theory patterns to crime, factors associated to the crime, the decision making process (to commit a crime) and the methods of committing crime can be patterned.

In order to assess crime patterns associated to individuals it is essential to examine routines associated to activities. In essence, routines are based on and formed through a process of decision making and decisions are made through the process of identifying what works for the individual. "What works" in this instance refers to what an individual needs to do in order for a goal to be achieved. Therefore, decisions are made based on the principle of what would work in a given situation (to achieve a goal) and the activities (or routines) that are developed are a form of response to ensuring the aim is achieved. Taking this into the crime context it can be argued that a similar process is applied to the decision (and activity) process that goes into an act of crime (Brantingham and Brantingham, 2008).

While the decision process that goes into a routine or activity for individuals is essentially based on "what works" for the individual, the theory is more complex when considering the

decision process (and resultant activity) for networks or groups of people. Brantingham and Brantingham (2008) argue that decision making within a group can be affected by the number in a group, the relationships within the group and, in the case of crime, the *willingness* of the parties within the group to commit acts of crime.

In assessing patterns of crime associated with combinations of individuals (aggregation of individuals) it is essential to examine the decision process (and resultant activity) of an individual rather than a network or a collective. The argument is that the decision process and actions of a number of individuals can be generalized for the many. As noted by Brantingham and Brantingham (2008:82) "*average or typical patterns can be determined by combining the patterns of the individuals*".

According to Brantingham and Brantingham (1984) crime is a result of several factors although the most significant variable is the "*opportunity"* for crime within a specific environment. Brantingham and Brantingham (2008) later added to this and stated that as well as opportunity there should not be any restrictions ("*formal or informal"*) to carry out the crime. Over and above this, they argue that for a crime to take place there must be an individual who wishes to commit a crime an opportunity to offend and a target.

While they argue that the concept of opportunity is vital in the decision process to commit a crime, citing Mayhew (1976), Brantingham and Brantingham (1984) argued that there is an *opportunity theory* for a crime to take place. Opportunity theory argues that four variables must be present for an offense to take place namely: a surplus of goods, availability of goods, inadequate surveillance levels and a moment in time when the crime can take place. Variables in crime patterns are dependent on fluctuations in any of the four variables. While there is much debate surrounding issues of opportunity, it can be argued that opportunity to commit a crime is (or is not) presented in a given space.

Brantingham and Brantingham (2008:84) posit that people conduct their lives on routine and patterns of activity. Patterns of activity depend on their week activities which generally centre on work and weekend and leisure activities. On the whole, activities take place in

primary nodes (places) which are part of normal life such as home, work and school; the routine routes taken to reach the primary nodes are referred to as route choice patterns. The primary nodes and route choice patterns are collectively called *activity space*, the observable space surrounding the activity space is referred to as *awareness space*. Brantingham and Brantingham (2008) argue that individuals who undertake crime also conduct their lives within the set patterns and as such are more likely to commit crime within or near to their normal activity and awareness space. Moreover, while it is argued that individuals who commit crimes will commit crimes within their normal activity and awareness space, victims or targets of a crimes will also be located in the same areas.

According to Brantingham and Brantingham (1984) the distinction between types of space was initially made by Koffka (1935) who separated the environment into the geographic environment and the behavioural environment. Following Koffka's (1935) definition of the environment, Gan (1972) suggested the environment comprise of the *potential environment* and *the effective environment* presented in Figure 3.1 (Brantingham and Brantingham, 1984 citing Gan, 1972). The potential environment comprise of both non-manipulative components such as the climate and topography and manipulative components such as buildings, roads. The potential environment comprise of factors that are interpreted by a person to form an effective environment and ultimately form behaviour.

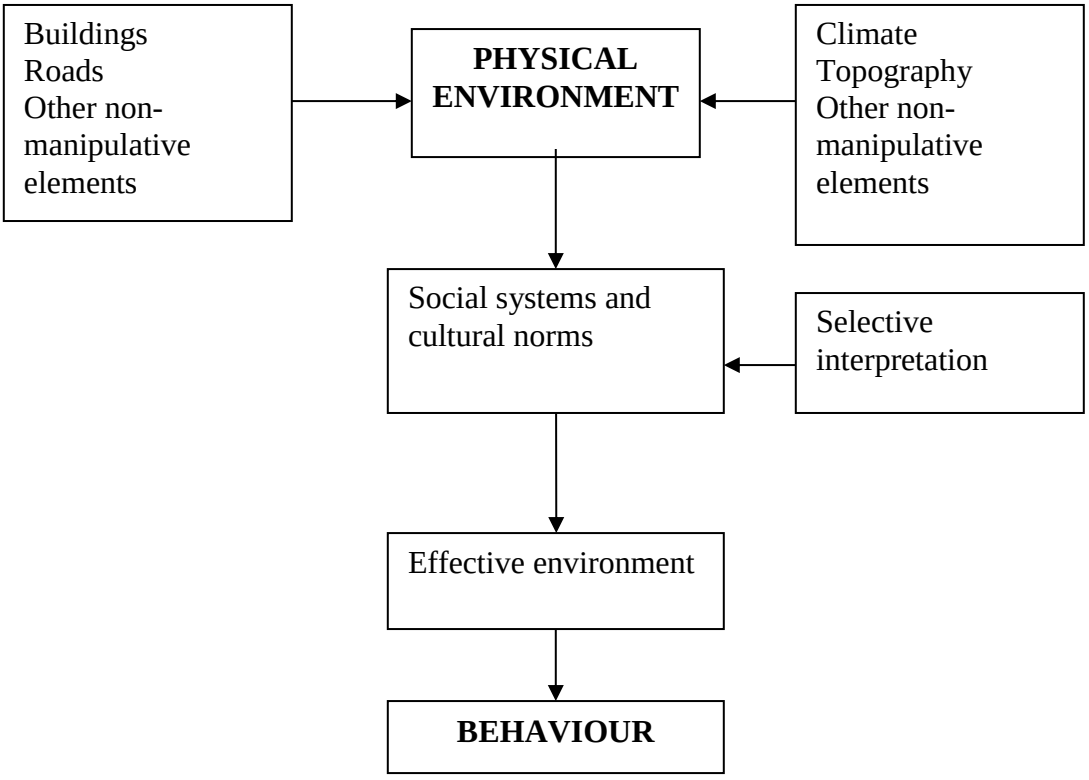


Figure 3.1: The relationship between environment and behaviour
(Source: Brantingham and Brantingham (1984) citing Gan (1972))

Citing Sonnenfeld (1972), Brantingham and Brantingham (1984) suggested that an *environment* comprises of the *geographical environment, the operational environment, the perceptual environment* and the *behavioural environment* presented in figure 3.2. The behavioural environment is either that portion of the environment that triggers actions or that portion of the environment to which the behaviour is directed. The behavioural environment comprise of several specific variables most notably:

- *The physical setting:* defined by the physical structures within an environment (roads and buildings etc.)
- *The social setting*: the social and economic variables contained within an environment
- *The psychological setting:* the psychological and physical conditions that motivate people to undertake crime

- *The Legal setting*: the legal applications attached to specific forms of behaviour
- *The cultural setting*: the cultural beliefs and values that manipulate behaviour and actions

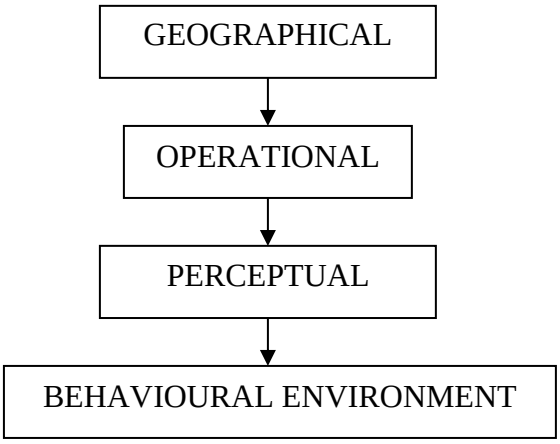


Figure 3.2: Interpretation of the environment behaviour relationship
(Source: Brantingham and Brantingham (1984) citing Sonnenfeld (1972))

Significant for this study is an evaluation of Brantingham and Brantingham (2008:89) theories of *crime generators* and *crime attractors*. Crime generators are described by Brantingham and Brantingham (2008) as nodal areas that serve a particular function, work within specific time frames and attract large numbers of people. Crime generators support criminal activity by accommodating large concentrations of people in settings that are conducive for acts of crime. The place is not seen as a place for crime, although it supports an activity (or a number of activities) in a place that allows for the generation of criminal activity. *Crime attractors*, on the other hand, are locales that create, attract and so motivate criminal activity. Criminals are attracted to the area or place as it is an area that attracts crime activities (Brantingham and Brantingham, 2008).

3.5 SITUATIONAL CRIME PREVENTION

The aim of situational crime prevention is to reduce the problem of crime by examining the *opportunities* (Clarke, 1997) as well as the *temptations, inducements and provocations* present within an environment that motivates crime (Clarke, 2008:179 citing Wortley, 2001).

Crime prevention addresses and seeks to eliminate that which exists in the environment rather than designing out perceived areas of concern (Clarke, 2008:182).

According to Clarke (1997) situation prevention measures are purposely directed to specific forms of crime; involves management, design and/or manipulation of the environment and increases the risk of being caught and reduces the rewards of crime perceived by potential offenders.

According to Clarke (1997) in order to apply situational measures to reduce crime the following must be considered. Firstly, that in order to adopt measures to a situation to reduce crime, crimes must be clearly defined into specific categories of crime. Secondly, that large numbers of offenders, employ a number of methods to satisfy a variety of motives when committing a crime. Thirdly, that as offenders assess environments in terms of benefit before committing a crime, altering the environment needs to affect this assessment. Fourthly, that offenders judge the moral costs of offending and lastly that situational crime prevention does not discriminate crime categories; situational crime is appropriate for all crime categories.

According to Clarke (1997:6) Situational Crime Prevention has four key components namely:

1. *A theoretical foundation drawing principally upon routine activity and rational choice perspective*
2. *A standard methodology based on the action research paradigm*
3. *A set or opportunity-reducing techniques, and*
4. *A body of evaluated practice including studies of displacement*

3.5.1 Rational Choice Theory and Routine Activity Theory

Rational Choice Theory and Routine Activity Theory have both contributed to the development of Situational Crime Prevention, and are therefore discussed here.

According to Cornish and Clarke (2008) at the core of the Rational Choice perspective is the view that crimes are deliberate, are carried out for a purpose, involves purposive behaviour and are undertaken to meet the needs of an offender and serve to benefit the offender in some way. Criminal behaviour is seen to be based on a rationale decision making process and as each crime is specific (in terms of motive and perceived benefits) the decision making process undertaken before, during and after committing a crime is specific to that particular crime (Cornish and Clarke, 2008).

According to Cornish and Clarke (2008:24) the Rational Choice perspective encompasses the following concepts:

- *Criminal behaviour is purposive*
- *Criminal behaviour is rational*
- *Criminal decision-making is crime specific*
- *Criminal choices fall into two broad groups: 'involvement' and 'event' decisions*
- *There are separate stages of involvement*
- *Criminal events unfold in a sequence of stages and decisions*

Cornish and Clarke (2008) argue that the decision to commit a crime is grounded in choice; a potential offender chooses to commit a crime. While there are several factors that go into the decision making process, Clarke (1997) argues that in considering the factors that led to a choice or decision to commit a crime, a distinction needs to be made between criminal involvement and criminal events.

Criminal involvement addresses the criminals involvement in crime (*career in crime*) and consider, *initiation* into crime, continual involvement in crime activities and the decision to stop being involved in crime (Cornish and Clarke, 2008:27).
Event decisions are crime specific and address issues regarding the decision making process adopted when planning a crime, undertaking a crime and completing a crime. The decision making process only considers with the task to be carried out (Cornish and Clarke, 2008).

According to Clarke (1997) and Cornish and Clarke (2008) it is event decisions that are most affected by situational factors and for experienced offenders, the decision to commit a crime will rest largely on the situational factors that would either support or hinder the crime action.

Grounded in Human Ecology, Routine Activity Theory (RAT) or Routine Activity Approach (Felson, 2008) positions itself within the micro and the macro theories of crime analysis. At the micro level RAT argues that three elements must be present for a crime to be committed; an offender, a target and the absence of a capable guardian (Clarke, 1997 citing Chen and Felson, 1979 and Felson, 2008). Felson (2008:71) points out that an offender is one who commits a crime, a target can be a person or a thing to which the crime is directed and a guardian is any person whose presence (or *proximity*) deters crime. At the macro level the approach posits that features within society can make the meeting of the three elements more likely (Felson, 2008).

Unlike other criminology theories RAT does not consider the source of the offender's motivation (disposition) to commit crime, it rather focusses on the conditions present in an environment (situation) that support a crime event. The theory argues that routine activities and factors associated with lifestyles can influence crime, for example, empty houses during the day (as a result of occupiers being at work) provide an opportunity (and a reduced risk) for burglary (Clarke, 1997).

According to Clarke (1997) Environmental Criminology, Routine Activity approaches and Rational Choice theories have added to the theories for situational crime prevention. All approaches add to the body of knowledge about crime and contribute to the application of crime prevention strategies. The Rational Choice approach has contributed to the understanding of displacement; lifestyle theory has assisted potential victims in understanding methods to apply to reduce their potential of becoming victims; the Routine Activity Approach adds to the prevention techniques and options by extending knowledge and focusing on the three elements that are considered important for a crime act (Clarke 1997 citing Clarke 1992).

In order to show the integration of the approaches Clarke (1995) presented the model for the opportunity structure of crime (Clarke, 1997 citing Clarke, 1995). The model is presented in Figure 3.3.

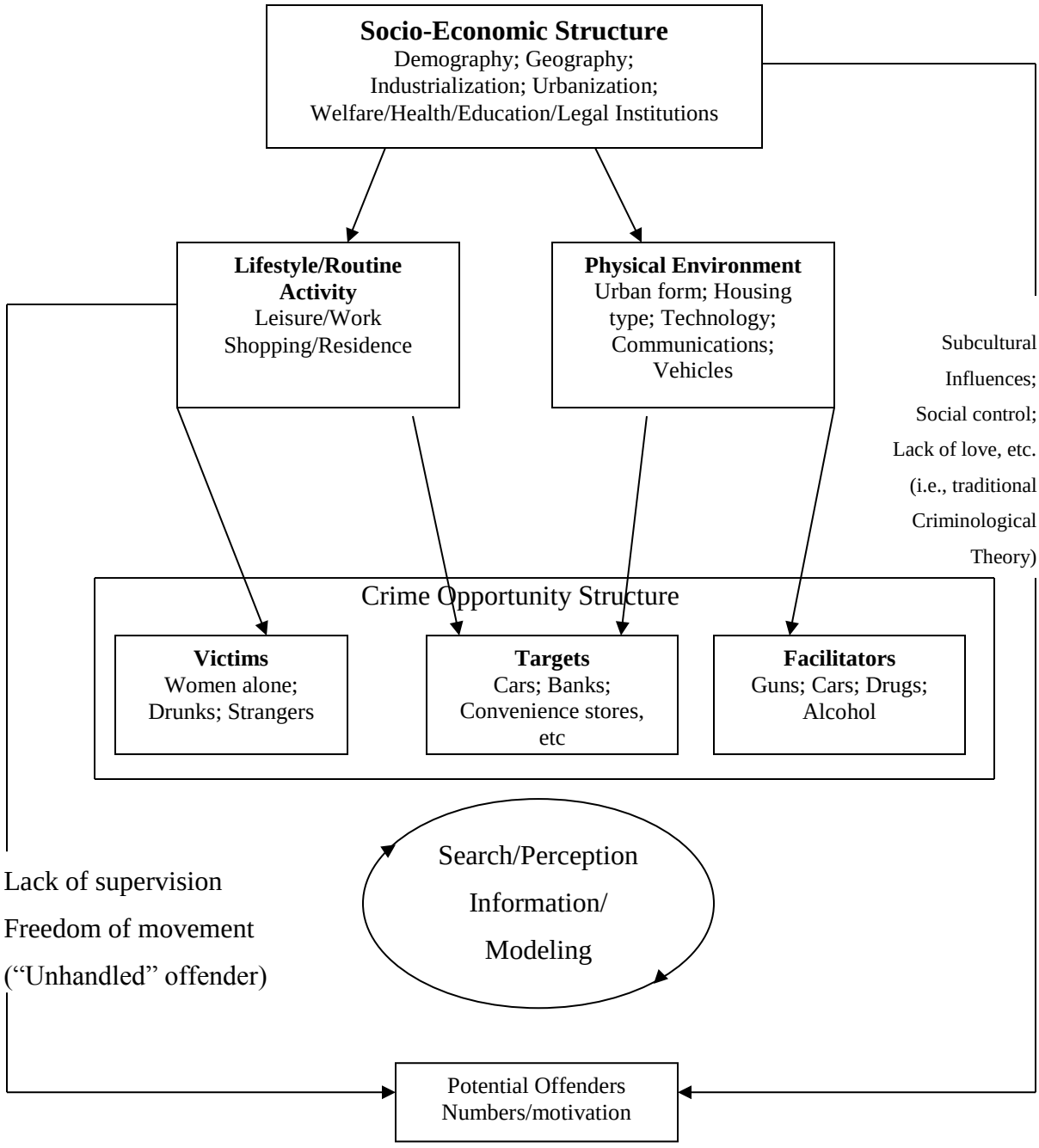


Figure 3.3: Opportunity Structure for Crime
(Source: Clarke (1997:13) citing Clarke (1995))

As presented in Figure 3.3 the components of the criminal opportunity structure are targets, victims and facilitators. The supply of targets centres on the physical environment and lifestyles and routine activities (Clarke, 1997).

While figure 3.3 presents the dispositional and situational theories the role of situational crime prevention is to address factors in an environment so the environment is seen as less favorable to commit crime (Clarke, 2008). Clarke (2008) posits several factors associated with the concept of opportunity and the significance of considering opportunity when looking at crime reduction techniques. According to Clarke (2008) the factors associated with opportunity and the argument for situational crime prevention are as follows:

- Opportunity plays an important role in all crimes
- Opportunity is an important factor in causing crime
- Opportunity will motivate more crime to be carried out by those with an existing disposition to commit crime
- Opportunities being present to commit crime will encourage those who undertake crime to *seek out* further opportunities
- Opportunities to carry out acts of crime can motivate those without a propensity to commit crime to undertake crime
- An increase in opportunities to commit crime will result in higher levels of crime
- By reducing opportunities for crime, acts of crime will reduce

According to Clarke (2008) in order to apply situational prevention methods it is important to examine *how* a specific crime takes place. In addition, while the method (the how) of undertaking a crime is important in situational prevention it is also important to consider the motive behind a crime. However, when addressing the motive for committing a specific crime, Clarke (2008) argues that for situational crime prevention a distinction must be made between motive and motivation. Motivation is the inspiration and drive behind a crime act (such as to obtain increased notoriety or respect within a gang); motive on the other hand, is the reason, cause and purpose of a crime act (for example, to steal goods would be to sell them and obtain money). Given that motive is what Clarke (2008:182) refers to as more *tangible* than motivation, it can be argued that motive rather than motivation has a greater influence on a person to commit a specific type of crime. In addition, it can be further argued that motive to commit a crime can be driven when an opportunity to commit a crime is presented to a potential offender.

According to Clarke (2008) in order to apply crime prevention techniques it is important to understand the steps led up to the act of crime as the measures to reduce crime need to address the processes (steps) that led up to the act, as well as the act. In order to consider situational crime prevention a standard methodology or action research is applied to a situation. According to Clarke (1997) and Clarke (2008) the action research model requires the following:

- The problem and the nature and dimensions of the specific crime should be analyzed and the situational conditions that sanction the crime must be examined
- A hypothesis should be developed
- Possible solutions and methods to reduce the crime in the specific situation must be addressed and considered
- The identified opportunity reducing factors must be applied
- Results must be monitored

In order to aid with the techniques to be applied to situational prevention a classification of opportunity-reducing techniques were devised and presented (Clarke, 1997). Initially comprising of 12 techniques (Clarke, 1997) Clarke and Homel (1997) later extended the classifications into 16 techniques by adding four new techniques under the area of "removing excuses", they also modified four of the existing techniques (Clarke, 1997). Table 3.1 presents more recent additions which have been made to the original classification and presents twenty five techniques of situational prevention (Clarke, 2008). Interpretation and application examples of the opportunity-reduction methods are presented in Table 3.2.

Table 3.1: Twenty five Opportunity-Reducing Techniques

Increasing Perceived Effort	**Increase the Risks**	**Reducing the rewards**	**Reduce provocations**	**Removing Excuses**
1. Target Hardening	6. Extend guardianship	11. Conceal targets	16. Reduce frustrations and stress	21. Set rules
2. Control access to facilities	7. Assist natural surveillance	12. Remove targets	17. Avoid disputes	22. Post instructions
3. Screen exits	8. Reduce anonymity	13. Identify property	18. Reduce temptation and arousal	23. Alert conscience
4. Deflect Offenders	9. Use place managers	14. Disrupt markets	19. Neutralize peer pressure	24. Assist compliance
5. Control tools/weapons	10. Strengthen formal surveillance	15. Deny benefits	20. Discourage imitation	25. Control drugs and alcohol

(Source: Clarke (2008:184) citing Clarke and Eck (2003))

Table 3.2: Interpretation and application of the Opportunity-Reducing Techniques and Situational Prevention Techniques

Technique	**Interpretation of technique**	**Examples of application**
Increase the perceived effort		
Target Hardening	Obstruction to target through physical barriers	Apply steering locks to cars
Access control	Controlling access through monitoring	Scanning of identification cards at turnstiles prior to entry
Entry/exit screening	Entry screens – methods adopted that exclude potential offenders from entering an area. Exit screening - methods employed that deter offenders removing items from a place or area	The use of electronic ticket readers in underground stations and electronic tags placed on items in shops working in conjunction with electronic tag readers at the exit/entrance to shops
Deflecting Offenders	Putting in measures to deflect offenders from potential targets	Segregating rival soccer fans in soccer stadiums
Controlling facilitators	Removing items that facilitate crime	Serving drinks in plastic cups rather than glasses in bars
Increase the risks		

Table 3.2 continued: Interpretation and application of the Opportunity-Reducing Techniques and Situational Prevention Techniques

Technique	Interpretation of technique	Examples of application
guardianship		on inside a house when vacated
Natural surveillance	Increasing natural surveillance	Improved lighting and application of "defensible space" theories
Reduce anonymity	Improving identification	Wearing of uniforms and carrying identification cards
Surveillance by employees	Increasing surveillance by employees	Car parking attendants and door men,
Formal surveillance	Employing methods that serve to act as a visual deterrence to offenders	Presence of police and security personnel. Can be enhanced with technology such as the incorporation of CCTV cameras
Reduce the rewards		
Conceal targets	Employing methods to conceal the potential target	Locating ATM machines inside shopping malls rather than in stand-alone areas on the outside perimeter of the mall
Target removal	Removing the target of crime	Remove cash payphones and replace with card payphones
Identify property	Making provision for property to be identifiable	Inscribing the car number plate on the bottom corner of car windows implies the windows belong to that car and cannot be stolen/removed and installed in other cars
Disrupt markets	Methods employed to monitor and control problem areas	Controls employed to monitor the types of advertisements placed on internet sites
Denying benefits	Methods adopted to reduce or deny an offender of the benefits of a crime act	Blocking cell phones so that sim card transfer renders the phone unusable
Reduce provocations		
Reduce frustrations and stress	Reducing frustration in environments	Improved customer service and provision of sufficient seating in waiting areas
Avoid disputes	Adopting methods to prevent the occurrence of a dispute	Separation of rival soccer fans at football stadiums
Reduce emotional arousal	Reducing temptation to commit a crime by Removing or reducing the factors that evoke arousal	Controls on violent pornography and prohibit racial affronts

Table 3.2 continued: Interpretation and application of the Opportunity-Reducing Techniques and Situational Prevention Techniques

Technique	Interpretation of technique	Examples of application
Neutralize peer pressure	Employing methods that reduce peer pressure to commit acts of crime	Posting of notices and adverts that support non-compliance to peer pressure, such as images of sports athletes who advocate not using drugs or consuming alcohol
Discourage imitation	Employing methods to reduce imitation of the crime act	Repair broken windows and vandalized items and remove graffiti from surfaces
Remove excuses		
Rule setting	The enforcement of rules to promote good conduct, and to reduce ambiguity regarding the enforcement of rules	Rental agreements, sexual harassment codes, codes of conduct contracts
Post instructions	Post instructions that reflect the rules to be followed	Signs which state "trespassers will be prosecuted" prevent unauthorized entry onto private property, also, signs in shops which state "breakages must be paid for" help to ensure customers handle items in shops with more care.
Stimulating conscience	Evoking the conscience of potential offenders	Television advertisements showing the repercussions of drinking alcohol and driving.
Facilitating compliance	Employing methods which assist potential offenders to comply with the rules rather than break rules	Bars and restaurants that have a taxi service to drive patrons to and from their facilities, encouraging patrons not to drink and drive
Control drugs and alcohol	Employing measures that control drugs and alcohol use	Police road blocks for random alcohol testing

(Source: Clarke (1997); Cornish and Clarke (2003) and Clarke (2008) citing Clarke and Eck (2003))

According to Newman and Marongiu (1997) the *pure* fundamentals to situational crime prevention examine the rational choice perspective; investigate the location where the offense takes place and emphasize the opportunity factors in the environment that provide opportunities for crime. Moreover, situational crime prevention concentrates on the elements

of the environmental factors that cause crime. Proponents of situational theories suggest that crime will not take place unless the situation provides opportunities for the crime even where the potential offender exhibits traits that are believed to lead to crime namely, personality traits and motivation.

According to Clarke (1997) the effectiveness of situational crime prevention techniques are on the most part governed by the environment in which they are applied and as such one technique might not be successful in all situations. In order to ensure effectiveness, situational crime prevention techniques should be "*tailored*" for specific settings (Clarke, 1997:27). Those who question the effectiveness of situational crime prevention techniques raise concerns regarding the research designs for evaluation of effect, escalation of crime resulting from situational prevention techniques and the long and short term effects on displacement (Clarke, 2008). Moreover, arguments against situational crime prevention claim the concept is simplistic; encourages lack of consideration into the root causes of crime; it is conservative and a focuses on managing crime; it encourages seclusion in society; it is restrictive on liberty (encourages the application of Orwellian theories) and it attributes too much emphasis on the victim or target of crime (Clarke, 2008). In response, Clarke (2008) acknowledges and addresses the criticisms and posits that while many of the concerns, particularly those regarding displacement, might take place as a result of application, they are not an inevitable consequence of application.

Newman and Marongiu (1997) argue that situational crime prevention is found in Bentham's theories of punishment. Bentham focused on two specific areas as a motive for crime, firstly the pleasure and pain principle and secondly, the situational experience. Situational crime prevention argues against motivation for inducing crime. The focus is rather on the goal and an opportunity being present for attaining the goal (Newman and Marongiu, 1997).

Bentham believed that punishment should be justified and offenders should be punished out of necessity and not for retribution. According to Newman (1978), preceding Bentham the three basic concepts for the utility of punishment proposed that:

- Man is governed by the pursuit of pleasure and the avoidance of pain
- Society should be organized so that it adheres to the principle of the greatest amount of pleasure or happiness for the greater number of people
- The seriousness of an offense is measured by the injury to society

Bentham questioned all of these proposals. He suggested that there were four categories or external sources of pleasure and pain, namely: the physical, political, moral and religious sanction. The four sources of pleasure and pain propel or tempt motives which are transformed into intentions which may encourage an action to be carried out (Newman, 1978). Carrying out an action to achieve the pleasure or pain is dependent on circumstances, intentions, motives or forces defined as *springs of action* (Newman and Marongiu, 1997). Bentham suggested that behaviour is dependent on history, personality and man's perception of his action. He suggested that a *mischievous* action must be examined in terms of its consequence and the consequences should be examined as primary and secondary. Primary consequences are the effects on the victim and secondary consequences are those that affect the people who are close to the victim. Bentham was suggesting that the effects of a mischievous act should be examined in terms of its *strength, constancy and extent of its effect* (Newman, 1978). When Bentham put this in relation to punishment and the effects of punishment he argued that punishment as a consequence of the mischievous acts was false. He argued that it would be more beneficial to examine the motivations of the offender.

Given that motivation is at the start of any criminal act Bentham went further to identify the various motivations. Bentham emphatically defended his theory that all motivations stem from the environment and alterations in the environment will affect the motivation to commit crime (Newman and Marongiu, 1997).

According to Newman and Marongiu (1997) Bentham advocated several indirect methods to prevent crime, most notably:

- To alter the desire to commit crime
- In attaining the desire injury does not occur

- Avoid providing opportunities for crime
- Increase the responsibility for the action as desire increases
- To reduce the emotional response to temptation
- To instill the notion of punishment
- To impart knowledge regarding the facts of the offense
- Prevent crime by making not committing an offense a more viable option
- Aid in distinguishing offenders
- To prevent escape
- Ensure punishment for an offense
- Prevent accessory offenses to prevent the first offense

Given that situational crime prevention is a technique that examines crime in a specific environment and proposes crime prevention techniques that are applicable to that environment, the principles of situational crime prevention can be applied to the prison setting. Appropriate application of the situational crime prevention techniques will reduce prison violence (Wortley, 2002).

Wortley (2002) examines situational crime prevention in the prison environment eclectically, broadly examining prison behaviour and prison control. His approach is founded on the premise that prisoners are directly influenced by their environment; future behaviour will not be dictated by the effects of their past environment. In proposing this Wortley (2002) suggested that physical environments can be made safe to protect certain individuals. Wortley's (2002) investigation concentrated on specific types of behaviour in specific environments and sub-environments within the prison environment were examined only when behaviour varied substantially within that sub-environment. In effect Wortley (2002) examined the variables in that specific sub-environment that influenced the behaviour. According to Bottoms, Hay and Sparks (1995) the situational crime prevention approaches that can be applied to the prison context include target hardening, target removal, removing the means to crime, restricting movement, surveillance and environmental management. Target hardening and removing the means to the crime are not appropriate to the prison context, although, with specific reference to prison violence, target removal, restricting

movement, surveillance and environmental management can be applied. Despite arguing that several situational crime prevention techniques are appropriate to the prison context Wortley (2002) argues that the prison environment is a situational crime prevention technique in itself. The prison is a distinct environment and functions to control behaviour. Although prisons control behaviour by removing the offenders from society, within the prison environment the occurrence of prison assaults is testimony that prison control within the prison is lacking and locations or sub-environments within the prison environment provide opportunities for assaults to take place.

Wortley (2002) posits that while there are a number of situational variables that can be employed to effect behaviour there are several fundamental principles to which the concepts are grounded. Firstly, "*situations*" can encompass both social and physical elements; secondly, situations are limited by size, they can be viewed from a micro level which examines a "*single micro-element*" or at a macro level which considered a larger setting such as a city and thirdly, the effects of a situation can vary in intensity (Wortley, 2002: 34). According to Wortley (2002:34) the fourth and most important element to consider with regard to "situations" is the distinction between those factors within an environment (setting) which have or produce a *precipitating* function to those which have a *regulating* function.

Precipitating factors within an environment (setting) present cues which *prompt* an individual to undertake antisocial behaviour, they can *pressure* an individual to undertake antisocial behaviour, they can *permit* behaviours by reducing self-control and they can *provoke* behaviours (Wortley, 2002: 57). Regulators, on the other hand, regulate behaviour in that they evoke consideration to the consequences of behaviours. Regulators can be in the form of rewards and punishments or can be direct physical constraints present in the environment. According to Wortley (2002) consideration of precipitating and regulators factors is important in crime prevention and particularly in the prison setting and both factors should be addressed when considering situational crime prevention in the prison setting Given that four factors contribute to precipitating factors in an environment, four controlling measures need to be applied to each variable in order to control the situational precipitators, namely, controlling prompts, controlling pressures, reducing permissibility and reducing

provocations. Applying this to the prison context Wortley (2002: 57) developed the Two-stage model of situational prison control, presented in Figure 3.4. Table 3.3 presents Wortley's (2002) precipitation-control strategies applied in a prison context and Table 3.4 presents opportunity-reduction strategies for the prison environment. Applying the sixteen opportunity-reducing techniques identified by Clarke (1997) Wortley (2002) contextualized the opportunity-reduction strategies in the prison environment. As presented in Table 3.4 the opportunity-reduction strategies applied in the prison context has excluded the category "removing excuses" as identified by Clarke (1997) and has included "increasing anticipate punishments".

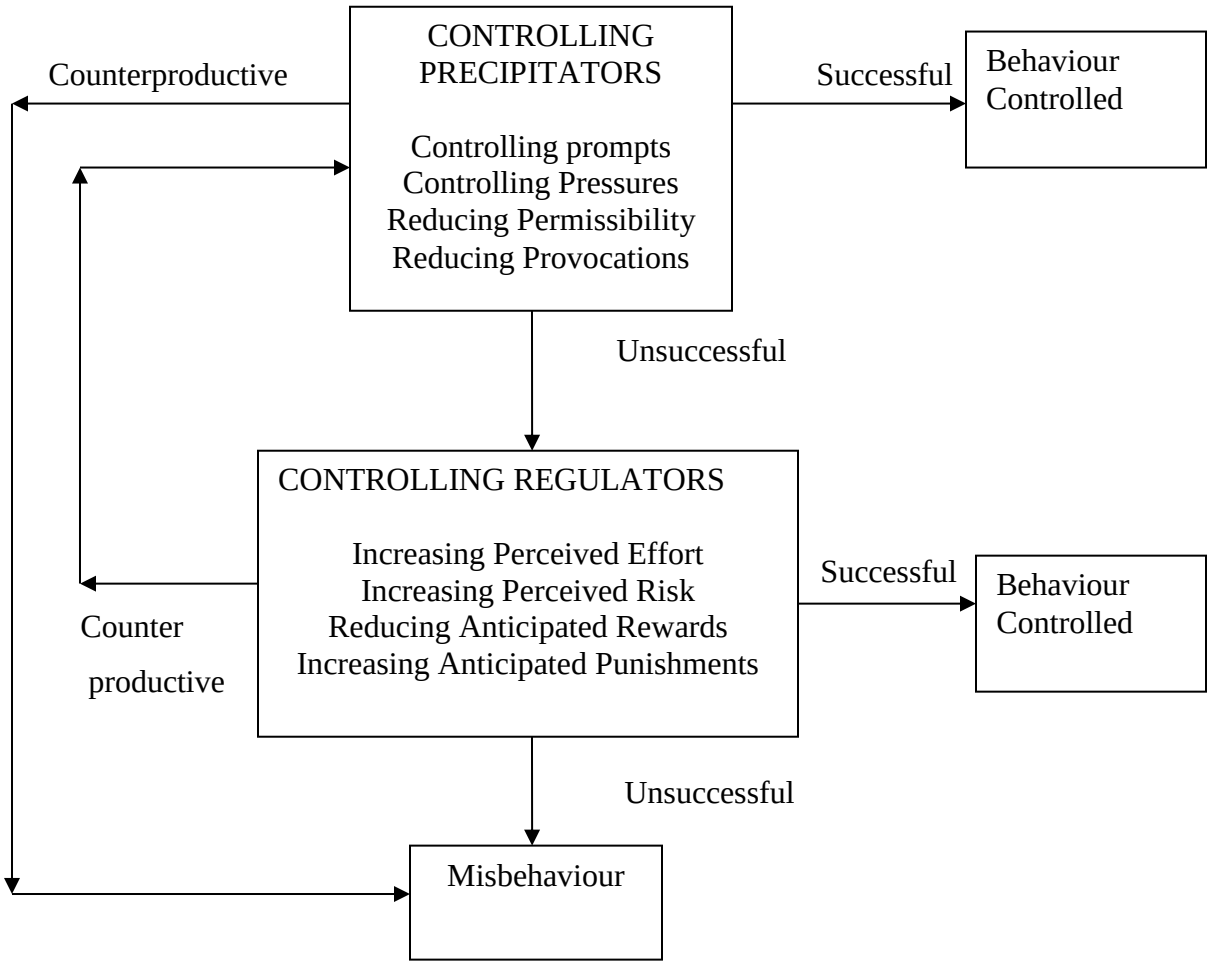


Figure 3.4: Two-stage model of situational prison control
(Source: Wortley (2002: 57))

Table 3.3: Precipitation-control strategies in prison

Controlling Prompts	**Controlling pressures**	**Reducing permissibility**	**Reducing provocation**
Controlling triggers: • Weapons effect • Allowing mementos	*Reducing inappropriate conformity:* • Mixed-age populations • Dispersing trouble-makers	*Rule setting*: • Guards as moral agents • Unit induction	*Reducing frustration:* • Personal control over lights, heat etc. • Non-provocative commands
Providing reminders: • Warning signs • Overt indications of security	*Reducing inappropriate obedience:* • Support for whistle-blowers • Participatory management	*Clarifying responsibility*: • Ownership of living spaces • Alcohol restrictions	*Reducing crowding*: • Reduced prisoner numbers • Use of colour, windows, light etc.
Reducing inappropriate imitation: • Guards as exemplars • Removal of troublemakers	*Encouraging compliance*: • Negotiations with prisoners • Grievance mechanisms	*Clarifying consequences*: • Sense of community in units • Confrontation in unit meetings	*Respecting territory:* • Personal decorations • Room keys
Setting positive expectations: • Domestic-quality furnishings • Conferring trust	*Reducing anonymity*: • Small prison size • Limiting guards uniforms	*Personalizing victims:* • Prisoner-guard contact • Humane prison conditions	*Controlling environmental irritants:* • Noise-absorbing surfaces • Airconditioning

(Source: Wortley (2002:58))

Table 3.4: Opportunity-reducing strategies in prison

Increasing perceived effort	**Increasing perceived risks**	**Reducing anticipated rewards**	**Increasing anticipated punishments**
Target Hardening: • Vandal proof furnishings • Hardened plastic screens	*Entry-exit screening*: • Screening visitors • Searches on leaving workshops	*Target removal:* • Restrictions of personal property • Protection for vulnerable prisoners	*Increasing costs*: • Formal charges • Non-replacement of vandalized property
Access control: • Control gates • Closing wings during the day	*Formal surveillance:* • CCTV • Drug testing	*Identifying property:* • Property-marking • Prison issue	*Removing privileges*: • Denial of parole • Expulsion form units
Deflecting offenders: • Staggered cell release • Structured activities	*Surveillance by employees:* • Direct supervision in units • Civilian staff	*Reducing temptation*: • Single cell accommodation • Supervision of outside workers	*Increasing social condemnation:* • Unit meetings • Utilizing prisoner self-interest
Controlling facilitators: • Plastic cutlery • Restrictions on fruit juice	*Natural surveillance*: • Defensible space principle in units • Shared cells for suicide risks	*Denying benefits:* • PIN for phone cards • Ignoring manipulation	*Making an example*: • Punishing ringleaders • Publicising punishments

(Source: Wortley (2002:66))

Various attempts have been made to reduce violence in prisons and they include, among others, risk assessment of offenders. Such tests include classic personality and psychodynamic assessment techniques that examine prisoner personality and behaviour as a basis for predicting future behaviour. The future determinants of likely behaviour are firmly

rooted in the personality of the person as internal mechanisms such as personality traits, intrinsic drives and motivations function are believed to propel a person to criminal behaviour (Wortley, 2002). The tests indicate the motivations in the past that led to disruptive behaviour and from these predictions of future behaviour are determined; with this method prisoners are profiled. Prisoner profiles indicate those prisoners who are most likely to be disruptive; most likely to attempt escape and who are most likely to inflict self-harm or become victimized. Despite the reliance on profiling, investigations into the effectiveness of profiling suggest that profiling is not a definite predictor of prisoner behaviour while imprisoned (Wortley, 2002).

Prisoners with a profile for aggressive behaviour do not behave aggressively all the time. Aggressive behaviour is displaced and violent behaviour is carried out occasionally when conditions are conducive to it. Despite this prisoners with a propensity for violent behaviour, or, who are deemed at risk are housed separately and are often classified as high security (Wortley, 2002). Many researchers have posited that people who are defined as aggressive through classification methods are not necessarily violent in other situations or all the time. Underlying these theories is the fact that people with a propensity for violence will only be violent or aggressive when an opportunity is available. Again in this context crime is rooted in the situation or environment and not in the personality of the criminal (Wortley, 2002).

When Bentham's views of environmental motivations are examined in the prison context the environment that triggers violence or aggressive behaviour is the prison. Taking Bentham's premise, Wortley (2002) argues that the prison environment comprises of three separate parts or sub-environments. The three sub-environments that make up the prison environment are the physical environment, the social environment and, thirdly, the control or management component which Wortley (2002:13) refers to as the *institutional regime*. Each one of these components is capable of being manipulated to ensure that opportunities in the prison environment to carry out acts of prison violence are reduced. When examining these components it is not appropriate to assume that tightening up of any one of these variables will reduce prison violence. For example, there are conflicting theories with regard to management/security and prison violence. The first approach defends the theory to *tighten*

up security to reduce violence and the second approach suggest that *loosening up* on security measures will ultimately reduce tension and reduce violent outbreaks (Wortley, 2002).

3.6 PSYCHOLOGICAL THEORIES FOR AGRESSIVE BEHAVIOUR

While the situational theories for crime are examined there are psychological theories that have a situational component. The psychological theories that have a situational component are categorized as: biology, behaviour theories, social learning theories; theories of social influence, frustration-aggression hypothesis, environmental psychology and rational choice theory.

3.6.1 Behaviour theory

Although Moyer (1976) acknowledged prior learning as a variable to consider for the rationale of aggressive behaviour, the biological causes of violence generally ignores psychological and social motivations. Where biological theories examine biological symptoms as a cause of violent behaviour, psychologists attribute violent behaviour to abnormalities in the offender's psychological development. Two types of associative learning are of interest within the subject of behaviour theory; *classic conditioning* and *operant conditioning* (Atkinson *et al*., 1987). With classical conditioning it is learnt that one event will follow another. Here Atkinson *et al*. (1987) use the example of a baby learning where the sight of a mother's breast will result in feeding. Operant conditioning enforces that a specific type of behaviour will bring about specific event. According to Atkinson *et al.* (1987) those who focus on conditioning concentrate on three assumptions, most notably:

- All learning is a product of classical or operant conditioning
- Operant or classical conditioning can be applied to all species
- Learning is better understood from the conditioning stand point. External or environmental cues are a better indicator of personality than internal or premeditated cues. As a result, the causes of behaviour lie in the environment specifically with regard to reward and punishment. Internal beliefs and needs are not an indicator of behaviour

3.6.2 Classical conditioning

At the core of the behavioural theory is *classical conditioning.* Classical conditioning is the conditioning of a subject to induce a response. It further explores the effect of rewards and/or punishments as factors that encourage and maintain behaviour. At the core of the subject is the theory of learning and how learning, and so behaviour, develops or changes with environmental variables (Atkinson *et al.,* 1987). The theory emerged during the early part of the twenty first century through the work of Ivan Pavlov (Atkinson *et al.*, 1987). Pavlov initially sought to investigate the gastric function of dogs by examining the chemical components of their salivary gland. The saliva collected would indicate the type of saliva produced in response to food under a variety of conditions. Noticing that dogs produced saliva before receiving the food Pavlov examined the conditional reflexes that brought on the production of saliva. The reflex responses (production of saliva) only occurred when previous experiences were stimulated; in Pavlov's experiment this entailed ringing a bell. Through conditioning, dogs associated a ringing bell with food. As the effect the ringing bell and reward in the form of food was internalized dogs salivated when a bell was rung and as a result Pavlov postulated that reflex behaviour is learned and situationally dependent (Wortley, 2002).

Although classical conditioning is recognized as persistent among animals, researches have shown that humans can be classically conditioned. Moreover, Atkinson *et al*. (1987) argue that many humans have fears that emerged through conditioning in childhood.

Despite the various theories for the rationale of violent behaviour, Toch (1992) maintains that there is shape and form to violent behaviour. According to Toch (1992) violent men are *under-controlled* and retaliate in/to a situation where other people might not. A stimulus above an absolute threshold that causes a reaction is referred to by psychologists as the stimulus-response. The most significant aspect of violent behaviour occurring as a result of stimulus response is the location of the behaviour and the opportunity, or stimulus, presented in a given environment for its release. According to Jacobs (1976) prison violence is *situational* and occurs because of opportunities provided in the prison environment and is a result of the nature of violent inmates (Jacobs, 1976). Sykes (1958) and Jacobs (1976)

suggest that when independent variables are used to explain violent behaviour, particularly prison violence, the variables are referred to as the *pains of imprisonment*. The pains of imprisonment that are most often associated with frustration in prison are overcrowding, loneliness, noise levels, boredom, inhuman conditions and lack of control. All of these frustration causing variables are believed to trigger violent behaviour in inmates and as such educe a stimulus response (Jacobs, 1976 and Sykes, 1958).

3.6.3 Operant conditioning

Operant conditioning is behaviour that has been learnt because the behaviour affects or works on the environment (Atkinson *et al*., 1987). Although the behaviour is carried out within a specific environment the behaviour can be affected by response. Operant conditioning emerged at the end of the nineteenth century through a number of experiments conducted by Thorndyke in 1898. The experiments conducted by Thorndyke brought about the theory that many behaviours develop through *trial and error* rather than instinct or intelligence. As a consequence Thorndyke suggested that the trial and errors were the *laws of effect*. The laws of effect suggest that specific forms of behaviour are learnt from the result that follows; all behaviours that do not lead to the reward are eliminated and only those constructive behaviours that lead to a positive result are considered. With this in mind the operant conditioning theory suggests that through positive response to a specific behaviour, a behaviour can be enforced (Atkinson *et al*., 1987).

Building on the classical and operant conditioning theories and considering the findings of Pavlov, Wortley (2002) suggests that *cues* in the environment regulate behaviour. Wortley (2002) suggests that the behaviour is either *eliciting* or *discriminative.* Eliciting behaviour is the result of classical conditioning. The behaviour is passive and an automotive response to a specific stimulus. For example, in the case of Pavlov the dogs were brought to salivate in response to a bell ringing and as such the dogs were eliciting specific behaviour (Wortley, 2002). With this in mind taking the concept of eliciting stimulus into a criminal context is significant. Specific stimulus can affect particular forms of criminal behaviour. Wortley (2002) uses the example of pornography and its eliciting effect on sexual offenders.

Where elicited behaviour is a result of stimulus in the environment, *discriminative* stimuli are behaviours that are goal orientated and are established through operant conditioning. Wortley (2002) suggests that discriminative stimuli operate through habit and the stimulus indicates the likely result. For example, flashing red lights at a railway crossing indicates that a train will soon cross. With this in mind Wortley (2002) suggests that specific stimulus in the environment encourage specific forms of behaviour, for example, strategically placed litter bins encourage people to dispose of litter correctly.

Taking the behaviour theory into the prison context, prisons can be viewed as a specific collection of environmental cues, and as such, removing the cues should ultimately reduce specific forms of behaviour (Wortley, 2002). This is significant when the behaviour manifests as violent behaviour. Several studies specific to the prison environment support this theory. For example, studies suggest that prison violence increases when prison staff carry weapons and have other military paraphernalia (Wortley, 2002 citing Veno and Davidson, 1977).

Criminologists suggest historical rather than immediate situations affect behaviour and as such behaviour is acquired through historical situations and environments (Wortley, 2002). With this in mind the behaviour theory considers the environment as a prime stimulus for crime behaviour (Wortley, 2002). Furthermore, behaviour is the result of two types of environmental stimuli. The first stimuli are in the form of signs in the environment which trigger specific types of behaviour. The second stimulus is a result of the reward the behaviour brings (Wortley, 2002).

Expounding on the environmental stimulus that impact on behaviour Wortley (2002:17) identified "*consequent determinants"*. Consequential determinants are the effect of behaviour on the environment. Wortley (2002:17) posits that reinforcing effects which come about as a result of behaviour strengthen a behaviour, while a punishing effect can weaken a behaviour. Positive reinforcement such as receiving a reward or negative reinforcement which is "*the removal of something unpleasant"* both serve as a form of reward and as such

serve to strengthen behaviour. In the same vein, Wortley (2002:17) posits that positive punishment or the removal of usual rewards (negative behaviour) can weaken a behaviour.

Research suggests that prisons adopt this theory and as such *manage the consequences* of prisoner behaviour (Wortley, 2002 citing Liebling *et al*., 1999).

Atkinson *et al*. (1987:232) suggest that *punishment is used to decrease the likelihood of an undesirable behaviour.* Punishment is therefore a disagreeable event that is the result of adverse behaviour. Examining punishment as the result of a behaviour, Atkinson *et al*. (1987) argue that punishment has several adverse effects; the most significant result is that the effect of punishment is not predictable. Where positive and negative reinforcement encourages repeat behaviour through reward, punishment demands that the behaviour stop; however, an alternative to that behaviour is not presented. As a result the offender may resort to more undesirable behaviour. The problem further arises when the environment that punishes forms of behaviour actually condones the behaviour through the actions of the incarcerated. It is the accepted norm that prison violence is expected in certain institutions.

According to Atkinson *et al*. (1987) punishment encourages loathing of those who enforce the punishment and further instill loathing for the place of punishment. Punishment may encourage aggressive behaviour and the educed behaviour as a result may far outreach the original disruptive behaviour (Atkinson *et al*., 1987).

According to Atkinson *et al*. (1987) there are two main theories that challenge the behaviourism theories. The first is the *Ethological challenge*. Etiologists observe behaviour in the natural environment as opposed to behaviourists who observe behaviour in a controlled environment such as a laboratory. Etiologists explore the genetic influence rather than the learning impact for behaviour. Fundamentally, Etiology rejects the premise that all forms of learning are the same for all beings in the same situation; rather that learning is a result of genetics (Atkinson *et al*., 1987. The second challenge to the behaviourist's theory is the *Cognitive challenge*. The Cognitive challenge concentrates on intelligence and suggests that beings mentally ingests information and then *operate on the representations* (Atkinson *et al*.,

1987:238). Rather than behaviour being a result of trial and error, the trial and errors of a potential situation are deciphered mentally.

3.6.4 Social psychology and social learning theory

Social psychology in part lays emphasis on social interaction and social influence as a cause for violent behaviour. Social-learning theory departs from the behaviour theory in that it concentrates on learning from or through observation or as it is technically termed *vicarious learning* (Atkinson *et al*., 1987:370). Some scientists particularly those who concentrate on the social learning theory posit that violence is learned from social interaction and social influences that are present in the environment (Turpin and Kurtz, 1977 and Atkinson *et al.*, 1987) and as such social psychologists examine how interaction among people affect behaviour (Atkinson *et al*., 1987). As lack of adequate reinforcement through appropriate social interaction and social influences has been attributed to an increase in the likelihood of violent behaviour in adulthood (Ressler and Shachtman, 1992), a number of social psychologists explore interaction among groups of people. Moreover, a significant portion of research among social psychologists has led to significant work being produced on persuasion, conformity and aggression within specific groups (Atkinson *et al*., 1987).

Unlike the Psychoanalysis theory of aggression the social learning theory posits that frustration is one component of aggressive behaviour and that aggression is a response to a specific situation and as such drive and place have little if no part as a motivator (Atkinson *et al*., 1987).

Studies into the causes of violent behaviour have led scientists to suggest that primitive bloodthirstiness, traumatic experiences and control functions of the *ego* contribute to violent behaviour (Toch, 1992). Other theories such as inadequate child rearing techniques that deprive a child of care are believed to instill the notion of an uncaring world. As these notions are reinforced a child develops sociopathic tendencies which can lead to violent behaviour (Toch, 1992).

In a statistical assessment of male prisoners in State prisons in the USA between 1986 and 1991 the U.S. Department of Justice (1991) suggest that most inmates did not live with both

parents while growing up (43%). Thirty nine percent lived with their mother only and 4% lived under the guidance of their father; 14% lived with neither mother nor father and 17% lived in a foster home. Twenty six percent of male prisoners had parents who abused alcohol (36% of white inmates and 19% of black inmates) and 4% had abused drugs (6% of black inmates and 3% of white inmates). Seven percent of inmates had a parent incarcerated, 31% had a male sibling with a jail or prison record and 4% had a female sibling incarcerated. Furthermore, inmates in state prisons incarcerated for violent offences were more likely than other prisoners to have been abused as children (61%) (Harlow, 1999). While the same assessment conducted in English prisons suggest that 68% of inmates grew up with both parents being present, 19% said they grew up with one parent and 4% identified other relatives had brought them up including grandparents (U.S. Department of Justice, 1994).

According to Atkinson *et al*. (1987:565) social psychology is founded in two specific areas. Firstly, that behaviour is a product of the person and the environment. Secondly, that people react to a situation as a result of interpretation and "*cognitive appraisals"*. As social psychology explores the influence of others on behaviour the extent to which influence is considered is referred to as *social influence* (Atkinson *et al*., 1987). Social influence is determined through the processes of influence and they are classified as *compliance*, *internalization* and *identification.* Compliance is where a person conforms to the demands of others although does not alter their internal beliefs; internalization is where an individual alters their internal beliefs believing the principles or influence of others is correct and identification is when an individual alters their belief system to mirror the influencing source (Atkinson *et al*., 1987).

Pistorius (2005) citing Holmes and De Burger (1998) suggest that an escalation in violence can be attributed to culture and as such is socially influenced. Concentrating on the American culture the authors suggest that normalizing interpersonal violence, extensive exposure to violence, an increase in violent role models and unmotivated hostility have all contributed to an increase in violence. Furthermore, Pistorius (2005) argues that these cultural factors exist within South Africa.

Significantly for aggression in the prison environment is one theory within the social-learning theory which indicates that aggression can be learned or encouraged through acts of imitation (Atkinson *et al*., 1987). Likewise, reinforcement of aggression can encourage aggressive behaviour. Again, significant in the prison environment, acts of aggression that are positively reinforced encourage further bouts of aggressive behaviour. In a study carried out to explore behaviour in children when exposed to violence it was found that those children who were initially submissive began to demonstrate and initiate aggressive behaviour when aggressive acts had been carried out against them (Atkinson *et al*., 1987).

According to Atkinson *et al.* (1987) numerous studies have been carried out to determine whether feeling of aggression decrease when aggressive behaviour has been acted out. The findings suggest that aggression remains constant or is heightened following an act of aggressive behaviour. This suggests that acting out aggression is not cathartic and more significant is the belief that aggression gives rise to further aggression. Moreover, it has been found that acts of aggression make the aggressor feel better; following the act the aggressor has a heightened feeling of power and control (Atkinson *et al*., 1987).

3.6.5 Psychoanalysis and frustration aggression behaviour

Psychoanalysis examines repressed impulses, internal conflicts and trauma in childhood as the rationale for aggressive behaviour (Corsini, 2002). Where Psychoanalysis examines the influence of past experiences as a significant factor for current behaviour, other studies concentrate on the inherent drives that propel violent behaviour.

The Psychoanalysis theory concentrates on the link between frustration and aggression as a rationale for violent behaviour and sees aggression as a driving force (Toch, 1992 and Atkinson *et al.*, 1987). When actions that have been brought about by urges are repressed, the individual becomes frustrated and the result will be outbursts of aggression. Acted inwardly the death instinct will encourage self-destruction; acted on outwardly a person will display acts of aggression (Atkinson *et al.*, 1987).

Scientists who developed the frustration–aggression theory claimed: "*whenever a person's efforts to reach any goal are blocked, an aggressive drive is induced that motivates behaviour to injure the obstacle (person or object) causing frustration"* (Atkinson *et al.*, 1987:369 citing Dollard *et al.*, 1939). This hypothesis suggests that aggression is a result of frustration caused when an individual is unable to achieve their desired goals. Obtaining a goal directs behaviour and the goal is generally in the form of a reward (Wortley, 2002)

The studies that examine the causes of violent behaviour from a past learning or *instrumental* stand point suggests that specific forms of behaviour are conducted for the rewards gained and are thus carried out to meet a need (Corsini, 2002). *Instrumental* violence defined as *instrumental aggression* (Corsini, 2002) is hostile action conducted in order to acquire or obtain an object, territory or privilege; it is essentially behaviour that is carried out because the behaviour is rewarded and as such valued. The reward is generally in the form of status or respect and the behaviour is propelled as a form of justice (Toch, 1992). Research carried out on behaviour-aggression acknowledges that frustration does not always cause aggression and aggression is not always caused by frustration. It does however acknowledge that frustration causing stimuli in the environment can increase the likelihood that a person will become more aggressive although it is not a definite (Wortley, 2002).

3.7 SUMMARY

The concepts presented in this Chapter examine the influence of physical environments on human behaviour. The underlying theories for the correlation of environment and crime come from the concepts entrenched in the fields of Human Ecology and Environmental Psychology. Developments within these two areas have emerged more recently through CPTED and situational crime prevention principles. Where Human Ecology and Environment Psychology determine that certain behaviours are motivated as a result of stimulus presented within the physical environment, CPTED focuses on the control of crime through design factors within the physical environment; Situation crime prevention concentrates on reducing crime opportunities within an environment.

While each of the principles differs in technique, the point of departure for all the methods of the crime/environment association comes from (among other areas) the position of opportunity. Each theory associated to the environmental psychology arena suggests that an opportunity for crime within an environment must be present within that environment and the opportunity must be regarded as a motivator for an act of crime. Based on this principle, in order to reduce crime within an environment, the physical factors within an environment that provide opportunity and motivation for an act of crime must be considered.

Viewing this theory from the prison standpoint it could be argued that variables within the physical environment (the prison) provide opportunities for specific forms of offender behaviour. Moreover, the opportunities present in the physical environment (the prison) motivate specific forms of behaviour, specifically assaultive behaviour. Taking this further and following on with the theories of Shaw and McKay (1942) in order to reduce violent acts (delinquency) among offenders in prison, social organization of offenders must be improved and this can only be achieved through the physical environment.

CHAPTER FOUR: VIOLENCE IN PRISON

4.1 INTRODUCTION

This Chapter presents an overview of the literature on violence in prisons. It explains the causes and rationales of prison violence. Specifically, this Chapter examines the variables that encompass the prison environment and questions the ability of those variables to influence, encourage, or provide opportunities for prison violence. The chapter addresses the second and third research questions (presented in Section 1.6) and the second research objective (Section 1.8).

There are several forms of violence in prisons; the forms addressed in this study are assault, sexual assault and prison homicide. Assault here is defined as all hostile actions with or without weapons carried out by offenders toward other offenders or staff that result in physical harm.

Sexual assault in this study adheres to sexual actions that are carried out which meet with the new Criminal Law (Sexual Offences and Related Matters) Amendment Act no. 32 2007:21-22 in South Africa which defines sexual offenses as Rape and compelled rape, sexual assault, compelled sexual assault and compelled self-sexual assault.

Homicide or unnatural deaths in this study are examined where death is the direct result of assault.

4.2 VIOLENT BEHAVIOUR

Violent behaviour is often defined in psychological terms within the realms of aggressive behaviour and as such studies concentrate on the assaultive nature of the behaviour (Toch, 1992). Aggression is defined as *"overt behaviour involving intent to inflict noxious stimulation or to behave destructively towards another organism"* (Moyer, 1976:2). Although aggressive behaviour can encompass forceful actions of people (for example, commuters in a city, salesmen or motor vehicle drivers) aggressive behaviour in this study, and with specific reference to prison violence, concentrates on aggression that leads to acts of

violence. Moreover, this study concentrates on a restricted definition of violence. It examines violent behaviour that is interpersonal and forceful and where the result is harm or physical injury. It is further restrictive as it only examines violence that takes place in prison (Edgar, O'Donnell and Martin, 2003). Where aggressive behaviour can be displayed by all animals, *hostility* is a form of behaviour that is specific to humans. Hostility can include temper tantrums, irritability, refusal to co-operate, jealousy and several other *unfriendly human attitudes* (Volavka, 1995).

Where Edgar *et al*. (2003) maintain that *violence* cannot be easily defined; others such as Nash (1992) suggest that violence is a physical force which results in damage, injuries or abuse. Nash (1992) further describes violence as the *unauthorized or unfounded use of force,* often accompanied by anger, *outrage, or strong emotion* and Volavka (1995) suggests that violence is a form of behaviour specific to humans. Other researchers suggest that there are anomalies with Nash's (1992) definition particularly when explaining prison violence. They dispute the use of *unauthorized* and *unfounded* in the definition.

According to Cohen (1976) and Edgar *et al*. (2003) prison violence is more often than not authorized and legitimized by both the assailant and victim. Both parties to prison violence legitimize the conflict and often the behaviour is condoned; those opposed to the violence are those not party to the violence such as the prison authorities. This is particularly evident in the South African prison context and specifically in light of violent behaviour as a result of gang activity **(**Gear and Ngubeni, 2002).

Despite debate regarding the definition of violence it is agreed that for an act to meet with the definitions of violence the act must be "*intentional; harmful; personal; meaningful"* and be "*part of a process"* (Edgar *et al*., 2003).

McLaughlin and Muncie (2001) suggest violent behaviour is defined as the following:

- It is a specific form of behaviour.
- The behaviour can be from one individual to another or self-inflicted.

- The harm is intentional
- The harm can be the threat of harm or actual harm.
- The behaviour causes harm which can be physical, psychological or sexual
- It is an act that generally takes place between people who are familiar with each other.
- Depending upon the circumstances in which it takes place, violence can be lawful or unlawful, acceptable and unacceptable.

In explaining the rationale for violence, Toch (1992) suggests that violence is private and personal. Moreover, men who display violent tendencies do not generally conform to society and as such are generally not part of a community; they have no empathy for another and do not belong to groups or associations. Where violent men are affiliated to a group it is most commonly to a group that condones violence as a function of the group. These groups are often structured in the form of gangs. The members' status and position in the gang is associated to their violent behaviour. Violent behaviour is the least loss and gain motivated behaviour of all antisocial behaviour and the gain for carrying out violence is measured on the effect on the offender's ego or the offender's self-concept (Toch, 1992).

Taking Toch's (1992) view of the offender's ego further, the *ego-alter theory* centres on a view that social interaction is controlled by an individual's self-perception in relation to others, and as such is often used as a foundation to explain behaviour (Corsini, 2002). Ressler and Shachtman (1992) propose that children who *grow up to murder* only see the world in egocentric terms and do not fully grasp the concept of socialization. This is particularly the case where socialization is the process in which people adopt desirable attitudes and behaviours in order to be accepted as a member of a group, most notably society (Corsini, 2002). A highly developed ego and a deficit in social skills are noted to be significantly high in persons with a propensity for violence, specifically serial murderers (Ressler and Shachtman, 1992). Specific behavioural signs of a violent person develop and manifest during childhood and when a child demonstrates signs of antisocial behaviour and is left untreated, it is highly likely that the child will become a dysfunctional adult (Ressler and Shachtman, 1992). By the time the child reaches adulthood antisocial behaviour is the norm.

Given that egocentricity is one cause of violent behaviour, Toch (1992) advocates that in order to effectively treat a person with a propensity for violence their ego must be treated. In order to do this they must go through a socialization process. Opposing Toch's (1992) view Ressler and Shachtman (1992) argue that egocentric treatment in adults is futile and if anti-social behaviour is not treated by early adolescence it is not likely to be treatable in adulthood.

4.3 TYPES OF AGRESSION AND CAUSES OF VIOLENCE

It is widely contended that there is not one distinct cause of violent behaviour. Despite this, several theories exist that attempt to explain the numerous causes of violent and aggressive behaviour. One of the theories is that opportunities in the environment encourage specific types of behaviour particularly violent behaviour. In order to reduce violent behaviour situational prevention must be undertaken (presented in Chapter Three). Where situational prevention is adopted as a method to reduce aggressive behaviour it addresses several psychological theories that underpin the concept of the situational theories of behaviour. The situational theories of behaviour include behaviour theory, social learning theory; theories of social influence, frustration-aggression hypothesis, environmental psychology and rational choice perspective (Wortley, 2002). Examining situational theories of behaviour, two distinct types of situational influences on behaviour emerge. Firstly, a number of situations *regulate* behaviour in that the situations provide opportunities for specific forms of behaviour. Carrying out a behaviour will result in some sort of reward to the individual. The second type of environmental influence is that certain situations precipitate behaviour by provoking it (Atkinson *et al*., 1987).

Before examining the causes of violence, the types of aggressive behaviour are assessed. According to Volavka (1995) several systems have been developed to define the various forms of aggressive behaviour. Among the several classifications of aggression that exist the most widely adopted definition was promoted by Moyer (1976). Although Volavka (1995) argues that Moyer's (1976) definitions are specific to animal aggression they can be adopted for a definition of human aggression. The definitions of aggression prescribed by Moyer (1976) are presented in Table 4.1.

Table 4.1: Types of aggression

Types of aggression	Definition
Predatory Aggression	Aim of aggression is to kill and eat prey. Predatory attack is elicited by the appearance of the prey, starvation and the absence of fear. Predatory aggression is not specific to gender. The attack is quiet and non-threatening. The purpose, techniques employed and the pattern is specific to predatory aggression.
Inter-male Aggression	Specific within male species. Competition for females underlies the motive. The encounter can be ritualized and carried out to demonstrate superiority. Inter-male aggression does not necessarily result in injury.
Fear-induced Aggression	Adopted in a fear induced incident and one that is adopted when a potential victim is unable to escape.
Maternal Aggression	Aggressive behaviour carried out by mothers in order to protect their young.
Irritable Aggression	Elicited by frustration, pain and the deprivation of food, lack of sleep or lack of or too much social contact. The target of the attack is not necessarily specific and can be toward another or to an inanimate object.
Sex-related Aggression	Sexual behaviour that is forceful in nature.
Instrumental Aggression	Instrumental aggression is aggression that is specifically inflicted; examples are carried out in a laboratory setting.
Territorial Aggression	Aggression used in order to show dominance over a specific territory and as such demonstrate control.

(Source: Moyer (1976))

Adding on to Moyer (1976), Toch (1992) identified two primary categories of violent behaviour namely: *self-preserving categories* and secondly *approaches that de-humanize others.* Toch's (1992) typology of violent behaviour is presented in Table 4.2.

Table 4.2: Toch's (1992) typology of violent behaviour

Behaviour group	Category of Behaviour	Rationale for violent behaviour
Self-Preserving Strategies	Rep- Defending	Violent behaviour endorsed by public acclaim
	Norm-Enforcing	Individual behaviour that enforces norms
	Self-image	Comprises of : *Self-image defending*: violence used as retribution on people who have damaged the inflictor's self-image *Self-image promoting*: violence used to promote self-worth.
	Self-Defending	Adopted when others are seen as a source of danger
	Pressure-Removing	Adopted in situations in which the person cannot cope; the behaviour is an explosive reaction.
Approaches that de-humanize others	Bullying	Pleasure is gained from intimidating others who are susceptible to intimidation
	Exploitation	A manipulation of others, violence is used when others do not comply with the manipulation tactics
	Self-indulging	A belief that others exist to satisfy needs, violence is the result of non-compliance
	Catharting (Cathartic)	Violence is a response to moods or feelings often used to vent off internal pressure

(Source: (Toch, 1992))

Toch (1992) maintains there are several significant stages in a typical violent provoking incident. Firstly, a person is seen as a threat, secondly an action ensues based on the first action and thirdly a person acts as a form of protection. By the third stage violence is certain as the preceding actions have led to a point of no return (Toch, 1992).

Expounding on the theories of aggression presented by Moyer (1976) and Toch (1992), several other theories exist regarding the causes of aggressive behaviour. These include biology, behaviour theory, social psychology and social learning; psychoanalysis, frustration aggression behaviour, and stimulus response. Chapter Three presents the theories

surrounding environmental psychology in addition to the situational influences of aggressive behaviour.

4.4 PRISON VIOLENCE

There are two primary views on prison violence. The first suggests that prison violence is a product of violent men. The second theory suggests that prison violence is a result of the prison environment.

According to Toch (1992) placing a violent man in prison is a double-edged sword. On the one hand placing violent men in prison removes them from general society while on the other hand it exposes their violent behaviour to prison society. Many violent inmates are un-predictable and it is not possible to always effectively judge when a violent outburst may take place (Toch, 1992). The problem of housing violent men in prison is further escalated by evidence which suggests that incarceration does not deter violent behaviour (Pistorius, 2005). Toch (1992) argues that rather than prisons deterring violent behaviour, violence is propelled in the social environment that is present in prisons. Pistorius (2005) concurred with this theory and argued that in the case of serial killers prison as a form of punishment provides an isolation period for serial killers to fantasize and plan their next offence.

Cohen (1976) initially suggested that prison violence is a natural function of the prison population and is a direct consequence of the intrinsic nature of the inmates' character. Ultimately, violence is fuelled by violence (Toch, 1976). Toch (1994) later expanded on this and argued that as male prisons largely comprise of violent men, violence is a natural product of them being housed together (Toch, 1994). While researchers have sought to rationalize prison violence many agree with Toch (1994) and suggest that prison violence is a product of the prison environment. The view that prison violence is a natural product of incarceration attributes lack of security and control, inadequate prison design and negligence on behalf of prison guards as grounds for prison violence (Toch, 1994). Where the function of the prison is to deter violence through control, the function is criticized when evidence indicates that a greater level of violence takes place in high security prisons, specifically in high security segregation units (Toch, 1992). Where high levels of control are adopted in the prison setting

such as in maximum security settings, the fundamental problem of prison violence exceeds that which can be constrained through control mechanisms (Scharf, 1994).

Prison violence prevents the ethical development of prisoners and questions the purpose and function of imprisonment. Moreover, where the prison environment fails to address the issues of reform the problem of risk is perpetuated as at some point those incarcerated will be released into society as free men (Toch, 1992). It is erroneous to surmise that because a violent man is not violent in prison he will continue to conform once released.

4.5 EXPLAINING PRISON VIOLENCE

In an attempt to rationalize types of prison violence, Flynn (1976) posited that there are three distinct types of prison violence namely: collective violence; violence and counter violence by controlling agents; and individual interpersonal violence. This study examines individual interpersonal violence where individual violence is defined as violence that occurs person-to-person (offender on offender) and where the violence results in severe physical damage or loss of life (Flynn, 1976). It must be noted that in the South Africa prison inmates are referred to as *offenders* (Department of Correctional Services, 2005a). Although the Annual Report for the year 2004-2005 by the Department of Correctional Services (2005b) gives credence to the involvement of violence during prison escapes, violence perpetrated during prison escapes will not be examined in this study. Violence that takes place during a prison escape is the product of another objective and is not prison violence *per se*.

Although debate exists into the macro causes of prison violence being either environmentally induced or socially fuelled there are theories that identify the micro motives that cause violent outbreaks. For example, Flynn (1976) suggests three motives for prison violence as hustling, homosexual conflict and racism or political tension. Park (1976) on the other hand suggests four primary causes of prison violence as:

- A function of a closed society
- A product of individual disturbances
- The result of retaliation

- The function of organized gangs

Concurring with Park (1976), Wortley (2002) further suggests that prison violence is mostly founded in *instrumental hostility*. Instrumental hostility takes place for the purpose of retaliation, settling a conflict, ensuring payment of debts, enhancing status; relieving boredom and for obtaining some material object. Bowker (1980 and 1982) on the other hand suggests that the benefits of prison violence are increased status and increased self-image where violent behaviour instills masculinity; improves social standing and results in economic gain. Furthermore, by being involved in violent behaviour a prisoner is less likely to be victimized and as such violence is self-rewarding (Bowker, 1980, 1982).

Developing these theories further Bowker (1985) cited by Wortley (2002: 81) later defined violence between offenders as either expressive or instrumental. More recently, Toch (1997) suggested that the psychology of prison violence is enshrouded in (a) developmental immaturity, impulsiveness and egocentricity and (b) reactions to low self-esteem.

Toch's (1997) first theory defined as the purest form of immaturity lays weight on the predatory nature of aggressive behaviour. Impulsivity on the other hand concentrates on the frustration causing variables that encourage impulsive explosive outbursts. Assaults brought about as a result of impulsivity can be associated with expressive assaults which according to Wortley (2002) citing Bowker (1985) are motivated by trivial altercation, are carried out on the spur of the moment and are undertaken as a reaction to, and in order to reduce frustrations associated with incarceration. Control strategies for this type of motive should be examined with reference to precipitation control and as such should consider methods for reducing pressures and frustrations, such as those factors associated with controlling pressures and reducing provocations (Table 3.3) (Wortley, 2002).

The second psychological theory for prison violence posed by Toch (1997), namely the self-esteem theory, suggests that prison violence is a method of increasing self-esteem. In this instance prison violence takes place in order to gain respect from peers (Toch, 1997). Given that assaults associated with the self-esteem serve to provide some form of reward (e.g.,

respect from peers), the assaults are not explosive or impulsive in nature, they are planned and calculated. Again, the motive for this type of aggression can be associated with Bowler's (1985) motives for aggression. Citing Bowker (1985) Wortley (2002) explained assaults of this nature to involve instrumental assaults, which unlike expressive assaults are calculated acts. The offender evaluates the form of assault to be carried out as well as the benefits of carrying out the assault. According to Wortley (2002) the control strategies to be considered for instrumental assaults include opportunity reducing strategies, such as increasing the perceived effort, as well as increasing the perceived risks (Table 3.4).

Edgar *et al*. (2003) explained prison violence in the form of a pyramid that comprised of six layers of conflict. The context that Edgar *et al*. (2003) explained prison violence was in terms of interests, relationships, catalysts, interpretations, purpose and social context. The variables and their meaning are presented in Table 4.3.

Table 4.3: Components of conflict

Type of Conflict	**Interpretation and situation**
Interests	The interests of the parties to the conflict
Relationships	The type of relationship that the parties to the conflict have
Catalysts	The behaviour that led the conflict toward violence
Interpretations	The interpretation of specific behaviours by the parties to the conflict
Purposes	The purpose of the conflict – what the behaviour would ultimately achieve
Social context	The impact of the prison context on the interactions. The impact is viewed both in terms of the social and physical environment.

(Source: Edgar *et al*. (2003))

Although Edgar *et al*. (2003) identified six components that contribute to prison violence, power relations were at the core of all forms of prison violence. Power in prison can be exercised in four specific ways namely: will power, political power, economic power and official power (Edgar *et al*., 2003).

Where several studies concentrate on the assailants of prison violence others examine the components of the victim and the theories of victimization. Bowker (1982) identifies four grounds for prison victimization, namely: physical, psychological, economic and social.

Physical victimization includes all forms of assault, rape or sodomy. Where physical victimization is examined researchers place great weight on external variables for physical victimization. The variables, not identified by order of importance, include inadequate supervision by staff, inappropriate architectural design; availability of weapons to assailants, inappropriate prisoner classification and the high levels of tension present in the prison environment (Bowker, 1982). According to Bowker (1982) psychological victimization is more prevalent than physical victimization in prison; psychological victimization is easier to carry out, is less visible and achieves the same results. Economic victimization is the result of illegal economic activities that occur in prison. Activities such as loan sharking, gambling, theft, robbery, protection, pricing violations and non-delivery of goods are all situations when economic victimization can occur. Theft and robbery are the only two activities involved in economic victimization that are imported into prison; the others are specific to the prison environment (Bowker, 1982). Social victimization takes place when prisoners associate themselves to a specific group. Affiliation to a specific group, with the exception of prison gangs, is most often as a result of an offender's crime. The most common victims of social victimization would be those who are convicted of sexually related crimes, most notably rape and child sexual assault (Bowker, 1982).

Another view point of prison violence and specifically the types of behaviour surrounding violent attacks is proposed by O'Donnell and Edgar (1996) and subsequently Edgar and O'Donnell (1998). The initial study by O'Donnell and Edgar (1996) investigated the characteristics of prison violence by examining the parties involved in prison violence and identified prison violence in terms of assault; threat of violence; robbery; verbal abuse/insult; theft and exclusion (O'Donnell and Edgar, 1996). Traditionally, parties to prison violence were seen as the assailant and the victim; the results of O'Donnell and Edgar's (1996) study suggest prison violence is often victimless as both parties are often willing participants. The participants involve themselves in the conflict for different reasons and the victim in the

traditional sense participates for a specific purpose not just for defense. With the absence of a victim in the conventional sense, O'Donnell and Edgar's (1996) sought to examine the concept of a victim and the ambiguity surrounding the definition. Between April 1994 and December 1995 1,566 prisoners (835 young offenders and 731 adult male prisoners) in two male adult prisons and two juvenile institutions were chosen as a sample. Incidents of assault, robbery, threat, insult, exclusion and cell theft were examined as specific forms of victimizing behaviour. It was found that specific activities such as assaulting others, being involved in verbal abuse and being party to trading in tobacco and drugs encouraged acts of violence. These forms of behaviour were categorized as high risk behaviour. High risk behaviour suggests that some form of assault is the likely outcome of a specific form of behaviour although prisoners might not necessarily be aware of the risks (O'Donnell and Edgar, 1996).

By definition, a *victim* of prison violence is not necessarily the party who fights in defense or the party who receives the most injury. A victim cannot be defined as the party who has more justifiable reason to be involved in the altercation nor can a victim be defined by the amount of sympathy or blame awarded. Despite the fact that the prison environment provides little means for escape there are means which can be taken to ensure non-involvement in prison altercations. The primary method to avoid violent conflict is to avoid taking part in high risk activities (O'Donnell and Edgar, 1996 and Edgar and O'Donnell, 1998).

According to Edgar and O'Donnell (1998) the common factors associated with prison violence are:

- Assaults in prison are common
- A number of assaults are based on status
- Assaults are generally the result of an altercation
- Assaults occur where a lack of respect has been demonstrated.
- A number of assaults are retributive and others are carried out to settle a dispute.

According to Bowker (1982) the result of prison violence, both physically and psychologically, is the restriction it places on the victim's freedom within the confines of the prison. Where restrictions are placed on a prisoner's *freedom* the effects are generally withdrawal. In addition, the psychological effects include depression, disruption of social relationships and in extreme situations self-destructive actions. Adding to the psychological effects of victimization a victim of prison violence cannot escape from their aggressors (Bowker, 1982).

4.6 PRISON VIOLENCE AND THE PRISON ENVIRONMENT

According to Flynn (1976) the environmental impact of prison on prison violence is significant as behaviour occurs within the limits of a given environment and as such behaviour is affected by the environment. When examining the prison environment and prison violence it is acknowledged that prison violence is a specific behaviour carried out in a specific environment (Flynn, 1976 and Edgar *et al*., 2003). According to Muntingh (2009:12) the prison environment places a variety of unfamiliar limitations on individuals and as such a prison can be viewed as an *"abnormal environment"*. The nature of the environment enforces unfamiliar closeness of individuals, encourages unfamiliar relationships and imposes specific interactions in order to fulfill needs that would otherwise be abnormal outside of the prison environment. These factors as well as other imposed deprivations can increase frustrations, and in an attempt to release frustrations can behave aggressively (Butler, 2008). As a result of the prison environment offenders may engage in violent behaviour as a result of situational/social factors, in order to protect their safety, their possessions and to "*reaffirm their identify as a man"* (Butler, 2008:858).

Two views exist to the occurrence of prison violence. The first is that prison violence is a product of violent inmates and the second is that prison violence is a product of the prison environment (Toch, 1994). The second theory, which Toch (1994) refers to as the *context – centered view*, implies that prison violence can be prevented by reducing the opportunities for aggression and violence. The situational context of violence argues that specific situations provide opportunities for violence to occur (Toch, 1994 and Nagel, 1976). Although it is widely agreed that violent prisoners portray often violent behaviour before

entering prison, the situational context of violence suggests that the occurrence of violence can be manipulated by examining variables other than the offender's inherent characteristics (Toch, 1994 and Nagel, 1976). Toch (1994) suggests a number of examples where the *contextual facilitation of violence* in prison occurs namely:

- Providing pay offs: The offender's behaviour is validated through increased status and peer admiration and as such prison violence has payoffs. Moreover, prison authorities can instill increased status by segregating an aggressive offender. Research indicates that even within segregation units violence takes place as defining status is even more important within settings that house the most violent inmates.

- Providing immunity or segregation: The problem of prison violence is escalated when the victim is segregated. Victim segregation is a double-edged sword; it protects the victim from further attacks while segregated although ensures more victimization once released into general population.

- Providing opportunities: regular patterns in inmate movement, staff control and supervision provide opportunity for the aggressor to plan and carry out attacks.

- Temptation and provocation: The prison population comprise of weak and strong inmates, opposing gang members, homosexual predators, fraudsters etc. Housing a variety of inmates under one roof provides the opportunity for predators and victimization.

- Justifying prior bias: Inmates form judgments on other inmates based on their conviction and sentence. Information gained through inmate integration can increase inmate victimization.

Given that research suggests that specific design variables present in the prison environment can influence levels of prison violence research into prison violence must examine the location or setting of the violent behaviour (Toch, 1994). Statistics relating to prison

violence should be examined in relation to the setting in which it takes place and as such should examine inmate character; schedule of inmate activities; interaction levels; inmate movements and pattern of supervision. When compared to other prison sub-settings, clues will emerge as to the motives for violence in that specific setting (Toch, 1994). Examining specific details in a sub-setting will provide information regarding that specific setting and provide insight to reduce violence within that location. Examining violence within specific sub-settings reduces the theories of prison violence being generalized.

In order to examine the prison as a specific setting for violence, the variables that encompass the prison setting are examined. The variables are generally grouped into prison environment, prisoner composition, staff composition, security, prison programs and incentives (Wortley, 2002). All the variables noted are thought to individually impact on prison violence and as such are dealt with separately.

4.6.1 Management and staff culture

According to Muntingh (2009) citing Homel and Thompson (2005) prison violence can in part be attributed to poor prison management. Citing Dilulio (1987) and Homel and Thompson (2005) Muntingh (2009) suggests that three models are applied in prison for management, the three models are as follows:

- The control model: this model focusses on the enforcement of rules to control behaviour
- The responsibility model: this model encourages prisoners to take responsibility over the control of a prison and in turn supports minimum control by management
- The consensual model: this model is positioned between the control and responsibility models and encourages control from both management and prisoners.

Citing Bryne and Hummer (2008:55) Muntingh (2009:13) suggests the three models differ in the following respects:

- Organization and communication
- Personal relations
- Inmate-staff communication
- Discretion
- Regimentation of inmate lives
- Response to inmate rule violations
- Response to inmate disruptiveness\inmate
- Inmate participation in decision making

Muntingh (2009) citing Homel and Thompson (2005), argues that research findings into the most appropriate model for prison management has been varied. Dilulio (1987) found application of the control model most effective in reducing prison violence; Reisig (1998) on the other hand, found the more serious incidents of prison disorder were higher with the application of the control model, the responsibility model and the consensual model respectfully (Muntingh, 2009 citing Dilulio, 1987 and Reisig, 1998).

While cooperative (consensual) responsibility for prison management has been shown to be effective in reducing prison violence, other management factors such as security lapses, lack of discipline and morale, officials not willing to intervene when infractions broke out, poor grievance and dispute resolution policies, prison gangs, use of force by officials to control prisoners and prisoners having to resort to violence to protect themselves are believed to impact on violence in prisons (Muntingh, 2009 citing Homel and Thompson, 2005).

Over and above management principles the culture of prison officials and the effect on prison violence has been a matter of concern in the South African prison system (Muntingh, 2009). The Jali Commission (2006) reported concerns regarding the *culture* among officials which serious impacted on effective management of prisons. The Jali Commission (2006) specifically noted instances of officials abusing offenders (physically, mentally and sexually), official's involvement in prison gang activities and a prevailing culture among prison officials who abuse their power and who consider themselves above the law. Moreover, the Jali Commission (2006) noted that malpractices among prison officials such as

taking bribes and coercion of offenders, officials stealing prisoners' food, officials' involvement in drug smuggling and adding escapes all contribute to the Department of Corrections poor image and mismanagement of prisons.

While Muntingh (2009) citing Homel and Thompson (2005) posits that there is limited evidence to suggest that staff training and development reduces prison violence, the Jali Commission (2006) stressed that staff training to prison staff in South Africa's prisons should be made available. The commission posited that training should be given to officials into *"understanding the psychological demands"* of guarding the various types of offenders and how best to cope with instances of bribery and requests for aiding escapes (Jali Commission, 2006:320). In terms of prisoner management the commission advocated training to an *"elite"* group of staff into classification and security of offenders who pose a risk of escape (Jali Commission, 2006:321).

4.7 PRISON DESIGN AND DESIGNATION

Specific conditions within the prison environment are thought to promote mental health problems among prisoners and in turn increase the probability of prison violence. The conditions thought to affect mental health among prisoners are: the negligent protection of prisoners' safety; dangerous conditions of confinement and denial of prisoners' access to medical and psychological treatment. Prisons that offer these conditions are believed to bestow *cruel and unusual punishment* (Roth, 1987). Generally, there is evidence to suggest that older prisons promote social pathology and particularly older prisons that house large numbers of inmates are more likely to experience prison homicide (Sylvester *et al*., 1977).

Data regarding the prisons geographical location and levels of prison homicide suggest that prisons located in urban areas are more likely to experience prison homicide than prisons located in rural areas (Sylvester, *et al*., 1977). However, when compared to prison size, location is not a factor and research suggests that large rural prisons are more likely to experience prison homicide than large urban prisons.

4.7.1 Location of assault

A number of studies have examined the impact of living in specific housing types. O'Donnell and Edgar (1996) found that four person dormitories in youth detention centres posed the greatest threat to personal safety and increased potential for violent attack from other inmates. Housing more than two inmates together increases the likelihood of inmates *ganging up* against the weakest inmate; where four or more inmates are housed together there is a risk of groups forming who might threaten or demand power from other inmates (O'Donnell and Edgar, 1996). Where possible four man cells should be abolished or converted to house only two inmates. Where four man cells remain, higher levels of security and surveillance should be awarded to them.

Although Gear and Ngubeni (2002) suggest that violent acts are more likely in multiple housing cells (communal) in South Africa, Sylvester *et al*. (1977) found the contrary of this in US prisons where high numbers of single person cells are directly related to high numbers of prison homicide in a prison.

Sylvester *et al*. (1977) found one quarter (25%) of all prison murders occurred in the victim's cell and multiple assailant murder is more likely to occur inside a victim's cell rather than in multiple use areas. In support of this Mumola (2006) found that 61% of prison homicides took place in cells (or rooms). Where murder took place inside the victim's cell Sylvester *et al*. (1977) found strangulation and stabbing were the methods adopted to inflict death. Where single assailants adopted several methods to inflict death it reflects the spontaneous nature of the killing.

Where homicides took place outside the cell Sylvester *et al*. (1977) found they mostly occurred in recreation areas and meeting areas; 10% took place in exposed areas such as the exercise yards. Although it was noted that homicides took place in all areas within the confines of the perimeter fence, visiting areas and hospital areas did not present any incidents of homicide. Mumola (2006) found that while a higher percentage of homicides took place in cells (or rooms) 29% of prison homicides took place in common areas within the prison, most notably, cafeterias, libraries, workshops and recreational yards. A small number

occurred in temporary holding areas or in a location outside of the prison facility (Mumola, 2006:10). When homicides occurred in multiple use areas the assailant was not identified. This amplifies Gear and Ngubeni's (2002) theory that witnesses to an assault are not willing to report the incident for fear of reprisal.

Beck and Harrison (2006) noted that in 55% of the 6,241 recorded allegations of inmate-on-inmate sexual violence, the sexual violence reportedly took place in the victim's cell and 12% took place in a dormitory. Twenty one percent of all substantiated allegations reportedly took place in common areas (shower rooms or day rooms) and 9% took place in program service areas such as storage rooms, hallways, cafeteria, kitchen and workshops (Beck and Harrison, 2006). Most incidents of staff sexual misconduct and harassment occurred outside of the inmates living area, in a program area (53%) outside of the facility (12%) or in the common room area (10%).

Examining these findings further with reference to Bowker's (1985) proposition of violence the following could be argued:

- Assaults (homicides in Mumola's (2006) example) that take place in cells can be reflective of both expressive and instrumental assaults.
- Instrumental assaults can be carried out by one assailant or a group of assailants whereas spontaneous or expressive assaults are more likely (although not always) to be carried out by single assailants (they do not require planning).
- The use of weapons in an assault is not a pure indication of an assault being instrumental. Assaults that take place in cells that involve some form of weapon do not always fall under the category of instrumental assaults as offenders might carry weapons on themselves for the purposes of self-defense. By virtue of these instruments being close at hand an assailant can use the weapons during an expressive assault as well as an instrumental assault.
- Assaults carried out by multiple assailants in communal areas are more likely to fall under the category of instrumental assaults, as an assault of this nature would more likely require collective planning. Moreover, assaults by multiple assailants in

communal areas that include weapons are more likely to be instrumental assaults, as again the act requires collective planning and not all assailants carry weapons on themselves at all times (i.e. for self-defense).

- Assaults that take place in cells as well as in a number of communal areas might occur as a result of poor or inadequate supervision (Wortley, 2002).
- Assaults that take place in recreational areas, dining halls and gyms can be associated with high levels of offender interaction and limited imposed structure (Wortley, 2002). In addition, while offenders are supervised within these areas, it can be argued that the supervision is limited. For example, supervision in dining halls and exercise yards are limited by the warder to offender ratio. With reference to dining halls, high levels offenders' results in increased noise, increased movement and higher levels of interaction, these can increase frustrations as well as reduce the perceived risk of detection (Wortley, 2002). Wortley (2002:84) indicates that patterns of assaults that take place in these areas suggest most forms of assault involve single assailant assaults, are expressive assaults and are on the most time spontaneous acts and are a result of triggers from *immediate pressures* within the specific location.
- The fewer number of assaults were noted by Sylvester *et al.* (1977) to take place in hospitals and visiting areas. In hospitals there are generally fewer number of offenders, the supervision levels are high and the offenders accommodated there are ill. In terms of visiting areas, there are high levels of supervision and security, there are fewer offenders gathered in one area and it can be assumed that most offenders in visiting areas are preoccupied with visits. Given that these areas are not used by offenders on a daily basis or as part of their normal regime, it can be argued that assaults in these areas can be both expressive and instrumental.

Atlas (1982) sought to determine the effects of crowding in housing units, the type of housing unit, the location of crime and the environmental influences on prison assault. Overall, Atlas (1982) observed the impact of prison architecture on prison assault. Four male medium to high security prisons in Florida USA provided the sample setting and 1,300 incidents of prison assault were examined. In examining the prisoners' perceptions with areas of risk Atlas found a discrepancy with where the prisoners felt unsafe and the location

of high levels of violence. Table 4.4 presents the findings Atlas (1982) highlighted with regard to prison architecture, environment and prison violence.

Table 4.4: Prison violence and the prison environment

Design Variable	Findings on the effect
Overcrowding, spatial density	• Atlas could not establish whether more assaults were as a result of increased numbers of prisoners or whether higher security prisons and high levels of high security prisons resulted in increased assaults. • Atlas found that a prison's population size does not affect assault levels • Where spatial density relates to the amount of square feet per person, Atlas found with the exception of one prison assault rates could not be correlated to spatial density.
Control and staffing	• Prison assault rates did not appear to be related to staff/inmate ratio, and staff inmate ratio did not fluctuate with the assault rate • When numbers of inmates increases the number of staff assaults decrease. • Restricting inmate movement does not necessarily reduce assault levels; where a handcuff policy was adopted the levels and types of prison assaults increased. • Single assailant assaults occur most often in areas of poor or limited observation.
Assault variables	• Assaults among offenders where more frequent than assaults by offenders on staff. • A perceived threat of violence is generally high and comparable to stress levels when there is an imminent threat of danger. Generally, the inmates' perception of the levels of prison assault is greater than the actual levels.
Prison environment	• The prison's age did not prove a significant variable with regard to levels or types of prison assault • Housing individual inmates in one man cells would stabilize the prison environment (although not a recommended long term solution) • Inmate housing was identified as the location that presented the highest levels of prison violence overall. • Single man cells presented the overall highest levels of prison assault followed by two man cells and dormitories.

Table 4.4 continued: Prison violence and the prison environment

Design Variable	Findings on the effect
	• Cells that provided housing to closed prisoners (difficult management prisoners) namely, individual, inside cells, smaller in size (63 feet) present the highest levels of prison assault and specifically assaults that included arms and/or weapons. The reason Atlas provides is that generally the individual housing in practices houses 2-4 people rather than one. • Assaults in dormitories may be a direct result of the wrong inmate being housed and lack of control, observation and supervision. • Not only did a higher proportion of assaults take place in single man cells, a higher proportion were armed assaults. • Dormitory accommodation presented the second highest levels of prison assault followed by two man cells. • Atlas did not establish the correlation between the presence or lack of air-conditioning and prison violence in single cells although there appeared to be higher levels of assault in dormitories that were not air-conditioned than in those that were. • Atlas argues that it is not solely the type of housing that affects the levels of prison violence; it can also be the characteristics of the people housed. • It is generally recognized that prison violence is more likely to occur where prison architecture presents blind spots. Blind spots are identified as shower areas, bathrooms, corridors, stairways, outside paths blocked by shrubbery. However, Atlas argues that prison violence occurs in different areas in different prisons and is not specific to blind spots in prisons. • Generally inmate-to-inmate violence is more prevalent in cells, dormitories, hallways, shower areas and dining rooms. Inmate to staff violence was more likely in cells, dining, medical and day spaces. • Sexual assaults were more likely to take place in cells, dormitories, shower areas or secluded outside areas although overall, a greater percentage of sexual assaults take place in dormitories rather than in individual cells. • Assaults occurred most frequently during the day between 8:00 a.m. and 4:00p.m. and on Wednesdays and Fridays. • Architectural design is taken into consideration by offenders during the planning of assaults and prior planning is most common in violence that involves multiple assailants. • Areas of heavy inmate traffic present high levels of prison violence • Prison assault cannot be correlated to time of day or to the month of year although prison assault occurred most often during periods of high temperature (82˚ F and above). On days with high rainfall there were higher levels of prison violence

(Source: Atlas (1982))

According to Paulus (1988) the most appropriate method of research that examines the effect of housing type on behaviour would examine the same group of inmates as they are moved into different housing units. A study undertaken by D'Atri and others in 1982 examined the blood pressure of inmates as they moved from single cell accommodation to dormitories and vice versa (Paulus, 1988). The inmates that were moved from cells to dormitories were found to have increased levels of systolic blood pressure. Inmates who moved from cell to cell or from dormitory to cell did not demonstrate changes in blood pressure.

According to Edgar *et al*. (2003) the findings of a victimization survey of 91 inmates suggested that most inmates felt safe in the prison environment. When prisoners indicated that they felt unsafe, the shower areas, the segregation unit, the reception area and traveling to and from their wing were highlighted as the most dangerous areas. Overall, areas that encouraged or allowed prisoners to associate with others presented the greatest opportunity for perpetrators. Despite these areas being identified as the most likely for assault, these areas were not identified as *unsafe* by 85% of the inmates surveyed.

Significant for the study by Edgar *et al*. (2003), offenders felt relatively safe in their cells and as such did not identify cells as unsafe. This may be significant as those offenders who are classified as victimization potential or vulnerable prisoner potential are, where possible, given additional protection by prison authorities and this is achieved through housing. However, despite this vulnerable prisoner units (VPU) have been identified as specific housing areas that induce fear of assault (Edgar *et al*., 2003). Despite being identified as dangerous VPU's are provided as a specific housing type that provides safe housing for prisoners who are vulnerable to attack from other inmates. Inmates on a VPU are those who are deemed vulnerable by the nature of their offence (sexual predators) or by nature of their behaviour in prison such as debtors (Edgar *et al*., 2003). In South Africa vulnerable prisoners (VP's) are identified as younger inmates, homosexuals and male offenders who portray feminine traits.

In terms of prison architecture and management Unit Management rather than centralized management is highlighted as a prison management technique that significantly reduces

violence in prisons (Roth, 1987). Alongside Unit Management are the New Generation prison philosophies. The concept behind Unit Management is to reduce the number of inmates in a housing unit to a maximum of 100 inmates and involve direct management into the unit. The staff responsible for the units have as much authority over the running of the unit as possible (Roth, 1987). A smaller number of inmates are housed together in defined housing units. The multidisciplinary staff delegated to the units are encouraged to interact with the inmates and this is encouraged as the staff are permanently assigned to that specific unit.

The Department of Correctional Services in South Africa has embraced the New Generation and Unit Management theories and proposals were set for Unit Management to be applied to 80% of all prisons in South Africa by March 2005 (Department of Correctional Services, 2005b:55). As reported by the Department of Correctional Services (2010) Unit Management policies, such as a structured day programme, correctional sentence plans and a system for three meals a day have been applied to 126 correctional centres. The New Generation prison concept has been adopted primarily through the completion of a New Generation prison at Kimberly (Department of Correctional Services, 2010).

Despite the support the Department of Correctional Services awards to the New Generation and Unit Management philosophies little research has been undertaken to establish whether the philosophies are appropriate in the South African context. Muntingh (2009) citing Homel and Thompson (2005), indicates that, while the findings from research into the effectiveness of New Generation prisons from overseas are on the most part positive, the results reflect the overall effect of management principles, staff skills as well as situational factors, and these may not be applicable to the South African context. Muntingh (2009) indicates that factors in connection with staff shortages such as low warder to prisoner ratios as well as high levels of staff absenteeism in South African prisons might render the New Generation philosophies difficult to apply in the South African context.

4.8 CROWDING AND DENSITY LEVELS

According to Sykes (1958) it is not solitude that plagues a prisoner's life; it is rather life *en masse*.

4.8.1 Crowding and violence

Although much credence is given to the belief that crowding affects prison violence the research carried out to date does not necessarily support this view. While existing research into the effects of prison crowding on prison violence is reviewed here the underlying theories relating to prison crowding and violence has been summed up by Paulus (1988). Paulus (1988) posited that prison violence is not a predictable outcome of prison crowding (Paulus, 1988). According to Paulus (1988) one of the most significant problems with regard to crowding is defining the concept (Paulus, 1988). A number of studies examine the living environment and concentrate on the number of people in that environment. Others focus on external density such as the number of residential units in an area. The definitions involved with the concept of crowding are as follows:

- *Crowding* is a subjective feeling and is the tension produced in places with high population density. Significant for a study into the impacts of crowding is not only to establish the crowding levels but also to establish if the crowding levels are temporal or chronic (Corsini, 2002). The problem associated with an examination of crowding is to shift subjective feelings into scientific data appropriate for analysis (Paulus, 1988).

- *Overcrowding* can be measured by spatial considerations or by social density (Roth, 1987). Overcrowding is used with reference to problems of density (Megargee, 1976). The primary concern which establishes when overcrowding is a problem stems from the environment's ability to absorb the crowding levels (Paulus, 1988). When the number of individuals exceeds the environment's ability to accommodate them the environment is considered overcrowded (Paulus, 1988).

- *Density* is defined as the number of people in a given space and is the variable that produces the feeling of crowding (Corsini, 2002 and Megargee, 1976 citing Stokols, 1976).

- *Spatial density* is defined as the size of the spaciousness keeping the number of inhabitants constant (Paulus, 1988). Spatial density compares the behaviour of specific groups, of the same number in different size locations.

- *Social density* refers to the number of populous fluctuations in an area when the area size does not alter (Paulus, 1988). Social density compares the behaviour of different group sizes in spaces of the same size.

Previous studies on the effects of crowding have on the most part been carried out using animals as subjects. For example, Calhoun (1962) explored the behaviour of 80 rats confined in four connected enclosures or pens in a room measuring 10 by 14 ft. Calhoun (1962) found that the rats that were subjected to high levels of overcrowding suffered several psychological disorders. The problems displayed by the rats included cannibalism, sexual problems, aggression and withdrawal. Calhoun (1962) attributed these problems to overcrowding.

Although on the whole evidence suggests that overcrowding affects behaviour, questions remain on the actual effects of crowding on human subjects. As with any tests that involve animals as subjects the effects on humans would be at best, speculative. Where tests have been carried out to establish a link between crowding and human behaviour they have been conducted in and around city areas. Psychological studies have sought to examine the effects of noise, traffic, pollution and high density on human behaviour (Paulus, 1988). The psychological studies conducted have concentrated on the number of people per census tract, the number of people per acre, per building, per unit or per building per acre. Other studies have examined the death rate in a city compared to density levels (Paulus, 1988). Others such as Park *et al*. (1925); Shaw and McKay (1942) and Barker (1968) have examined the relationship between factors in the city and crime (see Chapter Three). While a number of

studies demonstrate several negative connotations related to specific environments and behaviour, others have found positive results (Paulus, 1988).

Despite a number of studies concentrating on sociological factors to incite behaviours a number of studies have leaned toward a more scientific approach and conducted experiments in a laboratory setting (Paulus, 1988). In laboratory based experiments subjects were required to perform specific tasks or interact with different size groups in different size rooms. The studies primarily examined the short term effects (temporal) of crowding on emotions, performance and social interaction. The primary argument against studies of this nature is that the studies do not consider the effects of crowding in a chronic situation. Despite the arguments the experiments generally suggest that an increase in social density results in negative reactions and social withdrawal (Paulus, 1988).

Where experiments have been conducted to examine crowding on aggression the results suggest that aggression depends largely on the sexual composition of the group (Paulus, 1988). Results for the crowding/aggression theory indicate that males are more aggressive in smaller rooms than in large ones. In addition, males exhibited aggressive behaviour when the threat of being crowded in a small room was imminent (Paulus, 1988 citing Baum and Koman, 1976). When compared to females results indicate that only men display aggression in smaller confined areas. Moreover, when the levels of density are extreme, males were found to withdraw, females on the other hand were more social (Paulus, 1988).

Where experiments have moved away from laboratory settings the field settings have ranged from schools, naval ships and college dormitories (Paulus, 1988). Despite the variety of settings the majority of the results suggest that increased aggression, deteriorating health and antisocial behaviour can all be attributed to overcrowding (Paulus, 1988 citing Hutt and Vaizey, 1966).

Where overcrowding studies are of particularly interest is in the prison context. Given that prisons are continually crowded, if not overcrowded, it is significant to report on the findings into crowding and behaviour, specifically aggressive behaviour in the prison context. Where

studies have examined the effects of crowding on aggressive behaviour in prisons the findings have ranged between significant to negligible. Studies into prison crowding have ranged from examining the impact of crowding on the general population, to the psychological effects of crowding on individual inmates. Studies have also been conducted on the impact of various housing conditions on overcrowding and behaviour (Paulus, 1988). A number of studies have attempted to establish the correlation of institution size and inmate population to health, recidivism and behaviour (Farrington and Nuttall, 1985). Although informative many of these studies have been criticized. According to Paulus (1988) these studies generally relied on prison statistics as a source of data and the data is often inaccurate. The statistics that reflect the incidents of assault are not always a true reflection of the levels or severity of assault in prison. In addition, studies that examine overcrowding and assault do not take into account housing design, housing capacity or inmate characteristics. Nor do they take into account inaccuracies that can be unearthed when cross-correlating data from one institution to another (Paulus, 1988). Despite these criticisms Ellis (1984) argues that the prison environment offers a closed environment that is homogeneous and provides a social context that suits an analytical crowding study.

According to Paulus (1988) the first published work into the effects of crowding in prison was carried out by Megargee (1976). Megargee (1976) examined disciplinary infraction data on inmates housed in dormitories over a three-year period. Megargee (1976) found no adverse effects with crowded prisons although did identify an association between limitations on personal space and the incidence of disruptive and aggressive behaviour. Changes in personal space affected prisoners' behaviour more than crowding levels (Megargee, 1976).

Following Megargee (1976), Nacci, Teitelbaum and Prather (1977) examined prison population density and inmate misconduct in four types of Federal Prisons in the USA. A total of 37 institutions were examined. The institutions were juvenile-youth, young adult, intermediate term adult and long term adult. The momentum for the study came from an escalation in prison population and the problems associated with the population growth. Nacci *et al*. (1977) suggested that increased population resulted in control problems with the guards. As the population of the prisons grew it was found that previous methods to control

prisoners were ineffectual and due to the lack of control, many instances of infractions between inmates had to be ignored. Where problems of control exist prison officials often resort to lock downs. Lock downs in turn only escalate tension (Nacci *et al*., 1977). In their study Nacci *et al*. (1977) suggested that overcrowding encompasses both spatial density and social density. Although prison populations increase or decrease in any given institution, it is an increase in the prison population that causes more problems of control and disruption. The 3 types of infractions that Nacci *et al*. (1977) examined were sub-categorized into:

- Contraband infractions, homosexuality, escapes and assaults
- Total assaults (inmate/inmate and inmate/staff)
- Inmate/inmate physical assaults (although included in the second sub-category they were assessed separately)

The index density was calculated by dividing the average population for any of the institutions by the end of year physical population capacity.

Nacci *et al*. (1977) concluded that there was an association between density and total assaults and assaults on inmates. The association suggests that there is a high relationship between high density and rates of assaultive behaviour. Beyond this, the findings of the study indicated that older inmates valued their privacy more than younger inmates and older inmates were less likely to be involved with disruptive behaviour. The prisons that house younger inmates presented a higher number of assaultive incidents than prisons housing older inmates.

According to Roth (1987) citing Clements (1979) overcrowding (physical density and spatial configurations) lessens privacy by reducing personal space and the result of this is heightened stress levels. The response to heightened stress particularly in the prison setting is aggressive behaviour. Moreover, in overcrowded prisons more prisoners are going to be without work or involved in programs. Increased idleness combined with high stress will result in more outbreaks of violent behaviour. In order to reduce stress a prisoner's personal space, privacy and sense of control should be considered. According to Roth (1987) in order to reduce

stress, the following should be considered: there should be more single cells than dormitory accommodation in prisons; inmates should have keys to their cells; inmates should be allowed to regulate the temperature, ventilation and light in their cell; inmates should be allowed a certain degree of choice over programs and work placements.

Smith (1982) suggests that although previous research indicates the link between overcrowding (high density levels) and blood pressure levels, illness complaints, disciplinary infractions and recidivism levels the findings can be disputed for the inconsistencies they provide. The most significant factor that is presented in all previous studies relating to overcrowding is their failure to consider other variables (Smith, 1982). According to Smith (1982) it is not density alone that causes stress; it is rather density combine with other factors that creates an environment of high strain which causes high stress.

According to Sylvester *et al*. (1977) in order to effectively establish the effects of the prison population on prison homicide the following should be considered:

- The size of the inmate population in a given prison
- The designed population capacity of a prison
- The absolute number of inmates in maximum security
- The designed capacity in one man cells
- The size of the population in the physical local of the prison
- The inmate to staff ratio and the total number of staff members

According to Sylvester *et al*. (1977) in establishing these variables specific behaviours can be accurately predicted particularly prison homicide. Given that large institutions generally house a greater number of maximum security inmates, there is more degree of social interaction amongst inmates with differing security designations. With this in mind larger institutions are generally more difficult to control and large prisons are more likely to present higher levels of prison suicide as well as prison homicide (Sylvester *et al*., 1977).

Given that research indicates the negative psychological effects of crowding Sylvester *et al*. (1977) suggest that a prison is most likely to experience increased levels of homicide when the prison occupancy is 80-90% the designated capacity. However, the level of prison homicide is likely to reduce when the occupancy is 90-100% capacity. These differences in occupancy are marginal and because of this slight discrepancy Sylvester *et al*. (1977) deduced little correlation between crowding and incidents of homicide.

Where crowding is examined in the prison context it must be examined as part of the *pains of imprisonment* (Smith, 1982 citing Sykes, 1958). According to Sykes (1958) the *pains of imprisonment* refer to the enforced deprivations imposed by imprisonment and the methods of coping with the deprivations (Smith, 1982). The codes of behaviour adopted to cope with the pains of imprisonment are: rejecting one's captors, the inmates' perception of toughness and not showing signs of weakness. These characteristics are entrenched in the social system developed by inmates. The prison society comprises of inmates who demonstrate signs of strength and cunning. Demonstrating signs of strength and cunning improves status among inmates. This is most evident when inmates obtain material goods in an environment where resources are strictly controlled. Weaker inmates either fend for themselves or rely on the stronger inmates for protection. However, the protection provided by other stronger more experienced inmates comes at a price. Evidence of this power structure is evident in the prevalence of prison gangs and research suggests that the prevalence of gangs is higher when prisons are overcrowded. Prison resources are not limited to material goods; programs and work allocations are also seen as valuable resources. Where prisons are overcrowded obtaining these resources becomes enshrouded in the social structure (Smith, 1982).

Of all the studies that examine the link between crowding and behaviour in prisons Farrington and Nuttall (1985) completed the most referenced study to date. In an attempt to clarify the specific problems associated with prison overcrowding Farrington and Nuttall (1985) investigated the effects of prison overcrowding on prison violence and recidivism levels. Until the study conducted by Farrington and Nuttall (1985) the desirable population size in prisons was debatable, inconsistent and defined as anywhere between 150 and 1,200 inmates. According to Farrington and Nuttall (1985) of the previous studies to have taken

place two studies emerged as definitive. The first study by Sylvester *et al*. (1977) examined prison homicide in American prisons and the second, conducted by the South Carolina Department of Corrections (1973) concentrated on prison riots. According to Farrington and Nuttall (1985) the findings of the study by the South Carolina Department of Corrections concentrated on prison riots and found that riots tended to take place in larger prisons where the population was more than 500. Sylvester *et al*. (1977) found that prison homicide levels were higher in prisons with a larger population (+1000 inmates). Despite these findings Farrington and Nuttall (1985) argued that the findings were lacking and the studies did not adequately address the number of prisoners in a given prison and that further clarity was needed to define the meaning of a *large* prison; prisons are not necessarily large because they house a large number of inmates. Farrington and Nuttall (1985) further argued that the two studies disregarded several additional factors that could impact on prison violence in addition to crowding, such as, the security designation of the prisons, the age of the prisons and the ratio of inmates to staff.

In an attempt to address these issues Farrington and Nuttall (1985) examined the prison population statistics with prison violence (number of offences) published in each prison during 1978. By this examination they proposed to indicate whether more offences occurred in prisons with greater populations. The study examined 55 male closed prisons in England with a total population of 27, 394 where the prisons presented 31, 636 incidents of assault. Despite efforts to link prison population with prison assault Farrington and Nuttall (1985) could not conclusively link prison size with forms of prisoner behaviour either inside the prison or after release. The problems associated with the study and the inability to form a link between prison types and behaviour was founded on the following:

- The prisons assessed presented several different types of prisons not least local prisons and training prisons, both these serve to house short term and long term offenders respectfully.
- The recorded incidents included minor prison infractions and in smaller prisons these infractions are more likely to be observed and noted. In larger prisons the infractions might go unnoticed, unreported, or not seem as important and noteworthy.

- Overcrowding significantly impacts on the population size in a prison. Prisons are allocated a certified normal population quota which is defined as the number of offenders the institution can hold without overcrowding. Where a prison is defined as overcrowded the prison exceeds the certified normal population quota. In most instances individual cells designed to house one or at the most two offenders house three or four inmates. In the study conducted by Farrington and Nuttall (1985) prison overcrowding was prevalent in a number of prisons, but not all.
- Assault statistics do not reflect the character of the inmates involved in the altercation and it might be found that prisoner characteristics are a significant aspect of prison assault.
- The age of prisoners should be considered in an assessment of prison assault. A number of prisons examined by Farrington and Nuttall (1985) housed prisoners less than 21 years of age.
- Prisons that hold category A offenders (maximum security) present high levels of assault. The prison assault rate statistics during 1977 indicate that prison assault rates were higher in the two maximum security prisons although they were the smallest prisons, were not overcrowded and were relatively new.

Despite the evidence and belief that prison size adversely affects and encourages prison assaults, Farrington and Nuttall (1985) found that offending rates and assault rates were higher in smaller prisons. They recommended that the character and security designation of inmates be considered in a prison assault investigation and that overcrowding does not necessarily result in increased levels of prison assault.

Where studies have examined the effects of crowding on prison violence it is suggested that crowding can be related to increased disciplinary problems or violence fuelled incidents (Paulus, 1988). In an overview of the existing research up to 1984 Ellis (1984) drew the following conclusions:

- That social density in prisons is consistently linked with violations

- The association between social density and infraction rates is most prevalent in larger institutions
- Larger institutions generally house more youthful offenders
- Significantly, the amount, seriousness and distribution of prison violence, irrespective of the type of violence, will contribute to a prison being labeled crowded
- The general perception is that a crowded prison is a violent prison and a violent prison is a crowded prison
- Findings appear consistent despite the physical location of the prison or the time the investigations took place
- The findings are consistent irrespective of the ethnic composition of the inmates

Despite the conclusions developed by previous research, Ellis (1984) criticized the methodology of the studies. Ellis (1984) argued that the studies needed to address the following:

- Data collection methods and data analysis methods. Most notably, statistics that reflect assaults are most often reported and/or recorded by staff. Data collection should include unreported assault information from staff as well as official statistics. An analysis of assault should not rely entirely on staff reports. Ellis (1984:285) argues that to rely totally on staff perceptions for data collection is to only consider the *theory of staff behaviour* for assault.
- Studies that examine assaults should identify the level of crowding in a specific geographic location such as the unit, cell block or communal cell. The analysis of the assaultive behaviour should be examined within that geographic location and not within the prison as a whole.
- Studies of assaults and density should consider the offender's age.
- The security level and age of the institution should be considered.
- Archival statistics on assault rates do not provide data on the density levels at the time when the assault took place.

In order to address these methodological inadequacies, Ellis (1984) integrated theory and research in order to explain prison research results. On the whole, Ellis (1984) suggests that the age of prisoners affects prison violence through social control, transiency and social density. In an attempt to explain how various variables affect prison violence, Ellis (1984) formulated the model presented in Figure 4.1 which identifies the relationship between variables that affect age and ultimately prison violence. It should be noted that while not presented on Ellis (1984) original model a link has been formed here between scarcity and violence as the impact of social density on the scarcity of goods and individuality can result in aggressive and violent behaviour. Table 4.5 presents detailed explanation for Figure 4.1

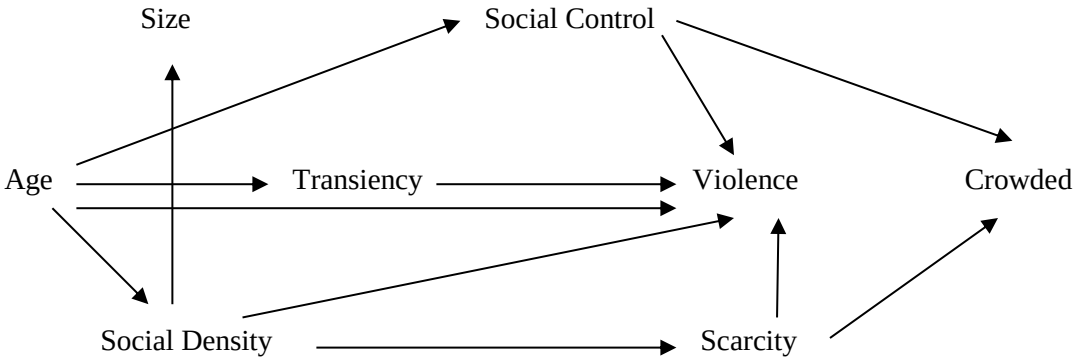


Figure 4.1: Relationship of variables affecting social density and prison violence (Source: Ellis (1984))

Table 4.5: Causes and effects of crowding on prison violence

Prison variable	The impact on prison violence
Age	• The model suggests that age has a direct link with aggressive or violent behaviour • Risk taking (linked to deviant behaviour) varies with age. Violence as a risk taking behaviour is more associated with younger age. • The youth are more inclined to forming cliques. In order to maintain a position in the group or to move up in position a member of a clique may be forced to fight. • Age affects social control, transiency and social density
Social density	• Social density and assaults are not generally positively associated with each other. However, social density and infractions are associated with larger institutions which house young male offenders or young adults and as such a link can be formed between social density and violence.

Table 4.5 continued: Causes and effects of crowding on prison violence

Prison variable	The impact on prison violence
Social Control	• This is where inmates and guards attempt to reduce the likelihood of specific behaviours taking place. The behaviours they try to prevent are those which are seen as objectionable. • Social control can be enforced through positive or negative actions. • As social density increases and prison size increases the problems associated with prisoners control increases. • As social density increases effective surveillance is negatively impacted on. • As social density increases the measures available to punish rule breaking are reduced; deterring rule breaking is affected.
Crowding	• Crowding is attributed only under certain environmental conditions; social density is one of the conditions. • Irrespective of the kind of prison violence, the amount of violence, the seriousness and the more widely distributed the violence the more likely the prison is to be labeled crowded. • A crowded prison is perceived to be the sort of place that condones violence. • Prison violence can be used to restore social density arrangements within the prison environment. • Crowding affects the availability of resources. Reducing resources increases demand and this can increase the likelihood of violent outbreaks in an attempt to secure the resources.
Violence and crowding	• Violent behaviour is referred to as unwelcome express behaviour that harms another individual or groups of individuals or another's property. • It is the result of anger or stress • When social density is held constant the violent behaviour a prison experiences will lead more to a prison being labeled crowded than social density alone. • A crowded prison gives the perception of the prison being more violent.
Transiency	• Transiency is the rate at which a prisoner's space is altered. Moving prisoners around prison institutions encourages new prisoners being introduced to new prisons. The effects of transiency on prison violence are related to the degree of control the new prisoners have on existing social control. • Transiency makes conformity more problematic as it undermines the three theories of restraint among prisoners. The three theories of restraint are: coercion, exchange and attachments. • Relationships between staff and inmates are undermined by transiency. Transiency undermines the ability of staff to control inmates and awards effective punishments for rule infractions. • Increased levels of transiency decrease the numbers of snitches. In the absence of snitches a high proportion of prison violence goes undetected.

Table 4.5 continued: Causes and effects of crowding on prison violence

Prison variable	The impact on prison violence
Scarcity and competition	• Prisoners have the same wants as free persons. As goods are scarce in prison the goods are in high demand. Scarcity of goods and the nature of the goods made scarce can influence the levels of prison violence. • Included in scarcity is the scarcity of *individuality* in crowded environments. One method to instill the concept of individuality in prison is to acquire the scarce goods and/or increase a masculine status through violent altercations.

(Source: Ellis (1984))

According to Paulus (1988) research that examines the link between crowding and prison violence is problematic to carry out. The problems are associated with the fact that precise measures of crowding in specific housing units are difficult to establish. However, despite Paulus's (1988) claims, crowding, overcrowding and density levels continue to impact on prison violence in specific locations. For example, Roth (1987) citing Dietz and Rada (1982) suggests that in maximum security prison hospitals violence was found to be more likely when patients were gathered in the dining hall.

Information obtained during informal interviews with prison wardens at Lucasville maximum security male correctional facility, Ohio, USA, supported this theory. Prison warders at Lucasville in Ohio indicated that fighting among inmates was most likely to take place in the kitchen and dining hall. Large numbers of prisoners gather in the hall to eat meals and controlling inmates is often very difficult. Further examples presented by Roth (1987) suggest that locations where large numbers of inmates gather are considered to be more dangerous than others. In addition to dining halls, exercise yards and telephone areas are considered to be trouble areas.

Overcrowding not only makes specific areas problematic to control and monitor, it can affect specific types of inmates. Informal interviews with officials working in correctional centres in South Africa suggest that the most problematic inmates are remand detainees and one of the biggest problems to face officials with regard to the control of remand detainees are their large numbers. As of 31st March 2007 the total number of remand detainees in South

Africa's prisons stood at 48 326 while at 31 March 2008 the total number of remand detainees was 52 662. At 31 March 2008 there were a total of 165 840 (113 178 sentenced and 52 662 remand detainees) inmates in custody while the total approved capacity of South Africa's prison was 114 549 (Department of Correctional Services, 2008a). On the last day of December 2011 the DCS (n.d.h) reported that the total number of remand detainees stood at 49 695.

Officials in South Africa's prisons attribute problematic behaviour of remand detainees to the transient nature of the inmates and not only to the overcrowding levels. However, it was also noted that due to the transient nature of remand detainees the numbers of remand detainees are not constant and inmates cannot adjust to the overcrowding levels or to their environment for any length of time as the space allocation is constantly changing. The communal holding cells for remand detainees range from overcrowded to extremely overcrowded. Where overcrowding is extreme communal cells designed for a capacity of 40 can house over 150 inmates. Overcrowded cells affect not only the available space for the inmates but also place extreme pressure on facilities. The JIP (2006) indicated that at times when overcrowding levels are pushed to the extreme inmates are forced not only to sleep on the floor in the communal bathrooms but at worst are forced to sleep on the floors of showers and on top of the toilets. Overcrowding in these scenarios cause extreme frustration and in many instances the frustration is acted out in violent or assaultive behaviour. In 2011 the JICS reported that overcrowding in South Africa's prisons stood at 135.87% (JICS, 2011).

According to Ellis (1984) over and above transiency a study of overcrowding must involve an analysis of age. Significantly, although this study only considers incarcerated adult males in adult male correctional centres, it was possible to observe children incarcerated in Pollsmoor prison in South Africa during this study. At 22 October 2007 there were 155 children incarcerated in Pollsmoor prison awaiting trial. Of the 155 children, 140 were boys and 15 were girls; 3 of the boys and one girl were 14 years old. In the children's remand section crowding was kept to a minimum and cells with a capacity for 15 boys were occupied by fewer than 8 boys. Despite the low number of children housed, the numbers of assaultive outbreaks and violence between the children particularly boys was regarded as high. During

a one week period of observation incidents of rapes between boys, boys burning other boys with boiling water and one child found in possession of a bullet were reported. In addition, an official reported being assaulted by one of the boy inmates.

Over and above the research methodological problems brought to light by Paulus (1988) the most significant problem for a study of prison violence are the reported levels of prison violence. Reported incidents of prison violence remain, at best, sketchy. The reports do not reflect the extent of the actual levels of incidents although in many instances the statistics reflect the policies and biased opinions of the prison officials dealing with the reports (Paulus, 1988). Paulus (1988) went further and suggested that future studies into the effect of crowding on prison violence should take into account the inmate population changes, population turnover, prisoners' background and history; the staff inmate ratio and the reporting procedure.

Despite existing research into the effects of crowding Paulus (1988) argues that the research carried out is confusing. The research into the role of personal, social and environmental factors as reaction causing variables have been inconsistent and vague (Paulus, 1988). Moreover, from the existing research it is difficult to determine the impact of several components of crowding, for example, the offenders' perception of privacy and their perception of space. According to Paulus (1988) in order to adequately assess the impact of crowding on violence in prisons consideration must be given to the type of housing and the design of housing.

4.8.2 Security and overcrowding

Overcrowding has been noted to affect the security and safety of inmates when calculated on an inmate/official ratio. Informal interviews with officials at the Department of Correctional Services in South Africa suggest that official to inmate ratio is calculated on the approved capacity of the centre, rather than on the occupation levels. Where a prison is overpopulated or overcrowded the number of officials remain constant based on the capacity of the prison. The Department of Correctional Services attempt to maintain an official to offender ratio of 1:8. Security *per se* encompasses all the control measures adopted in the prison. Included

are the specific control measures adopted to reduce prison violence. These control measures include *lock ups*, *crack downs* and the dispersal or removal of gang members. Moreover, control measures include the effects of over-control and under-control, particularly where prisoners unofficially control the prison or are in control to some degree of their environment. In addition, control includes the security awarded to vulnerable persons and the use of prisoner segregation.

O'Donnell and Edgar (1996) identified the importance of housing at-risk inmates to dedicated separate units. At risk inmates include both persistent victimizers and victims. Despite the potential advantages for control by separating at risk offenders, the selection process adopted to identify and select at risk prisoners should be strictly adhered to as separating victimizers alone does not reduce prison violence. Sylvester *et al*. (1977) suggested the following with regard to security:

- Greater security measures should be awarded to prisons that house maximum security prisoners
- Where prisoners are housed in single cells security should be higher
- Mixing prisoners with varying security designations should be avoided

Gear and Ngubeni (2002) noted that specific prisoners at risk, most notably, White, Indian and light skin coloured inmates are awarded higher levels of security in South Africa's male prisons. These prisoners are reportedly at greater risk of being victims of rape and as such are *kept an eye on*. In addition to victimizers and potential victims, security officials in correctional centres also include homosexual offenders and those who pose a risk of escape as offenders who require additional security measures.

While it is agreed that security, supervision, observation and control are not the same (Nagel, 1976) it is widely agreed that adopting measures to improve each variable will reduce prison violence (Bowker, 1982). According to Bowker (1982) there are specific areas in prisons where victimization rates are higher than others. Generally, those design features which restrict observation present higher levels of prison violence.

4.9 FREQUENCY OF VIOLENCE

Examining the homicide rate in male prisons in America during 1973 Sylvester *et al*. (1977) indicated a geographical anomaly in homicide rates in 130 male prisons located within 29 states in America. Assessing homicide rates per 10,000 inmate population, records indicated higher levels of homicide in the West of America followed by the South and Northern Central regions. The risk of homicide occurring to an inmate in the West and Southern State prisons was one and a half times greater than in the rest of the country (Sylvester, *et al.* (1977).

Studies which examine the correlation between months of the year (seasonal variations) and assault levels show a pattern of increase in prison homicides during August, May and November (summer months) and fewer during April and October (spring and autumn respectively). Moreover, Inmate to staff homicides was more probable during the summer months (Sylvester *et al*., 1977).

Examining this further, Atlas (1982) found a marked difference in the levels of assaultive behaviour between inmates during specific months of the year in Florida USA. According to Atlas (1982) in two of the institutions there was an increase in assaultive behaviour during June and July (hot weather months) and January and February (cold weather months). Atlas (1982) argued that the findings which were consistent over a 6-year period indicate that seasonal variation was found to be a significant factor for predicting assaultive behaviour. The findings suggest that during hot weather limited access to showers, air conditioning and specific building materials contribute to uncomfortable conditions which in turn cause high levels of frustration. During colder months (January and February) high assault levels were attributed to lack of outdoor activities, long periods of confinement and close contact, and January being traditionally a period immediately following a festive time (Atlas, 1982). Atlas (1982:348) suggests that research should examine the potential for disturbances during the Christmas festive period.

Over and above seasonal variations Atlas (1982) suggested that there is a higher probability of assaults between inmates on days that had rainfall, specifically at medium security institutions, although there are reportedly fewer armed assaults by inmates on staff during

days that experienced rainfall. Although explored, Atlas (1982) did not find an association between lunar phases and assault levels.

While the findings for seasonal variations and levels of assault do, to some extent determine patterns of assaults, according to Wortley (2002) the findings do not examine ambient temperatures and assault levels, nor do they go into detailed explanation for the reasoning of the levels of assaults during the seasonal variations. On the whole it can be assumed that an increase in assault during summer months (hotter temperatures), can in some part be attributed to heightened frustrations. By the same token, higher levels of assault during winter months can be associated with heightened frustrations which could be a result of greater restrictions on outdoor activities such as exercise or yard time (Wortley, 2002).

While no research has explored the effect of seasonal variations on type of assaults (impulsive/explosive or instrumental), it might be assumed that heightened frustrations as a result of close proximity of offenders and greater restrictions on offender movement during specific months (summer and winter) can in turn cause an increase in the number of explosive assaults. In addition, although not addressed in previous studies, there may be an association between certain months (such as the festive period), changes in staffing levels and patterns of types of assaults. For example, as a result of the festive period fewer staff might be on duty monitoring offenders, this in turn might give the perception of reduced risk, and as a result the number of instrumental assaults might increase.

When assaults were examined with reference to the days of the week statistically more homicides occurred on either a Thursday and/or Sunday and there were significantly less homicides on all other days (Sylvester *et al.*, 1977). Multiple assailant homicides were reportedly higher on weekends and single assailant deaths were proportionally higher during the week. Where no assailant was reported homicide occurred throughout the week with a higher proportion on Thursday, Friday and Sunday. Where homicides were shown to occur on Saturdays assailants were always identified (Sylvester *et al.*, 1977).

Sylvester *et al.* (1977) reported that prison homicides were more frequent during the afternoons; more than 50% of the reported incidents took place during the late afternoon and early evening. Mumola (2006) on the other hand reported that homicides in State prisons are more likely to take place in the morning (39%) than between midnight and 6 a.m. (11%). In an assessment of sexual violence in 2005 in American prisons Beck and Harrison (2006) state that incidents of sexual violence were most common (44%) in the evening most notably between 6 p.m. and midnight. The least common time for sexual assault was reportedly between midnight and 6 a.m. (18%). The most serious forms of non-consensual inmate-on-inmate sexual assaults took place most commonly during the night (50%) while the less serious forms (abusive sexual contact) were more likely (41%) to take place in the morning between 6 a.m. and midday (Beck and Harrison, 2006). The most likely time for staff on prisoner sexual assault was reportedly between midday and 6 p.m.

According to Roth (1987) studies in Maximum security prison hospitals have indicated a correlation between time of day and violent behaviour. Citing Dietz and Rada (1982) Roth (1987) suggests that violence peaked when patients went to the dining hall at specific times, although the violent behaviour could also be attributed to large numbers of inmates being gathered together.

According to Wortley (2002) findings from previous studies suggest that an association of time of day and assault levels can be attributed to specific features of individual prisons. The specific features of prisons that are inherent to individual prisons include times for prisoner movement such as unlocking times, movement to and from the dining hall, exercise times and staffing changes such as changing of guards.

4.10 PRISONER COMPOSITION AND POPULATION CHARACTERISTICS

The population characteristics which specifically impact on prison violence are examined in terms of prisoner characteristics; age; ethnicity and culture.

The significant characteristics of a prison population that affects prison violence are the prisoners' subcultures, attitudes and values which the inmates import into prison (Cohen,

1976). Subcultures are *transmitted and maintained* lifestyles founded in beliefs and values that are transferred from generation to generation. Where the subculture supports violent behaviour and the subculture is imported into prison, violence will also be imported into prison (Cohen, 1976 and Roux, 1982).

Cohen (1976) argues that prison violence is a result of the *importation of relationships.* Where a prison subculture carries out violence as a form of cultural belief, relationships will concentrate on specific behaviour (the violence) as part of an affiliation to a group such as a gang (Cohen, 1976). According to Gear and Ngubeni (2002) and Roux (1982) gang activity in South Africa's prisons are a product of gang violence on the street. Steinberg (2004) on the other hand reports that the formation of gangs in South Africa's prisons is a direct result of gang activity from Johannesburg's mining community.

Conrad (1976) posits that prison violence is a direct reflection of street violence. In conjunction with Conrad (1976) Park (1976) posits that the prison amplifies street behaviour and contains an environment that concentrates the tensions and emotions that are present on the street. The importation of street violence into prison is natural transference. Those who conduct specific forms of behaviour on the street, once incarcerated, naturally transfer their behaviour to the prison environment; as violence increases on the streets so it increases in prisons (Conrad, 1976; Jacobs, 1976 and Toch, 1976). Although not concentrating solely on the prison environment Jeffery (1971) suggests that until the environments in which crimes occur change the numbers of crimes will not alter, specifically when the (social) environment condones criminal behaviour.

Sylvester *et al*. (1977) noted that assailants and victims of prison murder can be differentiated by their marital status, age, education and religion. On average, victims of prison murder are more likely to be married, protestant and to have completed a minimum of 10 years education. Assailants, on the other hand, were more likely to be Catholic, to come from and live in urban environments and have only completed up to sixth grade in school. On the whole, those accused of committing prison murder present higher levels of aggression and have a background of violent behaviour. Twenty five percent of all the assailants identified

by Sylvester *et al*. (1977) were incarcerated as a result of being found guilty of murder and a large percentage of assailants had prior records for aggressive behaviour while in prison. Fifteen percent of the assailants had previously committed murder in prison. Despite this, on the whole assailants were more likely to be first time offenders than their victims.

Statistics by U.S. Department of Justice (1991) suggest that 94% of prisoners incarcerated between 1986 and 1991 had been convicted of a violent crime; 60% had been previously incarcerated of which 50% had served sentences for violent crimes. Of the 60% previously incarcerated, 91% had previously been to prison within 5 years prior to their current conviction. Twenty three percent of violent inmates had victimized more than one person and two thirds of violent inmates had killed, raped or injured their victims. Of the inmates assessed by the U.S. Department of Justice (1991), 6% belonged to a gang prior to entering prison. Of those that belonged to a gang, half belonged to a gang at the time of conviction and, on average, had joined the gang at the age of 14. Thirty two percent were still gang members and 91% had served previous time in prison for gang related activities; 73% of which served time for violent offences. According to Greenfield (1995) the average length of sentence for violent offenders in the U.S. is 89 months, the time actually served averages 43 months (48% of the sentence is served).

Other studies suggest that stress causing factors within the prison environment are displayed through acts of violence. Roth (1987) interviewed a number of violent inmates in order to identify the causes of violent behaviour in prisons. The inmates interviewed indicated the presence of mental illness and other stress causing factors as the cause of violent behaviour. Stress causing factors included refusal of parole and visits being cancelled. Other prisoners suggested they were on a “short fuse” or “under pressure” and their violent behaviour was as a result of that pressure. Inmates suggested they were very protective of their personal space (territorial and body space). Invasion of their space acted as a trigger to violent behaviour and this was most evident when the invasion of their body space involved unwanted sexual contact (Roth, 1987). Viljoen, Van Staden, Grieve and Van Deventer (1987) citing Wormith (1984) suggest that prisoners have a larger defensive zone or personal space area than non-prisoners and violent offenders have a greater personal space definition than non-violent

offenders; signs of instability in prisoners point to more personal space requirements. Where prisons are overcrowded there is intrusion with personal space and this might manifest in an increase in violent outbreaks.

According to Roth (1987) prisoners have rules of behaviour. An inmate found breaking the rules is more likely to be assaulted. Generally, the rules encompass behaviour surrounding gambling, snitching, drugs, homosexual behaviour and going to hospital.

According to Roth (1987) a study of violent behaviour in San Quinton correctional institution during 1960 by the California Department of Corrections found that prisoners who were involved in violent altercations tended to be:

- Young
- More frequently came from non-white backgrounds
- Come from broken homes
- Had absent fathers or had fathers who were involved in narcotics (addicted)
- Have low educational achievement
- Portray a background of institutional violent behaviour
- Around 12 years old at the time of their first arrest and more likely than not arrested for burglary
- Had a history of epilepsy
- Had at some point attempted suicide and/or self-harm

4.11 AGE

While the U.S. Department of Justice, Bureau of Justice Statistics (2003) indicate that the likelihood of going to prison for the first time declines with age (Table 4.6), Cohen (1976) suggested that the first characteristic of a prison population that affects the levels of violence is the prisoner's age and younger inmates are more likely to be involved with violent behaviour. Due to their age younger inmates have fewer responsibilities; do not have established careers; are less secure and have to prove themselves more than older offenders. Having spent less time incarcerated young prisoners do not appreciate the advantages of

adhering to prison rules; it is only over time that prisoners adjust to the prison environment and the rules that exist within (Jeffery, 1971).

Table 4.6: The probability of going to prison based on age of offender

Age of incarceration	Probability of going to prison during lifetime.		
	All persons	White males	Black Males
20	4.5	4.1	25.8
25	3.1	3.0	17.3
30	2.1	2.1	10.8
35	1.4	1.5	6.5
40	.9	1.1	3.6
45	.6	.8	2.1

(Source: U.S. Department of Justice, Bureau of Justice Statistics (2003))

As noted previously, the age of prisoners affects prison violence through social control, transiency and social density. Ellis (1984) argues that age has a direct association with violence. Deviant behaviour is linked to group behaviour and risk taking behaviour, which decreases with age. Based on this rationale prison violence is more likely to take place in prisons that accommodate young offenders; as prisoners age they are less likely to be involved in disruptive behaviour (Ellis, 1984).

Sylvester *et al*. (1977) noted that victims of prison homicide were on average three years older than the rest of the prison population. On the other hand, prison homicide assailants (particularly multiple assailants) tended to be two years older than the average prison population, while a large number of the victims of multiple assailants were under 25 years old.

4.12 ETHNICITY AND CULTURE

According to Guerino, Harrison, William and Sabol (2011) the Federal Bureau of Prisons within the U. S. Department of Justice defines the various race groups as:

White: A person having origins in any of the original peoples in Europe, North America, or the Middle East, does not include persons of Hispanic or Latino origin
Black: A person having origins in any of the black racial groups in Africa
Hispanic: A person of Hispanic or Latino origin

In addition to race generally being defined as Black, White or Hispanic the definitions of race are also given as American Indian or Alaskan Native and Asian or Native Hawaiians other Pacific Islander and persons identifying two or more races (Guerino *et al*., 2011).

The U.S. Department of Justice, Bureau of Justice Statistics (2003) estimated 1 of every 20 (5%) persons living in America will at some point during their life be incarcerated in prison. In an assessment of statistics sourced from the Bureau of Justice Statistics' (BJS) National Prisoner Statistics (NPS) series Guerino *et al.* (2011) stated that during 2010 1 in 201of the residents in the USA were imprisoned (497 sentenced prisoners per 100,000 of the residents in the USA). Male prisoners had an imprisonment rate of 938 per 100,000 male US residents. The racial and gender composition of inmates (sentenced and remand detainees) in prison in South Africa on the last day of December 2011 is presented in Table 4.9.

In terms of ethnicity, in 2003 the U.S. Department of Justice stated that a Black person had a 1in 4 chance of going to prison, a Hispanic male 1 in 6 chance and a White person a 1 in 23 chance of going to prison. The likelihood of a black person going to prison during the course of their lifetime is 16.2% greater than for a white person (2.5%) or a Hispanic person (9.4%). Based on the statistics presented in 2003 the U.S. Department of Justice (2003) argued that if the incarceration rates continue it is estimated that 1 in 3 black males; 1 in 6 Hispanic males and 1 in 17 white males are expected to go to prison during their lifetime (U.S. Department of Justice, 2003).

In terms of the offense type and race, in 2003 the U.S Department of Justice reported that 52% of white inmates, 49% of Black inmates and 40% of Hispanic inmates were incarcerated for violent crimes and 26% of white inmates, 35% of black inmates and 24% of Hispanic

inmates had previous sentences for violent crimes. Black, White and Hispanic inmates are equally likely to serve a life or death sentence.

Citing the Bureau of Justice Statistics' (BJS) National Prisoner Statistics (NPS) series, Guerino *et al.* (2011) stated that at year end 2010 Black non-Hispanic males represented an imprisonment rate of 3,059 per 100,000 U.S Black male residents. This figure suggests the incarceration rate for Black males was seven times higher than for White non-Hispanic males (456 per 100,000). According to Guerino *et al*. (2011) statistics presented by the Bureau of Justice for the year 2010 suggest that 7.3% of all males incarcerated in state or federal prisons were between the ages 30-34. Moreover statistics for the year 2009 suggest that 54% of the offenders sentenced for more than one year served sentences for violent offenses; 18% were for property and 17% were for narcotic related offenses (Guerino *et al*., 2011).

In determining the victim composition of incarcerated male inmates during 1991 it was determined that the victim was more likely to be an adult male of the same ethnic origin; 89% of white and 53% of black violent inmates had victimized a member of their own race. Moreover, the survey of State Prison inmates during 1991 by the U.S. Department of Justice (2003) suggest that 47% of black inmates and 51% of Hispanic violent inmates were 4 times more likely than white inmates (11%) to have victimized someone of another race.

According to Toch (1976) statistics suggest that prison violence is taking place between equal contenders and is more ethnically diverse than before. In line with the subculture theory posed by Cohen (1976), Toch (1976) posits that the aggressors of prisons violence are sophisticated, black, urban inmates and the victims of prison violence are more likely to be young, unsophisticated, non-urban, white, slightly built inmates (Toch, 1976).
According to the Beck and Harrison (2006) at the Bureau of Justice, U.S. Department of Justice there is a significant disparity regarding the victims and perpetrators of sexual violence in American prison based on race and ethnicity. White on White sexual assault followed by a Black perpetrator and a White victim are the most common forms of sexual assault (Beck and Harrison, 2006).

Differences in ethnicity were noted by Sylvester *et al*. (1977) in an assessment of prison homicides. Overall, Sylvester *et al*. (1977) concluded that homicide occurs in proportion to the ethnic composition of prisons and as such ethnicity is not a significant precursor of prison murder. In addition, assailants (non-white and white) are identified in proportion to their numeric strength in prisons. Significantly, Sylvester *et al*. (1977) suggest that ethnicity plays an important role in assailant punishment. Black assailants have an 8% greater chance of being punished for killing another inmate than white assailants and Spanish assailants are 13% more likely to receive prison discipline than white assailants. Once the assailants are in court both black and white assailants are likely to receive the same degree of punishment (Sylvester *et al*. (1977).

Jacobs (1976) argues that racial conflict both in and outside of the prison environment has increased the likelihood of interpersonal prison violence and homosexual rape is specifically characterized as a result of interracial conflict (Jacobs, 1976). Scharf (1994) argues that when prison violence is caused by gangs, belonging to a gang and conducting violent behaviour for the gang provides a feeling of belonging, provides protection and enforces a sense of community to the offender. Cultural differences among male prisoners are more apparent in the prevalence of gangs, where association with a gang depends on ethnicity, culture religion and/or cultural beliefs. Prison gangs in South Africa were acknowledged to exist in 1912 (Parker Lewis, 2006) and in America prison gangs are traced to 1900 (Roux, 1982).

4.13 STRATEGIES FOR CONTROL OF OFFENDER VIOLENCE

While much has been researched into the characteristics of prison violence and the factors that impact on prison violence little research has been undertaken regarding control mechanisms to reduce violence. This is particularly the case with regard to situational control mechanisms, although it is generally agreed that the prison environment plays a large part in motivating and permitting prison violence. As presented in Chapter Three Wortley (2002) proposed a Two-stage model of situational prison control which was defined in terms of controlling precipitators and controlling regulators (see Figure 3.4). Applying these

strategies into the prison environment Wortley (2002:99) further developed a "*Summary of promising strategies for control of prisoner-prisoner violence*" presented in Table 4.7.

Table 4.7: Summary of promising strategies for control of prisoner-prisoner violence

Strategy	Precipitation-control category	Regulation-control category
Single-cell accommodation	Respecting territory Reducing crowding	Target hardening
Partitioned dormitories	Respecting territory Reducing crowding	
Functional units	Setting positive expectations Rule setting Personalizing victims Controlling environmental irritants	Formal surveillance Natural surveillance
Increasing control over the environment	Encourage compliance Reducing frustration	
Airconditioning	Control environmental irritants	
Elimination of blind spots		Formal surveillance Natural surveillance
Small/sub-divided prisons	Reducing anonymity	
Reduced population density	Reducing crowding	
Reduced prisoner congregation	Reducing crowding	Deflecting offenders
Age-heterogeneous populations	Reducing inappropriate imitation Reducing inappropriate conformity	
Race-homogeneous or race balanced populations	Reducing inappropriate imitation Reducing inappropriate conformity	
Gender-mixed populations	Reducing frustrations Setting positive expectations	
Slow prisoner turnover	Reducing anonymity Personalizing victims	
Presence of non-custodial staff	Reducing frustration	
Matched staff-prisoner racial composition	Reducing frustration	
Security crackdowns		Controlling facilitators Formal surveillance Increasing costs Removing privileges

Table 4.7 continued: Summary of promising strategies for control of prisoner-prisoner violence

Strategy	Precipitation-control category	Regulation-control category
Segregation of vulnerable prisoners		Target removal
Removal/marking of personal property		Target removal Identifying property Denying benefits
Prison programmes/work	Reducing frustrations Clarifying responsibility	Deflecting offenders
Visits	Reducing frustrations	
Good-time provisions		Removing privileges
Incentives	Encouraging compliance	Removing privileges

(Source: Wortley (2002:99))

4.14 VIOLENCE IN SOUTH AFRICA'S PRISONS

Violence in this study is examined with specific reference to violent assaults and sexual assault of offenders on offenders.

Muntingh (2009) argues that little evidence and recorded data exists on prison violence in South African prisons pre-1990. Following 1994 more information on prison violence in prison became available as a result of the appointment of the Jali Commission of inquiry and the Judicial Inspectorate of Prisons, renamed the Judicial Inspectorate of Correctional Services (JICS) in 2008. Data on assaults in prison presented by the Department of Correctional Services (DCS) is at best limited. Noted by the DCS as "inmate on inmate assault", "official on inmate assault" and "inmate on official assault" the categories which reflect assault have not been applied consistently throughout the prisons in South Africa and as a result the reported incidents of assaults are not recorded consistently, making analysis of the data challenging (Muntingh, 2009). Despite these challenges the JICS continues to receive complaints of assaults from offenders through their inmate complaint process. The number of complaints of offender on offender assault recorded by the JICS from 2005 to 2011 is presented in Table 4.8. Information regarding the assault levels for 2005 – 2008

were provided by Muntingh (2009) sourced from the JICS. Data for complaints of assault for 2009 and 2010 were presented in the JICS annual reports for 2010 and 2011 respectfully

Table 4.8: Assault complaints from offenders received by the JICS

Year of assessment	Number of reported complaints of assaults
2005	7425
2006	4943
2007	2414
2008	4894
2009	3756
2010	5138

(Source: Muntingh (2009) and JICS (2010 and 2011))

While the number of offender complaints to the JICS for offender on offender assault have risen from those reported in 2005 to those in 2011, the number of reported assaults made to the DCS has fallen as presented in Figure 4.2

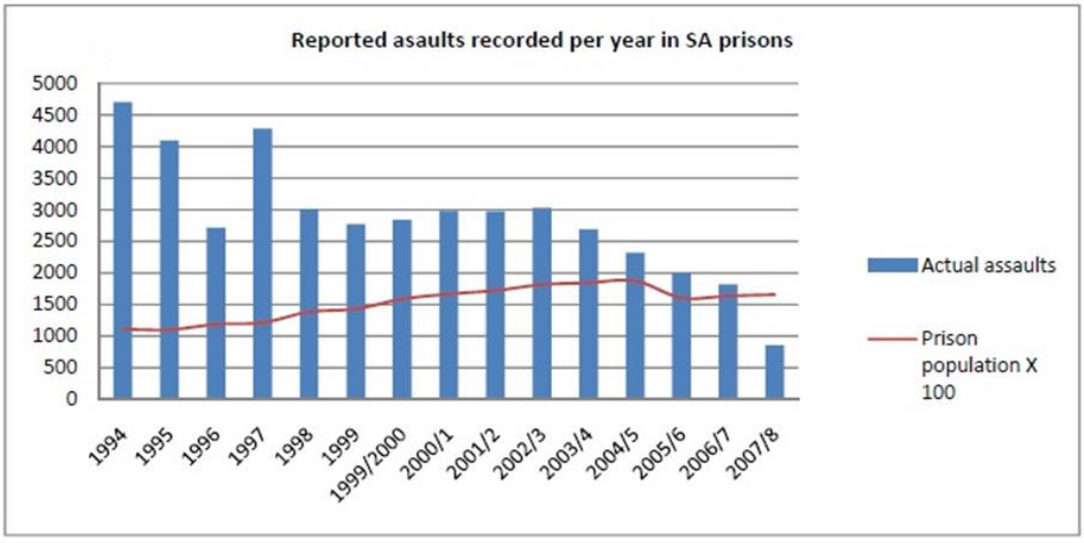


Figure 4.2: Reported assaults recorded per year by the DCS
(Source: Muntingh (2009) citing DCS annual reports (1994 to 2007/8)

According to Muntingh (2009) the facilitators of prison violence in South Africa's prisons can be looked at in terms of responses to an abnormal environment, management culture, staff culture, overcrowding, architectural design, staff experience and training, vulnerability to violence, gang membership and individual profiles.

While examining and presenting data regarding the practice of sexual assault among male inmates in South Africa's male correctional centres it is worth noting the legal standpoint of sexual assault in South Africa. Until 2007 the act of *rape* in South Africa was gender specific and as such, male on male rape was not acknowledged by South Africa's legal system. According to Burgh (2008) Rape was defined in the Common Law of sexual offences and Sexual offences Act 23/1957 as:

Intentional, unlawful sexual intercourse with a woman without her consent.

The Sexual Offences and Related Matters Amendment Act no. 32, 2007 amended all areas of the Laws which previously pertained to sexual offences (Criminal Law (Sexual Offences and Related Matters) Amendment Act No. 32, 2007). According to Burgh (2008) The Amendment Act is important within the context of prisons as the Act replaces the common law of rape and in so doing it extends the statutory offence of rape irrespective of gender. Moreover, the Act created a new statutory offence for adults which criminalized causing or compelling another party to witness certain sexual behaviours. The categories of sexual offences defined in the Sexual Offences and Related Matters Amendment Act no. 32 2007 are further described as follows:

- Rape:

3. Any person (A) who unlawfully and intentionally commits an act of sexual penetration with a complainant (B), without the consent of B, is guilty of the offence of rape

- Compelled rape:

4. Any person ("A") who unlawfully and intentionally compels a third person ("C") without the consent of C, to commit an act of sexual penetration with a complainant ("B"), without the consent of B, is guilty of the offence of compelled rape.

- Sexual assault:

5. (1) A person ("A") who unlawfully and intentionally sexually violates a complainant ("B") without the consent of B is guilty of sexual assault.

(2) A person ("A") who unlawfully and intentionally inspires the belief in the complainant ("B") that B will be sexually violated, is guilty of the offence of sexual assault

- Compelled sexual assault:

6. A person ("A") who unlawfully and intentionally compels a third person ("C") without the consent of C, to commit an act of sexual violation with a complainant ("B") without the consent of B, is guilty of the offence of compelled sexual assault.

Furthermore, the Act recognizes compelling or causing a person 18 years or older to witness sexual offences as a criminal offence:

8. (1) A person ("A") who unlawfully and intentionally, whether for sexual gratification of A or of a third person ("C") or not, compels or causes a complainant 18 years or older ("B"), without the consent of B, to be in the presence of or watch A or C while he, she or they commit a sexual offence, is guilty of the offence of compelling or causing a person 18 years or older to witness a sexual offence.

In line with the Sexual Offences and Related Matters Amendment Act no. 32, 2007 official statistics by the Department of Correctional Services indicate that assaults, sodomy, rape and injury are the official designation awarded for the recording of various sexual assaults in prisons in South Africa. Despite the Department of Correctional Services recording instrument that considers the reporting of sexual assaults, there are very few reported incidents of male on male sexual assault. According to Burgh (2008) the reason for the few

recorded incidents is that all cases of rape inside correctional facilities are reported to the South African Police Service (SAPS) where they are recorded as rape. Recording of rape by the SAPS is not situationally specific and as such the incidents of rape that occur in prisons cannot be assessed through SAPS records. Compounding the problem of lack of recorded incidents of male rape is the resistance to report incidents of male rape. Gear (2008) suggests that underreporting is due to victims having a sense of lost manhood, humiliation and lack of awareness. Dumond (2008) argues that victims of male rape are emasculated and cast into feminine roles; they suffer loss of status and are *turned out* (being turned into women). Furthermore, according to Gear (2008) being raped in many instances can lead to forced prison *marriages*. Prison marriages are on the whole a result of *women* being forced into marriages by *men* and these can lead to long term sexually abusive relationships from which there are few avenues for escape (Gear, 2008). Gear (2005) argues that marriage type relations are the most common arena for sexual interactions. While arguing that most wife's or *wyfies* into a marriage are initially forced into the situation Gear (2008) and the Department of Correctional Services (2008e) posit that victims of uninvited sexual advances are noted to be: newly admitted offenders; those who are physically weak or small; poor; good looking; those who display mental disabilities; inmates not affiliated to gangs; homosexuals and/or those who have committed an offence of a sexual nature. The JIP (2008b) adds high profile offenders, foreign nationals, wealthy inmates; drug addicts and young offenders as those considered vulnerable to sexual assault.

The prison system in South Africa is entrenched in the prisoners' concepts of masculinity and new prisoners who are unable to defend themselves lose their masculinity and in effect are labeled women. In an assessment of sexual practice, sexual coercion and sexual violence in South Africa's male prisons, Gear and Ngubeni (2002) report that high ranking prison gang members move prisoners to various cells and as such have a certain degree of control over the gang supremacy in shared cells; new inexperienced prisoners fall victim to this display of power. While control of movement is not officially transferred to offenders, officials at various correctional centres suggest that movement is possible as head counts at night and morning do not role call inmates by name or number; only a total number per cell has to be accounted for.

New inmates are at particular risk of prison violence and the strategies adopted by fellow inmates to control new inmates are vast. In addition to bribery, deception and manipulation, prisoners bully, assault and threaten new inmates in order that they submit to the dictates of a gang's regime (Gear and Ngubeni, 2002). The function of prison gangs is to instill the need for protection and develop a dependency dynamic.

In terms of particular personality traits, being gullible, weak and trusting are regarded as dangerous traits in the prison environment and are seen as traits that encourage victimization. On the other hand, although it is indicated that being self-sufficient and having willpower reduces the likelihood of assault, it is not always the case. Portraying a strong character can invite prison assault. New prisoners who do not observe, respect and conform to gang members' demands are beaten, (sexually) assaulted and threatened until they comply.

According to Gear and Ngubeni (2002) prisoner vulnerability encompasses several components and vulnerability is not portrayed in weakness alone. The characteristics in a person that represent vulnerability are inherent in age, size, physical appearance and attractiveness. Prisoners who are young and small in stature are at particular risk of prison sexual violence. The physical attributes that constitute a prisoner to be regarded attractive are noted as smooth hairless skin, plumpness, large thighs, round hips and being pretty. In addition, any apparent feminine qualities can lead to a prisoner being labeled vulnerable and ultimately encourage attack (Gear and Ngubeni, 2002).

While there are reportedly specific characteristics that would lead a prisoner to be more vulnerable to attack, Gear and Ngubeni (2002) note the techniques adopted by assailants to improve the appearance of prisoners so that they are more attractive. Assailants of prison violence, specifically sexual violence, will alter a potential victim's appearance to make him more sexually appealing. Physically altering a potential victim's appearance is a form of violation in itself, not least as the potential victim is aware of the connotations behind the act and invariably knows what it will lead to. The methods adopted to alter a potential victim's appearance and feminize him include shaving the victim, staining the victim's mouth with

beetroot, and covering his head with a pillowcase or towel. These in themselves are forms of victimization and as such constitute assault.

Over and above the inherent characteristics that vulnerable prisoners portray, prisoners who report prison violence are in turn threatened, violently attacked or, as reported by Gear and Ngubeni (2002), in danger of being killed by other inmates. Being a victim of a violent attack, reporting the abuse, and suffering additional violence as a result intensifies the problems associated with prison violence. The violence cycle is a double-edged sword. By reporting an abusive attack prisoners are lining themselves up for more abuse; in not reporting the abuse prisoners are vulnerable to further attack. Furthermore, assailants who inflict fear on victims compound the problem. Witnesses to prison violence are also at risk of suffering assault, particularly when they report an assault they witnessed (Gear and Ngubeni, 2002). In the same vein Sylvester *et al*. (1977) suggest that snitching accounted for a number of prison homicides (16 out of 128) in American prisons. An assessment of the racial and gender composition of inmates (sentenced and remand detainees) in prison in South Africa on the last day of December 2011 is presented in Table 4.9.

Table 4.9: Offender racial compositions of offenders at 31st December 2011

Races	**Genders**	**Remand detainees**	**Sentenced**	**All sentence Groups**
Asian	Female	16	56	72
	Male	164	563	727
	All Genders	**180**	**619**	**799**
Coloured	Female	250	542	792
	Male	7867	19822	27689
	All Genders	**8117**	**20364**	**28481**
Black	Female	777	1803	2580
	Male	40017	87526	127543
	All Genders	**40794**	**89329**	**130123**
White	Female	56	262	318
	Male	548	1893	2441
	All Genders	**604**	**2155**	**2759**
Totals		**49695**	**112467**	**162162**

(Source: The Department of Correctional Services (n.d.h))

Reportedly in South Africa prisoners with specific ethnicity are more at risk of prison violence, particularly sexual assault (Gear and Ngubeni, 2002). Despite noting that all prisoners can be subjected to prison violence, prisoners who are of a lighter appearance are more susceptible to attack than others; White, Indian and Coloured prisoners who are of particularly light appearance are at greater risk of being raped. Reportedly, assailants associate prisoners who are of a light colour with vulnerability (Gear and Ngubeni, 2002). The status and type of prior offence dictates a prisoner's vulnerability and risk of assault. Sexual offenders are at the greatest risk of being violated and in some instances killed. On the other hand, prisoners who received a great deal of publicity during their trial and prisoners who have a higher level of education are reportedly less likely to be victimized (Gear and Ngubeni, 2002).

Between 1 April and 31 March 2008 the JIP (2008a) conducted a "customer survey" among 750 offenders incarcerated in 46 prisons in South Africa. The survey focused on offenders perceptions regarding prison conditions. Of the matters raised by the inspectorate were the offenders' perceptions of safety and particularly issues of unwanted sexual practices. Results for four questions posed on the survey relating to unwanted sexual practices are presented in Table 4.10.

Table 4.10: Customer survey

Survey questions	**Responses**						
	Yes	**No**	**Never**	**Rarely**	**Sometimes**	**Often**	**Very often**
While in prison have you been subjected to unwanted sexual advances?	7%	93%					
How often does sexual abuse happen in prison?			34%	17%	21%	16%	12%
Have you ever been a victim of violence whilst incarcerated?	15%	85%					
Have you perpetrated acts of violence against prisoners/members?	6%	94%					

(Source: JIP (2008a))

Despite the findings of the survey that suggest incidents of sexual assault in prison are rare or noted as never happening; the problem of underreporting can on the most part be associated with the alliance of sexual assault and prison gangs.

4.15 SOUTH AFRICA'S PRISON GANGS AND VIOLENCE

Although this study does not concentrate on prison gangs *per se* it is essential to acknowledge prison gangs in South Africa's prisons, specifically with reference to the occurrence of assault in South Africa's male prisons.

Evidence presented later in this study supports Gear and Ngubeni (2002) and Gear (2005) who posit that violent and sexual assault are entrenched in, and an integral part of, the gang culture in South Africa's prisons. Gangs claim exclusive rights to sex in prison (Gear, 2005). More significantly, findings in this study suggest that all offenders are in some part affected by prison gang activity. While certain gangs are noted to be more violent and more sexually active than others, the incidence of violence and sexual assault are, on the most part, greater in prisons that house large numbers of specific gangs. While evidence from Gear and Ngubeni (2002) suggests that certain gangs are more prevalent in certain prisons located in specific geographical regions, more recent evidence indicates that most of the gangs are present in most, if not all, of the prisons in South Africa (informal interviews with Department of Correctional Services staff, 2007 and 2008). While studies by Gear and Ngubeni (2002), Gear (2005), Steinberg (2004) and Parker Lewis (2006) indicate that gang activity is prevalent in South Africa's prisons it must be noted that the Department of Correctional Services on the most part does not give acknowledgement to gangs or gang activities. Section 23 (1) (P) of the Correctional Services Act No. 111 of 1998 states that a prisoner is classified as committing a disciplinary infringement if he or she *professes to be a member of a gang or takes part in gang activities.*

While the Department of Correctional Services advocates application of section 23 (1) (P) of the Act observations made during this study suggest that different prisons adopt different approaches in dealing with gangs. On the most part prison officials are aware of the extent of the various gangs and are aware of the individual members in the gangs. In an attempt to

reduce either the spread of gangs or to reduce gang activity some prisons make effort to segregate gang members according to their gang or, at the least, segregate gang members from non-gang members.

Reportedly, the prominent gangs in male prisons in South Africa are the Numbers gangs (referred to as the 26, 27 and 28); the Airforce 3 and 4 (RAF 3 and 4) sometimes referred to as the 23's and 24's respectively, and the Big Fives (sometimes referred to as the 25's). Non-gang members are referred to as *Franse* (meaning innocent new prisoner) or the *one ones*. Although the Airforce 3 and 4 and the Big Fives are often referred to as the 23's 24's and 25's historically the true *Numbers* gang comprises of three sub-groups namely the 26's, 27's and the 28's. Of the various gangs that exist in South Africa's male prisons the *Numbers* gangs are reputedly the dominant gangs and allegedly the more violent in nature.

While information regarding the existence of the gang has recently been brought to the fore, the Numbers gangs have been in existence in South Africa's prisons for over 100 years (Steinberg, 2004) and their origins can be traced to the 1880's (Parker Lewis, 2006). Parker Lewis (2006) argues that prison gangs specifically the Numbers gang are known to have been in existence in prisons before 1912. Problems regarding the Numbers were brought before Parliament in 1912 and in an attempt to quash the existence of the gang Parliament ruled that prison gang leaders were to be imprisoned on Robben Island.

While recent publications (Gear and Ngubeni, 2002; Gear, 2005; Steinberg, 2004 and Parker Lewis, 2006) highlight the function of gangs to a certain extent, Breytenbach (1984) highlighted the existence of prison gangs from a prisoners perspective. Breytenbach (1984:272) suggested that prison life *"*(*in the Cape particularly*) *is run by prison gangs"*. He goes on to describe prison as having its *"own reality"* and posited that *"the measure of the self-contained and ritualistic nature of prison mores is its self-destructiveness"*. In accounts of life as a prisoner at Pollsmoor prison Breytenbach (1984) gives details of prison violence. He relates details of murder and cannibalism by offenders and suggests that in many instances the violence inflicted on offenders by other offenders was so brutal that victims

would often *beg for death*. Breytenbach (1984) indicated that during the 1980's there were the *numbers gang* (26, 27 and 28's) the *Big fives* and the *Airforce gangs*.

Reportedly, the 28 gang is believed to be the longest standing subgroup of the Numbers gang. The 27's are a derivative of the 28's although both are believed to have historically emerged from the mining compounds outside the prisons during 1880 or 1890. From 1912 they operated solely inside the prisons (Parker Lewis 2006, citing Haysom, 1981). Originally the Number gang was referred to as the Ninevites or the people of the stone; subsequent to 1920 the gang was referred to as a Number gang.

While the history of the Numbers gang is steeped in mystery and narrative it is generally contended that the 27 gang formed out of the 28 gang. The 26 gang, on the other hand, are recognized as the only subcategory of the Numbers gang that developed exclusively within the prisons. The existence of the 26 gangs dates to 1907/08 and as such the 26 are recognized as the oldest authentic prison gang in South Africa's prisons (Parker Lewis, 2006).

Although evidence suggests the Numbers gang culture has aligned with street gangs outside the prison the Numbers gang culture continues to be inherent to South Africa's male prisons. Where the prison gangs have extended to outside the prison, gang culture is enveloped into existing street gangs. When this takes place the prison gangs *per se* lose their original identity. However, the reverse takes place when street gang members enter prison. On entering prison street gang members take on the identity of the prison gangs.

While Table 4.11 presents the functions of the various gangs it must be noted that the order of the presentation does not reflect any standing, power or significance of gangs; the arrangement here is simply in descending numerical order.

Table 4.11: Types and function of prison gangs

Prison Gang		Specialized activity or function	Involvement in Violence or sexual activity
The Numbers	28	Sexual activity	Violence often involved to procure sexual partners or to escape from designated sexual roles. Males can have more than one wife at any given time.
	27	Liaisons between the 28 and 26 gang	When required can carry out acts of violence for the 28 gang. They enforce the Numbers laws. They are the men of igazi (blood).
	26	Specialize in the procurement of goods; specialize in robbery or theft. Function to obtain money (*Kroon*). Dealing in drugs; smuggling, selling and distributing.	Considered the more violent of the Number gangs. Their function is to obtain goods. Can be involved in sexual activity although sexual activity is not permitted according to their *rule book*.
Big Five		Known as the *Pimps,* snitches or the informants of the prison. Big Fives inform prison authorities of the goings on of other offenders.	Can be involved in sexual activity with other members of the Big Five gang. Members of the gang are divided as portrayed by the four images on playing cards (diamonds, clubs, spades and hearts) and are formed or arranged in line with the four arms of the swastika. Subgroups of the Big 5 referred to as the *clubs* are the masculine and have sexual relationships with the *spades, diamonds* or the *freebloem* who, although are men, are considered the *female* counterparts. Male members of the gang who partake in sexual activity can have more than one wife any given time.

Table 4.11 continued: Types and function of prison gangs

Prison Gang	Specialized activity or function	Involvement in Violence or sexual activity
RAF 4	Function for the purpose of escape. Must consult with RAF 3 to carry out any attempt at an escape	Can be involved in sexual activity with other RAF 4 members or with 28 gang members. Despite this the rule book of the RAF 4 states that there are no wives in this camp.
RAF 3	Function for the purpose of escape. Other offenders considering an escape should consult the RAF 3 members. RAF 3 members do not need permission from other gangs to plan or carry out an escape	Are not involved in sexual activity with either their own or other gang members

(Source: Parker Lewis (2006))

Research into male prison gang culture by Gear and Ngubeni (2002) Steinberg (2004) and Parker Lewis (2006) suggests that of the Numbers' three subgroups the 26 and 27 gang members are reportedly the most violent. The 28 gang members are reportedly the more sexually active sub group and sexual activity dominant in the 28 gang culture is entrenched in violence. Reportedly, violence is used by the 28 gang members to recruit new members, maintain the status quo of the existing gang members and in order to escape specific roles within the gang. The rule stated by the 28 gang which clearly demonstrates this is the rule of *blood in blood out*; the translation of this is that to enter the gang an offender must spill or take blood and likewise to exit the gang a member must spill or take blood. The 26 gang adopt the same principle although the saying used and written in their rule book is *one door in one door out*.

While a gang member may partake in sexual activity with other gang members it is more common that gang members have relations with members from their own gangs. Sexual activity with members from other gangs is frowned upon and can result in violent outbreaks.

Despite the gangs' defence of their own specific identity it has been found in this study that the 28 and RAF 4 are linked. RAF 4 members by virtue of the fact that the number 4 is half of 8 are referred to as half of the 28, and as they are *half* they are often seen by 28 gang members as boys not men. *Boys* in prisons are often taken to act in the role of female sexual partners.

The Big 5 is divided primarily into two camps; those gang members recognized as male and those recognized as female. Subgroups of the Big 5 referred to as the *clubs* are the masculine and have sexual relationships with the *spades, diamonds* or the *freebloem* who, although are men, are considered the *female* counterparts in the context of the Big Fives.

According to Parker Lewis (2006) the 28 gang is divided into three divisions:

- The gold, red or blood line (masculine) these members enter the gang through the stabbing of a warder;
- Known as the silver line, white line or the private line, these are the designated females of the gang and supply sex to the gold line; they are referred to as the *wyfies*.
- The third subdivision of the 28 gang is the third division which comprise of fighting soldiers of the gold line; these members cannot take part in sexual activity and do not have any contact whatsoever with the *females* in the 28 gang.

The white line or silver line is indicated by markings (tattoos or *stuka's*) on the left arm and the red, blood or gold line is indicated by markings (tattoos or *stuka's*) on the right arm. While there are two prominent divisions within the gang within each subcategory there are defined positions and roles. The positions within the gangs often resemble those of the military with defined members being allocated defined positions. Although each gang has its own defined structure each one fundamentally emulates some form of military organization and functions within the boundaries of that structure. Information provided by Parker Lewis (2006) suggests there is a strict military organization in the 28 gang which is shown in Table 4.12.

Table 4.12: Military organization of the 28 gang

GOLD LINE	SILVER LINE
DIVISION ONE	
The Lord Highest member and oversees the higher command of the 28 gang	**Nozala:** The head of the 28 silver line. Was once a wyfie but has risen in rank
THE MILITARY WING **The judge** (partner not specified) **The General** (paired with Goliath Two) **The Colonel** (paired with Goliath one) **The Wireless operator** (paired with silver one) **The Lieutenant** (paired with silver two)	**THE CIVIL WING** **(The high command of the civil wing of the 28 gang are posts held by males who were once wyfies (in the silver line) but have risen in level and status).** **The Governor General** (paired with Goliath one and/or any probationer) **The Doctor** (paired with under magistrate) **The inspector** (can only have sex with a non 28) **The Clerk** (partner not specified) **The Magistrate** (partner not specified but can have sex with probationers) **The Under Magistrate** (paired with the doctor)
THE THIRD DIVISION **The fighting soldiers** **Noncommissioned officers:** • Captain one • Captain two • Sergeant one • Sergeant two	**DIVISION TWO**: **Goliath One** (known as the *whore* of the camp) **Goliath Two** **Silver/Masilver One** **Silver/Masilver Two** **The probationers** (privates/females) – supervised by the above

(Source: Parker Lewis (2006))

At the core of the 28 gang's activity is the forming and maintaining of *marriages* between members of the gold line and members of the silver line. The roles are specific to the masculine (*husbands*) and the feminine (*wyfie*) (Gear, 2005). New recruits are placed in

either camp depending on the outcome of a specific ritual which is carried out. It must be noted that although the gang members do not see these relationships as homosexual in nature, the roles in the 28 gang are entrenched in sexual activity. The roles signify how other members of the gang and other members of the prison see each member. The roles of the gang members determine the member's behaviour and function within the gang and within the prison environment as a whole (Gear and Ngubeni, 2002; Steinberg, 2004 and Parker Lewis, 2006). Gear (2005) explains that the ritual of being accepted (or forced) into a role within the gang is not limited to the 28's. The Big 5 gang adopts a set procedure in order to initiate a member into the gang and it involves a "medical Doctor" counting your pulse beats per minute; the number of beats reflects the camp to which a new member would be delegated; 4 beats means a section 4 and you are classified as a woman, 5 beats means you are classified a man (Gear, 2005).

While it is noted that sexual activity between gang members is not seen as homosexual in nature, long lasting bonds are often formed between the parties to marriages. While on the one hand these attachments are often formed and in some cases last for a long period of time, the males to the marriage can change their wyfies.

While the roles within the 28 gang are enshrouded within sexual roles, violence is also very much a part of the gang activity. Wyfie positions in the 28 gang are not prized or respected in male prisons. Offenders in the position of wyfie are more often than not violently coerced into the role through either rape or beatings or both. According to Parker Lewis (2006:75) all new recruits to the 28 gang are raped by high ranking officials within the gang before entering the gang even if later they are elevated to a position in the gold line.

Over and above the inherent acts of violence required to recruit and maintain members, acts of violence are demanded to escape a designated sexual role with a gang. A gang member will remain in a designated role for the duration of his sentence and even when the gang member is transferred to another prison their role will be maintained. In order to escape a designated role, most often a feminine role, the gang member in question must carry out a specific act of violence. The gang will jointly determine the type of violence to be carried

out. Carrying out a specific and predetermined act of violence will reassign a previously defined feminine prisoner into a masculine category and as such that prisoner will change sexual roles and be given greater status within the gang. The act of violence, the weapon, the victim, the location and time of assault are collectively determined by the gang. In addition to the *female* counterparts of a gang being required to carry out an act of violence to escape a designated position, members of the gold line must also carry out acts of violence to advance in ranking status within the gang. For example, gold line members such as those in the position of soldier must carry out a defined act of violence in order to be promoted within the gang to the position of general (Gear and Ngubeni, 2002). According Parker Lewis (2006) the required act of violence more often than not requires the stabbing of an official. Carrying out an assault on a prison official carries with it punishment. The offender who carries out the assault and endures the punishment (without crying out) is often promoted within the gang. Crying out in any form while punishment is being administered negates the act of violence and as such the offender has to repeat the act or remain in the previous ranking.

While records suggest that the gang members who are assailants in a sexual encounter treat the episode and the actions leading up to the episode as part of prison life, prisoners who feel vulnerable to prison violence, particularly sexual assault, go to great lengths to avoid a sexual encounter. According to Gear and Ngubeni (2002) prisoners who are likely to fall prey to sexual victimization alter their behaviour in order to avoid attention.

While sexual activity is seen as a part of gang culture in prisons in South Africa it is not seen by gang members as homosexual in nature. However, all sexual activity carried out by prisoners who do not belong to a gang is seen as homosexual behaviour. Offenders who do not belong to a gang (*franse*) who carry out sexual relationships are violently punished by gang members. Moreover, a number of gangs inside male prisons are forbidden to take part in any form of sexual behaviour and doing so results in punishment by opposing gang members; ironically, the punishment is reportedly rape (Gear and Ngubeni, 2002).

According to Gear and Ngubeni (2002) a number of prison rape victims manifest as rape assailant and as such increase the cycle of violence. Offenders forced into submissive sexual

positions or sexual victims often seek revenge and this can be carried out on new victims or on their assailant. This revenge can take place in prison or post release and is citied by Gear and Ngubeni (2002) to be one of the most significant causes of recidivism.

While the prison population deals with the issue of gangs and gang behaviour it must be noted that prison officials also have to deal with security issues that arise from gang activity. Security is provided to offenders who feel threatened by gangs and security is also provided to offenders who, by nature of their sexual orientation might be at risk of sexual assault.

4.16 SUMMARY

Aggressive behaviour that leads to acts of assault has been reviewed in terms of the types of aggressive behaviour and the motivations for violent behaviour. While motivations for assaultive behaviour have been examined from the biological and psychological motives such as biology, behaviour theory, social psychology and social learning, psychoanalysis, frustration aggression behaviour and stimulus response, acts of aggression in this study are examined from the situational perspective. The situational perspective of aggression is where behaviour in a specific environment is seen to be regulated within an environment by the opportunities and motivations presented through the environment. Where the specific environment is the prison environment, violent behaviour carried out by offenders is seen to be motivated by social factors and the physical environment within the prison setting. As noted in this Chapter social factors include retaliation, power struggles, economic power, hustling, racism, political tension, homosexual conflict, individual disturbances, and as a result of prison gangs, among others. Environmental factors are viewed in terms of lack of security and control, inappropriate prison design and negligence by prison authorities.

While there are theories that rationalize aggressive behaviour and acts of violence, acts of aggression that take place in prison undermine the efforts of authorities to provide a safe, secure and rehabilitative environment. Offenders are incarcerated in prison as a result of illegal behaviour. Exposure to the threats of assault and/or involvement in acts of violent behaviour while in prison condones illegal behaviour in an environment meant to restrain illegal activities.

While it is arguable whether the prison environment perpetuates violence in society, it can be assumed that the prison environment perpetuates a cycle of aggressive behaviour.
Theories posit that behaviour in the prison environment is to some extent a result of imported behaviour. In that vein, it can be argued that while behaviours are imported into prison they can to some extent be exported out of the prison environment. Whilst it is agreed that not all men are incarcerated for aggressive offenses, and that not all men are violent while in prison, prison can expose those that enter prison to further acts of aggressive behaviour in the prison environment. Exposure to acts of violence in prison can, it is argued, lead to exportation of violent behaviours and offenders who experienced violent behaviour while in prison may return to society the same if not worse than when they entered prison.

CHAPTER FIVE: PRISONS IN SOUTH AFRICA

5.1 INTRODUCTION

This chapter presents the development in prisons in South Africa from the Seventeenth Century to the present, thereby addressing the first research question (presented in Section 1.6) and the first research objective (presented in Section 1.8).

5.2 HISTORICAL DEVELOPMENT OF PRISONS IN SOUTH AFRICA 1700 - 1900

Although the Cape was first occupied by Europeans in 1652 the penal prison emerged in South Africa at the beginning of the nineteenth century. As the Dutch East India Company took possession of the Cape the form of punishments that were adopted reflected the punishments carried out in the Dutch Mother Country (Van Zyl Smit, 1992). The initial punishments encompassed torture and the public spectacle of punishment. Public crucifixions, torture and death by firing squad were common place although only permitted under the guidance of the law (Van Zyl Smit, 1992).

Early prisons such as the castle in Cape Town or the *tronk* served to house offenders pending their trial. Convicted prisoners were forced to carry out hard labour, suffer cruel punishments or were deported to other Dutch Colonies in the East (Van Zyl Smit, 1992). Physical punishments as the primary form of punishment ceased with the end of the first Dutch occupation in the Cape during 1795. The end of physical punishments stemmed from the occupation of the British during 1795-1803. The British brought with them the ideas of Bentham and Howard from their mother country. The ideas included incarceration for a set period of time and punishments that were proportionate to the crime. Like in England incarceration in South Africa was considered to be the most appropriate alternative to transportation and served to meet the challenges associated with the abolition of slavery in the Cape during 1807 (Van Zyl Smit, 1992).

Although the development of the penal prison in South Africa coincided with the penal developments in Europe and America there was a fundamental difference in its application namely, the need for cheap labour (Bernault, 2003). The emergence of prisons in South

Africa met several requirements. The requirements are summarized by Bernault (2003) as follows:

- Prisons addressed the need for labour. With the abolition of slavery in 1807 farmers were in desperately short supply of cheap labour. The prison population provided a cheap, available source of labour.
- The early prisons provided housing for the insane and children. By 1880 four psychiatric hospitals mostly for white patients existed in the Cape Colony. During the 1890's the hospitals were defined by race. Penitentiaries for children existed as far back as 1880 and were used to train delinquents. Prison as a form of confinement and control for African workers emerged during 1870. Most significantly the workers stemmed from the mines around Johannesburg and Kimberley.
- Prisons were utilized to test political motives. They were initially used to incarcerate offenders of pass laws.
- From 1880 prisons allowed the theories of racial segregation to be tested and by 1960 were used to house political prisoners.

5.2.1 Incarceration and labor

By 1806 incarceration in elementary jails, deportation, torture and public punishment were the forms of punishment awarded to offenders (Bernault, 2003). During 1807-1834 slavery was abolished in the Cape Colony and this propelled the need for cheap labour. In order to obtain a readily available market to fulfill the need for cheap labour several laws were passed that helped meet the demand. For example, in 1809 a law was passed that compelled the Khoi-Khoi to work on farms by stating that it was against the law to live a nomadic lifestyle (Van Zyl Smit, 1992). Farmers compensated for this by building farm gaols on their property. The farmers then took it upon themselves to punish the farm worker offenders by incarcerating them in the farm gaols. These farm gaols are recognized as the first system of private prisons in South Africa (Bernault, 2003).

In 1843 under the guidance of John Montagu the public prisons in the Cape underwent a huge shift in function. Rather than being for the purpose of punishment Montagu instilled the notion of prisons for reform. This was enforced through prison labour and this instilled

the underlying premise of the penal policy in South Africa namely, the marriage of penal policy and labour. To carry out this theory prisoners were forced to build roads and harbors in chain gangs. A good example of the prisoners' efforts can still be seen in the break waters installed at the harbor in Cape Towns. While this was being carried out prisoners continued to be housed according to their offence and behaviour (Bernault, 2003). In order to fully realize this notion and in order to completely entrench the system of prison labour into punishment Montagu brought into fruition new legislation. The new legislation led to convicts also being adopted for the construction of roads. Those convicts employed in hard labour and utilized in road construction were dispersed in the many *lockups*. A *lockup* was a colloquial term used to describe convict stations (Bernault, 2003 and Van Zyl Smit, 1992).

Convict stations were specifically built wooden structures that were built to house prisoners employed in the construction of roads. Prisoners were housed according to their involvement in road construction or chain gangs. In 1854 this separation of prisoners was further applied through a tripartite division. The categories in which prisoners were separated were through the punishment class, the probation class and the good conduct class. This classification system encouraged improved prison conditions and reflected a shift in the premise of punishment. Prisons were to function for reform not purely for punishment. Van Zyl Smit (1992) compares the convict stations as complete institutions where total control of the prisoner was a function of the prison system.

By the late 1880's racial discrimination was entrenched into the prison regime. According to Bernault (2003) racialism emerged in prisons when the white prisoners began to be concerned with the lack of civilized amenities in the prisons. The new white prisoners who demanded civilized conditions were those offenders involved with illegal diamond exploits. The new offenders were well educated and wealthy and saw the prison conditions as dehumanizing. In an attempt to address the demands the Government instilled racial segregation into the prison system. According to the Department of Correctional Services (2005a:44) racial segregation within the prisons was prescribed through legislation and as such enforced *vigorously* throughout South Africa.

According to Van Zyl Smit (1992) in 1882 the Government proclaimed that Kimberley prison should be the first prison in the Cape to be legally racially segregated. Significantly, the prison system did not enforce racial segregation through racial separation alone. The penal administration introduced a system of different treatment for white and non-white prisoners. For example, a different diet was awarded to different race groups; Montague's principles of reform were only applied to white inmates and black inmates were enforced to carry out physical punishment such as hard manual labour.

By 1890 most of the prison's black population was involved in some form of hard labor which spanned from building harbors and roads. By 1899 a number of prisoners were employed on wine farms. As a result of the increase of prisoners working on farms and in an attempt to cash in on this labour the sixpence scheme was devised. White farmers would pay the department of prisons 6 pence for each prisoner employed (Bernault, 2003). In the depression during 1930 and 1934, farmers' employment of prisoners increased (Van Zyl Smit, 1992). By 1947 the number of prisoners employed on farms was enormous and in order to control the large number of prisoners farmers built farm-jails to house those prisoners sentenced to periods over two years (Bernault, 2003). In most cases once employed on a farm the prisoners would remain on the farm until the end of their sentence (Van Zyl Smit, 1992). According to Bernault (2003) by virtue of their willingness to fund and build farm jails it is evident the importance of prison labour to the farmer. The problem associated with privatizing the penal policy by handing control to the farmers was that the State's ability to control, monitor and punish offenders was transferred to the farmers.

While in the Cape colony the power to punish was transferred to the white farmers, in the north of South Africa the transference emerged in and around the diamond mines in the form of closed compounds.

Successful diamond mining attracted a large unskilled labour force allured by the prospect of making money. Following 1871 the complexities of diamond mining grew and to meet with the demands the mines required an ever increasing amount of labour. As the mines grew they required and instilled stricter forms of discipline. The focus of the mining activity was

Kimberley and De Beers are recognized to be the first non-state corporate entity to employ convicts as labour on a regular basis. By 1889 De Beers had built a private convict railway station to ensure a steady stream of prison labour onto their mines. By 1905 the employment of convicts on diamond mines had doubled (Bernault, 2003 and Van Zyl Smit, 1992). In order to house these prisoners De Beers built a prison at the location of the mines. While in their care De Beers undertook to house, feed and control the prisoners. De Beers produced housing for the prisoners although the housing remained in the same form as the previously adopted convict stations.

The second most important feature that contributed to the development of the penal policy and the company prisons at the time of the convict station was the closed compound. Although Bernault (2003) argues that the origin of the closed compounds remains debatable, Bernault (2003) citing Van Onselen (1982) suggests that the first closed compounds were built by De Beers in 1885. According to Van Zyl Smit (1992) the closed compounds were formed to house the unskilled black workers who worked on the mines, not necessarily prisoners. By virtue of their contract the workers on the mines were not allowed free access to the outside world and again the housing encompassed what Sykes (1958) referred to as a *total institution*. Although debate continues it is agreed that the principles behind the convict stations laid the foundations for the closed compounds. Bernault (2003) on the other hand argues that the compounds were built to prevent diamond theft and drinking and to provide a form of co-habitation housing for the various tribes employed on the mines. Convict stations and the use of prison labour by the mines is significant to the prison function during the early part of the nineteenth century and the period will best be remembered for the use of prison labour on mines (Department of Correctional Services, 2005a).

5.3 HISTORICAL DEVELOPMENT OF PRISONS IN SOUTH AFRICA 1900 - 2000

While the period at the beginning of the nineteenth century is best recognized for the adoption of prison labour in the mines, the Prison and Reformatories Act, Act 13 of 1911, ensured that the prison system became responsible for reformatories (Department of Correctional Services, 2005a). Prison law was also developed during this period through the

courts. In addition, this period saw that remand detainees (then referred to as awaiting trial prisoners) were not confined in solitary confinement and prisoners who felt mistreated were encouraged to lay complaints. Over and above implementing these policies, the period also saw a remission system introduced. Prisoners who had good behaviour were granted remission on their sentence. Probation was also introduced and prisoners were allowed early release. While these policies were seen as positive it must be noted that according to the Department of Correctional Services (2005a) punishment within the correctional centres was at best harsh. Punishments for those incarcerated included whipping, reduced diet, solitary confinement and enforced additional labour (Department of Correctional Services, 2005a). .

5.3.1 Colonial prisons in South Africa

According to Bernault (2003) the historical function of the colonial prison differed to the function of prisons in the West. At the core of penal function in the Western World was reform. At the core of colonial prisons was economic profit. Economic profit depended on political authoritarianism and the ongoing saga of class and race difference. This according to Bernault (2003) served to fuel the antagonism felt between the races and as such he argues that colonial prisons acted as a supplement to physical torture. Prisons functioned to carry out the practice of state violence and private vengeance (Bernault, 2003).

The architecture that pervades colonial prisons, particularly in Southern Africa, portrays the underlying premise of penal policy, namely the division of the races. The first stage of architecture used in colonial prisons was the block-prison design. The block prison comprises of a single strip of collective cells for congregate housing. The housing blocks surround a vast open space (Bernault, 2003). While the prison designs adopted in South Africa were originally intended to encourage prisoner reform, South Africa's adaptation of the designs enabled the prison system to enforce prisoner segregation based on race and the housing type. According to Bernault (2003) the fundamental issue that has always surrounded South Africa's prison system is punishment through some form of force or violence. Forced segregation, forced labour, and forced living conditions all represent the prison authorities' aggressive stance toward punishment.

According to van Zyl Smit (1992) a memorandum prepared by Ballinger and Simons in 1943 highlighted the need for prison reform in Southern Africa. The memorandum suggested that hiring out convicts to private employers should be abolished; rehabilitation techniques should be applied to all convicts and improvements should be made to prisoner housing. Ballinger and Simons suggested that communal barracks such as those employed in convict stations and closed compounds should be abolished and that single man cells should rather be adopted. More importantly they suggested that all prisoners should undergo rehabilitation programs and that prisoners should have medical care and aftercare while incarcerated (Van Zyl Smit, 1992).

Following Ballinger and Simons (1943) report, Justice F.E.T. Krause presented a paper at the South African Conference in 1944 where he claimed that prisoners lived in harsh and *foetid* atmospheres. Krause claimed that the control mechanisms adopted in prisons by authorities was tantamount to torture (Cook, 1974). The Department of Correctional Services (2005a) acknowledges this and states that the conditions in prisons during this time were severe. Transgressors of the system were whipped, held in solitary confinement and/or existed off spare diets. The notion of reform was acknowledged although not applied (Department of Correctional Services, 2005a). Following Krause's damming report of the prison conditions the Smuts Government appointed the Lansdowne Penal and Prison Reform Commission to further explore prison conditions.

5.3.2 The Lansdowne Commission

In 1945 the Lansdowne Commission on Penal and Prison Reform report was constituted. The Commission found that the Penal and Prison Reform Act of 1911 had promoted harsh and discriminatory prisons (Department of Correctional Services, 2005a). The Commission deduced that offenders should not be hired out to provide labour to various enterprises; reform techniques should be applied in prisons and that the extent of punishment should consider the character of the prisoner. The Lansdowne Commission further recommended that flogging in prisons should be abolished; solitary confinement and a spare diet should not be imposed on lower class prisoners and that the time spent in complete segregation should be reduced from the imposed length of 3 years (Cook, 1974). The Commission further

advised that prisons should avoid the proposed implementation of military forms for prisoner and official control (Department of Correctional Services, 2005a). According to the Department of Correctional Services, (2005a), the Lansdowne Commission report (1947) had little effect. In order to combat the application of the recommendations made in the report "bona fide farmers associations" sprang up. The farm associations demanded the construction of more prison farm outstations in a response to the demand of prison labour by farmers (Department of Correctional Services, 2005a).

5.3.3 The Prisons Act (1959)

While debate continued on the conditions of prisons and the treatment of prisoners, prison conditions were brought into the public spotlight through a number of damming reports that appeared in South Africa's newspapers during 1959 (Cook, 1974). In an attempt to retaliate and prevent any further publication of damaging reports the Government passed the Prisons Act 1959. Of the more controversial areas covered in the Act, the Prison Act 1959 enforced the rule that prison conditions could not be monitored by outside inspectors and the publication of reports on prisons were prohibited. Under section 44 (f) of the Prisons Act 1959 (Correctional Services Act No. 8 of 1959) it became an offense to publish or report *any* information on the prison system, prisons or prisoners (Cook, 1974 and Van Zyl Smit, 1992).

Section 44 – 45 (g) of the Correctional Services Act No. 8 of 1959 stated that an individual who:

> *(i) Publishes or causes to be published in any manner whatsoever any writing, statement, life story or biographical sketch, or any portion thereof, of a prisoner concerning the offence as a result of which he became a prisoner unless the writing, statement, life story or biographical sketch in question or the relevant portion thereof, as the case may be, was admitted in evidence at the trial of that prisoner;*
> *Shall be found guilty of an offence and liable on conviction to a fine not exceeding R8 000 or, in default of payment, to imprisonment for a period not exceeding two years or to such imprisonment without the option of a fine or to both such fine and imprisonment.*

While the Act attempted to protect the prison function from what was seen as propaganda the Act also introduced parole, prisoner classification and the treatment of prisoners to meet with the demands for rehabilitation. With the introduction of parole an offender was given the choice to be incarcerated in a prison or to work for a farmer (hard labour) for a specific time (Department of Correctional Services, 2005a). Failure to complete the time sentenced to hard labour revoked the offender's parole. In line with parole the Prisons Act of 1959 also introduced prisoner classification (Cook, 1974). Prisoners were classified based on character, social background, potential and the likely effect of treatment. The Act enforced the rule that prisoners could be transferred between various security institutions based on behaviour. The four categories of prisoner classification established are presented in Table 5.1

Table 5.1: Prisoner Classification

Category of prisoner	Security level	Communication permitted	Visits permitted
A	Minimum	Allowed to write and receive three letters per month	Allowed visits from two persons twice a month
B	Medium	Allowed to write and receive one letter per month	Allowed visits from two persons once a month
C	Maximum	Allowed to write and receive one letter every three months	Allowed a visit from one person every three months
D	Maximum – specifically for prisoners with a record of violent crimes such as rape, murder, knife assault etc. and political prisoners	Allowed to write and receive one letter every six months	Allowed a visit from one person every six months

(Source: Ahmed (1973))

According to Van Zyl Smit (1992) The Prison Act of 1959 encouraged the Laws of apartheid to be brought into the prison system. Enforced racial segregation in prisons through application of the policies stipulated in the laws of apartheid was rigorously applied (Department of Correctional Services, 2005a). The policies were not only carried out through racial segregation within the prison system but also through the detention of political prisoners.

5.3.4 The Detention Laws

The detention of prisoners in South Africa's prisons was escalated through a number of detention laws. Enacted from 1960 the detention laws authorized the Minister or Commissioner of the Police to detain any person suspected of a political offence or to have knowledge of an offence. The detention laws allowed a person accused to be held indefinitely incommunicado (without any contact with the outside world) (Ahmed, 1973). The most prolific of the detention laws enacted from 1960 are presented in Table 5.2

Table 5.2: Detention Laws of South Africa from 1960

Law	The charge	Detention rationale and period
Proclamation R. 400	Authorized a Bantu Commissioner, a Commissioner or non-commissioner of the SA Defence Force or a peace officer to arrest, with or without a warrant any person who has committed an offence. Or to arrest any person thought to have committed an offence	The offender is held until the official is satisfied that he has answered all questions relating to the offence.
90-day Law (Section 17 of the General Law Amendment Act, No. 37, 1963).	Authorizes any commissioned police officer to arrest without warrant any person who he reasonably suspects to have committed or intends to commit a political offence. The offender can be arrested for being in possession of information regarding a political offence	Detaining a person in such place that may be deemed fit until he has replied to all questions. The person may not be detained more than 90 days on any particular occasion. Offenders can however be detained on successive charges.
180-day Law (Section 215 b is) of the Criminal procedure Act 23/, Act No. 56 of 1955, as amended by the Criminal Procedure Amendment Act No. 96 of 1955.	Authorizes the Attorney General to detain any person when there is a danger the person may be tampered with prior to a court hearing. Also to be used to prevent a person absconding	The person could be detained until the criminal proceedings are complete or for a period of six months after his arrest. Reports indicate under this law a number of detainees were ill-treated and/or tortured.
14-day Law (The General Law Amendment Act , No. 62, 1966)	Allows for the detention of suspected terrorists and other persons for interrogation.	A person could be detained for 14 days without a warrant

Table 5.2 continued: Detention Laws of South Africa from 1960

Law	The charge	Detention rationale and period
Indefinite detention under the Terrorism Act. (The Terrorism Act, No. 83, 1967)	This allows for indefinite detention. Any Commissioned police officer of or above the rank of Lieutenant-Colonel may arrest a person who he believes to be in a place in SA is a terrorist or is withholding any information relating to terrorism. The offender can be arrested without warrant	The offender can be detained for interrogation until further detention will serve no further usefulness.

(Source: Ahmed (1973))

As noted in Table 5.2 all prisoners held under the detention laws were not able to have communication with family members or council. Only prisoners detained under the 90-day law and the 180-day law would be visited by a magistrate once a week. Prisoners held under the terrorism law would be visited once every two weeks (Ahmed, 1973). The primary function of the laws was to enable the Security Police Branch to extract confessions from the prisoners. The Security Police were enabled by law to carry out any action to encourage a prisoner to confess (Ahmed, 1973).

5.3.5 The Strachan Report

As previously noted, according to the Prison Act of 1959 it was an offence to publish any information regarding the prison system in South Africa. To enforce this rule the Prisons Amendment Act, No. 75, 1965. 65 section 44 further stated that any person who:

> *"Publishes or causes to be published in any manner whatsoever any false information concerning the behaviour or experience in prison of any prisoner or ex-prisoner or concerning the administration of any prison, knowing the same to be false, or without taking reasonable steps to verify such information shall be guilty of an offence and liable to a fine of up to 200 rand or to imprisonment of up to one year. The onus of proving that reasonable steps were taken is placed on the accused"*
>
> Ahmed (1973:41)

However, despite the ban on all publication of prison information smuggled documents started to appear in several South African newspapers. The publications suggested that the conditions in the prisons were as bad as, if not worse than, those suggested by many previous newspaper articles (Cook, 1974). Of the more shocking reports was that compiled by Harold Strachan, a white ex-political prisoner who had served a three year sentence (International Defence and Aid Fund, 1967).

Strachan's sworn testimony on prison life was published from 30th June – 2 July 1965 in the Rand Daily Mail. The publications relayed information on prison conditions in four of South Africa's prisons. In the words of Cook (1974) Strachan's revelations caused a stir. In interviews Strachan indicated that assaults were rife, sodomy was commonplace and facilities in prison that were intended to be utilized for rehabilitation were used for punishment. According to Strachan's revelations political prisoners held in South Africa's prisons were victimized as a group. The methods of victimizing political prisoners included withholding reading material and sabotaging personal letters and visits; meting out harsh punishments and petty cruelty such as making prisoners have cold rather than hot showers (Cook, 1974). According to Strachan black prisoners were regularly beaten and physically assaulted by officials. Political prisoners were classified as D category; under this classification they were housed with the maximum security prisoners.

Following the reports by the Rand Daily Mail the Sunday Times published sworn testimonies by other released inmates which served to corroborate Strachan's testimony (International Defence and Aid Fund, 1967).

Instead of investigating the conditions in prison as noted in Strachan's testimony, the Government prosecuted the newspapers and the informants under the Prison Act 1959 and 1965. Strachan was placed under a banning order and charged with perjury. Found guilty he was sentenced to two and a half years imprisonment; the sentence later reduced to one and half years (Ahmed, 1973). The two editors of the two newspapers were found guilty of publishing false information without taking the appropriate steps to verify the information. Although it was suggested that following the trials prison conditions improved, lack of

publications could not verify this. Following the trials research into prison conditions came to a stop. According to Ahmed (1973) and Cook (1974) even academic researchers were prevented from undertaking research into prison life and as such the only available information into prison conditions at the time are existing court documents.

Despite lack of official and reliable evidence into the conditions in prisons the general conditions in all prisons housing all types of prisoners was still being questioned. In order to examine and address the concerns being raised a number of MP's visited several prisons. The visits resulted in immediate improvements being made to a number of prisons; the living quarters were improved, bedding was provided, hot water was installed and prison clothing was issued (Cook, 1974). While the effects of the MP's visits was generally to improve a number of prisons the effects did not remain. In 1971 Helen Suzman a Member of Parliament suggested that there was considerable evidence to suggest that the physical conditions in prisons were deteriorating (Cook, 1974). Among other complaints such as overcrowding, bad food and dirty conditions, there was evidence to suggest that assaults were common. The types of assaults were staff on prisoner assaults and prisoner on prisoner assaults (Cook, 1974).

While debate continued into the conditions in South Africa's prisons the prisons continued to house political prisoners. Political prisoners were sentenced under a variety of laws such as the Sabotage Act, the no-trial detention laws and for fighting against apartheid laws (Cook, 1974). Between 1960 and 1967 a reported 4,000 persons were convicted and imprisoned for contravening security laws. The sentences ranged from anywhere between six months to 25 years. The three main prisons that housed political prisoners were Robben Island which housed black men; Pretoria Local housing white men and Barberton which housed black women (Cook, 1974).

In 1972 prisoners on Robben Island presented a petition to Col. Willemse the commanding officer of the prison. The petition highlighted previously ignored complaints that the prisoners had allegedly made. The complaints included accusations of harassment, assaults and insults by prison staff on prisoners in addition to complaints regarding lack of hot water,

inadequate food and unhygienic conditions. In March 1973 the matters were brought into light in court by Justice Diemont (Cook, 1974). Essentially Diemont dealt with four fundamental issues namely; political prisoners rights of access to court; privileges, access to prison regulations and segregation and solitary confinement. Amendments were made by Diemont to the Prison Regulations. The amendments placed emphasis on prisoners studying and the system of complaints. Prisoners who were believed to have a bad or harmful effect on other prisoners and/or prisoners who were encouraged to make petty complaints were segregated (Cook, 1974). From this period the rights of the prisoners were disregarded and complaints made by them were dealt with by awarding harsher punishments (Cook, 1974).

5.3.6 The Hoffman Report (The ICRC investigation)

While all this was going on in South Africa global interest grew on the political situation in South Africa and the detaining of political prisoners. With the growing interest a number of international agencies took it upon themselves to carry out external investigations. The main focus of the investigations was to examine any human rights atrocities and violations (Van Zyl Smit, 1992).

The Special Committee on Apartheid, Department of Political and Security Council Affairs, United Nations was formed in 1963. The committee investigated reports of ill-treatment and torture of political detainees in South Africa's prisons. The political detainees were specifically those opposed to apartheid (Ahmed, 1973). Following its inception the Special Committee on Apartheid actively sought to investigate allegations of torture and ill-treatment. The first report on 16th July 1963 expressed concern that political prisoners were being tortured to extract information and confessions. A subsequent report produced on 23 March 1964 devoted an entire section to the allegations of torture. In November 1964 the Special Committee called for an international enquiry into the allegations of torture and to further investigate the conditions in South Africa's prisons. On March 1967 the Commission of Human Rights, United Nations, adopted a resolution to establish an Ad Hoc working group to investigate charges of torture and ill-treatment of prisoners in South Africa's prisons. Despite the Ad Hoc group being denied access to carry out their investigation they did obtain further evidence into the allegations (Ahmed, 1973). The first report of the Ad

Hoc Committee stated that the types of torture carried out by the prison official was reported to be in the form of electric shocks, beating prisoners, brainwashing and making prisoners stand during and after interrogation (Ahmed,1973). Their findings suggested that the practices were in violation of the Prison Act 1959 and Article 5 of the Universal Declaration of Human Rights. Following these and other allegations of torture and ill-treatment of prisons the General Assembly repeatedly called on the South African Government to end the practices. Coinciding with these demands were the publications of several articles that suggested the conditions in South Africa's prisons were getting worse.

5.3.7 Red Cross Investigation

In order to quench propaganda and in an attempt to be transparent the South African Government invited delegates from the Red Cross to visit South Africa prisons during 1964. The Red Cross investigation into South African prisons was published in 1966 by the International Committee of the Red Cross (ICRC). The report presented the findings made by Mr. George Hoffman, Delegate General of the international Red Cross (International Defence and Aid Fund, 1967). Hoffman visited several prisons and places of detention for prisoners placed under the 90-day law in South Africa from 1st – 20th May 1964. During this time it was reported that Hoffman interviewed 39 prisoners; however it was later reported than none of them were detainees (Ahmed, 1973). Despite several inconsistencies and a number of reports to suggest the visit had been set up Hoffman noted incidents of beatings and torture on prisoners (International Defence and Aid Fund, 1967 and Ahmed, 1973).

Two and half years passed until the report was published in November 1966 (International Defence and Aid Fund, 1967 and Ahmed, 1973). When the report was published in 1966 it was issued with a long series of comments by the South African authorities. Comments made by the Red Cross advisors were either denied or rectified. Overall, with the inserted comments the report gave the impression that prisons in South Africa were comparable to those overseas (International Defence and Aid Fund, 1967).

Significant for this study is to note the prison conditions that Hoffman recorded. The report indicated that nearly all of the prisons were overcrowded with a number of the cells being

communal. In most of the prisons, prisoners were made to sleep on the floor on a mat with at most three blankets. The report went on further to describe the prison conditions with regard to food, clothing, hygiene, medical attention, religious service, recreation and study; visits, work and treatment. With regard to the prisoners treatment the report indicated that there were several incidents of assault by guards on prisoners. It was not uncommon for prisoners to be beaten by guards although recordings of prisoner on prisoner assaults or inmate on staff assaults were not recorded in any of the prisons (International Defence and Aid Fund, 1967). Following the ICRC investigation the South Africa Government declared a sub-category of prisoners referred to as *security prisoners* who were deemed prisoners convicted of crimes against the security of the State (Van Zyl Smit, 1992).

According to Van Zyl Smit (1992) the high number of political detainees in South Africa's prisons meant that there were a high proportion of prison inmates who had the skills and backup to file cases against the prison authorities. These cases brought more focus on the prisons. Despite the cases bringing more focus on the prison regime at the time the end result of most of the cases was to award prison authorities even more power over the prisoners.
It was only in 1980 that there was a reemergence of publications into prison conditions. According to Van Zyl Smit (1992) several high profile cases of prison abuse led to the conclusion that abuse in prisons was continuing and was going to continue due to section 44 (1) (f) of the Prison Act 1959. The Minister of Justice announced that an agreement had been formed with the Newspaper Press Union. The agreement guaranteed that any publication regarding prisons would not result in prosecution as long as any comments from the Prison Service were awarded equal recognition (Van Zyl Smit, 1992).

It is significant to note that it was from the 1980's that the issue of overcrowding in the prisons began to be addressed. According to the Department of Correctional Services, (2005a:46) a judicial inquiry into the structure and functioning of the courts during 1984 reported that there was severe overcrowding in prisons as a result of *influx control measures*. Previously adopted prison outstations and prisoner labour for agriculture began to be phased out.

5.3.8 State of Emergency 1985

While attempts were made to address the problem of prison conditions and in particular the issue of overcrowding all attempts were surpassed by the State of emergency declared on 21st July 1985 (Department of Correctional Services, 2005a). The state of emergency lasted until 1990 and resulted in the mass incarceration of political prisoners, adding to the already overcrowded prisons. According to Van Zyl Smit (2001) the official number of sentenced offenders in South Africa's prisons on 30th June 1988 stood at 90, 485. While this number is relatively high (306 per 100, 000 per population) the figure did not include prisoners from the homelands for which Van Zyl Smit (2001:589) argues may include *several thousand* more offenders. In addition, during 1988 prison legislation was reviewed and all references to race and racial segregation began to be abolished within the prison system (Department of Correctional Services, 2005a).

5.3.9 Incarceration during 1990's

The philosophy of incarceration during the 1990's reflected the political transformation in South Africa during that time.

According to Van Zyl Smit (1992, 2001) the main areas of change to the philosophy of incarceration from 1990 reflected three distinct milestones. Firstly, changes in prison philosophy coincided with the political transformations adopted during 1990. Secondly, changes to the philosophy of incarceration reflected the application of the interim Constitution in 1993 and subsequently the application of the final Constitution in 1996. Thirdly, the changes in the philosophy of confinement reflected the application of the Correctional services Act 111 of 1998 which came into full power in October 2004 (Muntingh, 2006).

According to Van Zyl Smit (1992, 2001) the first of the changes to incarceration were initiated through a speech made to Parliament by F.W de Klerk on the 2nd February 1990. De Klerk's speech addressed a number of issues that would significantly impact on the focus and organization of the prison service. The most significant of these were as follows:

- That a number of political organizations would be permitted and as such there would be a gradual release of political prisoners.
- The previously declared state of emergency was lifted and as a result previously detained political detainees were to be released.
- Amendments were made to the Prison Act of 1959 in 1990 and these amendments resulted in apartheid being abolished in the prison system. Prisoners, regardless of their ethnicity, were to be housed together. More significantly, the Commissioner was given carte blanch regarding the housing of inmates. A result of this also affected the controlling of inmates; same race guards would not necessarily control same race inmates.
- An amendment to the Criminal Procedure Act 1990 reduced the use of the death penalty and moratorium on implementation of executions.
- During the latter part of 1990 the Prison Service was separated from the Department of Justice. The previously named Prison Service disbanded and reemerged as the Department of Correctional Services. The Department of Correctional Services would be responsible for all prisons and supervise all offenders whether incarcerated or under supervision in the community (Department of Correctional Services, 2005a).
- Prisons were to be run on business principles and prison labour was to be restricted.
- The system of non-custodial *correctional supervision* was introduced. This system provided an alternative form of control other than incarceration (Department of Correctional Services, 2005a).
- Prison authorities were granted greater control over the prison population. The new legislation gave power to the Commissioner of Correctional Services to approach the courts for a custodial sentence to be altered to a community supervision sentence.
- A system of credits was introduced into the prisons. Prisoners could earn points or credits for good behaviour (Department of Correctional Services, 2005a).
- Prison officials were officially barred from becoming union members without the permission of the Commissioner. Striking by prison officials became an offense.

While these measures were initiated during the early part of the 1990's the primary change for the laws and philosophy relating to imprisonment came about through the application of

the Constitution of South Africa adopted in 1996. At the core of the Constitution was the Bill of Rights and these rights extended to those at liberty and those incarcerated. Act 108 of 1996 section 35 (2) (e) states:

Everyone who is detained, including every sentenced prisoner, has the right to conditions of detention that are consistent with human dignity, including at least exercise and the provision, at state expense, of adequate accommodation, nutrition, reading material and medical treatment.

Act 108 of 1996 section 12 (d) and (e) specifically state with reference to the security of the person:

Everyone has the right to freedom and security of the person, which includes
(d) the right to be free from all forms of violence from either public or private sources.
(e) Not to be treated or punished in a cruel, inhuman or degrading way.

Act 108 of 1996 section 24 (a) further states:

Everyone has the right-
(a) to an environment that is not harmful to their health or well-being.

With Human Rights at the fore of the Constitution (1996) the Department of Correctional Services adopted a strategic vision that could ensure the rights of the prisoners were at the Head of Correctional philosophy. On 21st October 1994 a White Paper on the policy of the Department of Correctional Services was presented. The paper acknowledged that all the legislative framework of the Department of Correctional Services should fall in line with the forthcoming Constitution; namely that the principles of freedom, dignity and equality should be applied to the correctional philosophy (Department of Correctional Services, 2005a).

The third area which has significantly impacted on the philosophy of incarceration was through the application of the Correctional Services Act 111 of 1998. According to Van Zyl

Smit (2001:595) the Correctional Services Act 111 of 1998 was a *complete departure* from the previous Prisons Act 1959. At the core of the Act of 1998 are the rights of the prisoner specifically where the rights address the issues of human dignity. Significantly, Chapter III of the 1998 Act refers to *the Custody of all prisoners under conditions of Human Dignity* within this Chapter Part A (general requirements) section 7 refers to Accommodation. According to Section 7 (1):

(1) Prisoners must be held in cells which meet the requirements prescribed by regulation in respect of floor space, cubic capacity, lighting, ventilation, sanitary installations and general health conditions. These requirements must be adequate for detention under conditions of human dignity.

According to the Department of Correctional Services (2005a:52) the most important areas in the Correctional Services Act 111 of 1998 are:

- *The entrenchment of the fundamental right of offenders;*
- *Special emphasis on the rights of women and children;*
- *A new disciplinary system for offenders;*
- *Various safeguards regarding the use of segregation and of force;*
- *A framework for treatment, development and support services;*
- *A refined community-involved release policy;*
- *Extensive external monitoring mechanisms; and*
- *Provision for public and private sector partnerships in terms of the building and operating of correctional centres.*

While the new Constitution brought about the promotion of detaining offenders in a safe environment ensuring human dignity the Department of Correctional Services focused on the concept of safe custody during the immediate post-1994 transformation (Department of Correctional Services, 2005a). In 1996 the Cabinet of the newly formed democratic Government approved the forming of the National Crime Prevention Strategy (NCPS). The NCPS adopted an Integrated Justice System, which, through Pillar 1 of the NCPS sought to

make the Criminal Justice system more effective. At the forefront of the Pillar 1 was to ensure that Criminal Justice provided a deterrent and reduced recidivism. The main focus of this ethos was to ensure that prisons rehabilitated offenders (Department of Correctional Services, 2005a).

While the Correctional Services Act 111 of 1998 specifically refers to upholding Human dignity for those incarcerated an ongoing debate questions whether the current conditions of the facilities can promote an environment within which those incarcerated can maintain human dignity. Underlying this debate is the reality of the physical conditions of the correctional centres and the overcrowding of the correctional centres. These two factors have brought about the fundamental question of whether the current physical conditions of the centres and the problem of overcrowding can ensure that safety, human dignity and rehabilitation can be, if not enhanced, at the very least maintained.

5.4 CORRECTIONAL CENTRES IN SOUTH AFRICA (2000 – 2012)

During the period 2000-2003 the focus of the Department of Correctional Services was on how to apply measures that would successfully deliver the core requirements of the Department of Correctional Services, namely, enhancing rehabilitation and reducing recidivism. The Department of Correctional Services applied itself to concentrate on a number of key strategies to develop these core areas. These were as follows:

- Developing an individualized approach to rehabilitation
- To increase the number of offenders participating in rehabilitation programs through effective internal marketing
- To establish partnerships within the community to strengthen the rehabilitation programs
- Applying a restorative approach for the community, offender and victim.
- Addressing the problem of illiteracy among offenders
- Increasing training skills among offenders.

5.4.1 Unit Management and New Generation prisons in South Africa

In October 2002 the Mvelaphanda Strategic Plan for 2002-2005 was adopted. At the core of the plan was that the Department of Correctional Services must place rehabilitation at the foundation of all its activities. In order to achieve this unit management was highlighted as the *missing ingredient* for successful rehabilitation. It was decided that unit management must be applied to 80% of all prisons by 31 March 2005 (Department of Correctional Services, 2005a). The plan suggested that the application of the unit management theory would be a success as it separates centres into more manageable units; encourages positive interaction between officials and offenders; encourages more effective supervision; promotes rehabilitation programs; enhances teamwork and puts in place mechanisms that combat the spread and participation of gang activities. While positive in theory the Department of Correctional Services acknowledges that the application of unit management is going to be difficult to implement. Recognized as the two primary problems in the application of unit management are firstly that of the physical conditions of existing centres and secondly the issue of overcrowding (Department of Correctional Services, 2005a).

By 2003 the Department of Correctional Services acknowledged that correction was a holistic concept and in order for it to be effective a number of key services should be provided for offenders. Interventions were considered vital in terms of changing behaviour, social circumstance and attitudes so that offenders could be effectively rehabilitated. According to the Department of Correctional Services (2005a:57) during the course of these changes in the corrections culture the Department of Correctional Services faced a number of challenges which were identified as follows:

- *Overcrowding and the state of Department of Correctional Services facilities*
- *Institutional "Prison Culture" and corruption;*
- *Training for the new paradigm; and*
- *Structuring for the new paradigm.*

Of all the challenges faced by the Department of Correctional Services dealing with the problem of overcrowding in correctional centres was considered primary. Overcrowding in

correctional centres was considered problematic as the Department of Correctional Services saw the issue of overcrowding as the primary obstacle in the Department of Correctional Services being able to deliver the new objectives (Department of Correctional Services, 2005a). The new objectives and responsibility of the Department of Correctional Services being to *"first and foremost to correct offending behaviour, in a secure, safe and humane environment, in order to facilitate the achievement of rehabilitation, and avoidance of recidivism"* (Department of Correctional Services, 2005a:71). With this objective in mind the Mission Statement of the Department of Correctional Services developed in 2002 is primarily to address rehabilitation. According to the Department of Correctional Services one key area for rehabilitation to take place is to provide correctional facilities *"that will promote security, correction, care and development services within an enabling human rights environment"* (Department of Correctional Services, 2005a:73). In order for this to take place the Department of Correctional Services indicates that the prison environment should be a *"controlled environment for intense and needs-based rehabilitation, correction and development"* (Department of Correctional Services, 2005a:74).

Admittedly faced with the problems of overcrowding, prison gangs, lack of funding and a problematic offender population the Department of Correctional Services has adopted the concept of unit management as a method of meeting their objectives (noted above). The Department of Correctional Services have sought to apply the principles of unit management in order to comply with the Standard minimum rules for the treatment of prisoners. The Standard minimum rules for the treatment of prisoners' are contained in Part 16 section IV of the United Nations International Bill of Human Rights (2005) which presents the Selected United Nations Human Rights Instruments Relating to the Administration of Justice. Part 16 of section IV deals specifically with the Standard Minimum Rules for the Treatment of Prisoners (As first adopted by the First United Nations Congress on the Prevention of Crime and the Treatment of offenders, held at Geneva in 1955, and approved by the Economic and Social Council by its resolutions 663 C (XXIV) of 31 July 1957 and 2076 (LXII) of 13 May 1977) (United Nations, 2005).

The concept of unit management is *"regarded as one of the key service delivery vehicles to transform the delivery of correctional services in South Africa"* (Department of Correctional Services, 2005a:84). With this in mind the Department of Correctional Services has outlined the objectives of unit management in South Africa's prisons as the following:

- To divide large numbers of offenders into smaller manageable groups. This is carried out by separating the offenders into groups housed in units
- Harboring and encouraging the relationship of officials and offenders through increased contact and improved relations
- Improving the observation levels of offenders by officials
- Encouraging offender accountability
- Supporting more of a team approach
- Including all aspects of the offender's life in the rehabilitation process
- Depending on offenders needs or abilities, promoting programmes and strategies
- Placing a great deal more emphasis on institutional adjustment and various coping mechanisms

As noted by the Department of Correctional Services (n.d.b) the philosophy of unit management as adopted by the Department of Correctional Services promotes the concept that offenders must be handled as individuals and the individuals must be offered the opportunity to develop and change. At the core of unit management offender development and change rests at the door of the correctional centre and through the staff working in the centre. The overriding concept of unit management as adopted by the Department of Correctional Services is to break down a centre into defined units. The units contain a prescribed number of offenders (ideally +/- 250-300 offenders per unit) and each unit is under the control of a Unit Manager; ideally 30 offenders would be allocated to one case officer. Each unit comprises of offenders, correctional officers', social workers, psychologists and educators.

In order to apply the concept of unit management the Department of Correctional Services acknowledges that architectural layout must support this philosophy. The Department of

Correctional Services acknowledges that prison architecture and layout should be such that it meets the needs of the offender. While the Department of Correctional Services supports the theory that architecture alone will not reform an offender; architecture, it is believed, will shape an environment so that attempts by offenders to control the environment will be identified and prevented.

The Department of Correctional Services has encouraged the application of unit management and the New Generation prison concept primarily through the planning and construction of New Generation prisons. According to the Department of Correctional Service (2007b) in the first group or first phase of New Generation prisons one of four New Generation correctional centres is being constructed and in the second group of four New Generation correctional centres all feasibility studies were completed, submitted and are awaiting budgetary approval. While efforts are being made to alleviate the problem of overcrowding in South Africa's correctional centres, the existing correctional centres continue to house large numbers of male, female, juvenile and child offenders. Figure 5.1 presents the total inmate populations for the years 1995 to 2011 inclusive. In March 2011 there were a total of 241 correctional centres in eight regions in South Africa housing a population of 160 545 offenders. Table 5.3 presents the number of correctional centres, the percentage of offenders per regions and the percentage of occupancy (overcrowding) as at 31 March 2011.

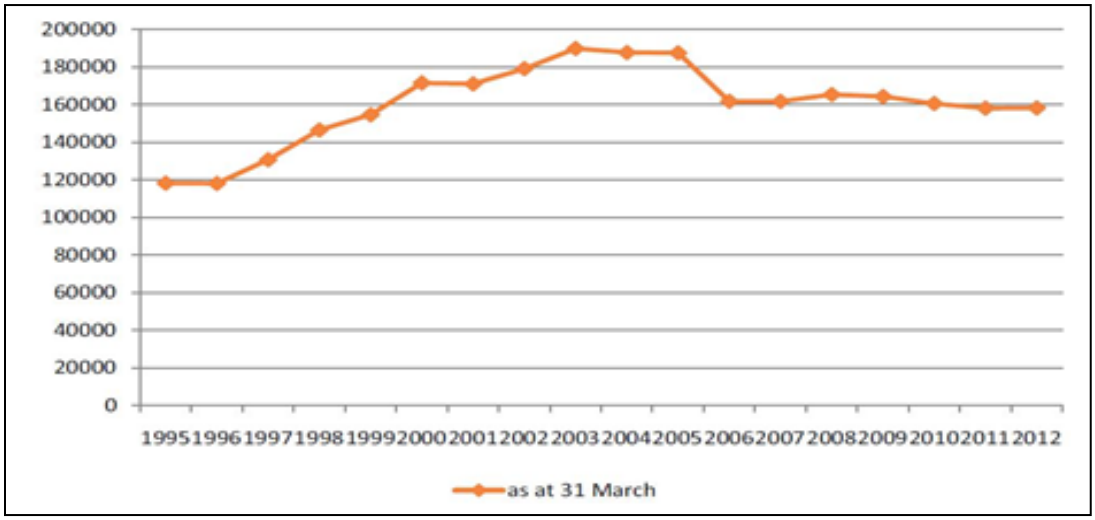


Figure 5.1: Total inmate population in South Africa between 1995 and 2011 (Source: JICS (2012: 25))

Table 5.3: The number of correctional centres and percentage of offenders per region at 31 March 2011

Region	Number of correctional centres	Percentage of offenders (N= 160 545)	Percentage of occupancy/overcrowding
Eastern Cape	45	12	146.35
Gauteng Region	26	27	172 65
Kwazulu/Natal Region	42	17	126 48
Northern Cape and Free State Region	48	14	113 97
Western Cape Region	42	17	142 95
Mpumalanga Region	16	13	114 16
North-West Region	14		
Limpopo Region	8		

(Source: JICS (2011))

5.4.2 Prison Overcrowding

The problem of prison overcrowding was first brought to the fore during the 1980's. According to the Department of Correctional Services (2005a:46) a judicial inquiry into the structure and functioning of the courts during 1984 reported that there was severe overcrowding in prisons as a result of *influx control measures*. Since the 1980's the levels of overcrowding have fluctuated for a number of reasons. Through the Prisons Act of 1959 the State has a number of powers which it can exercise for the early release of prisoners. For example, a number of general amnesties have been granted to prisoners. In the early 1990's

the introduction of non-custodial correctional supervision was introduced in part, to reduce overcrowding (Department of Correctional Services, 2005a). As a result in 1991, 57 000 sentenced prisoners were released early from prison in an attempt to reduce overcrowding. In January 1995 the prison population in South Africa stood at 116 846 (121% capacity) while the approved prison capacity was 96 361. According to Steinberg (2005) the cause of the swelling prison population was, in part, due to the large numbers of un-sentenced prisoners. The numbers of un-sentenced prisoners was 22 282 at 31 January 1995. In order to address this, the Constitution of South Africa 1996 made provision for the President to pardon offenders at his discretion (Van Zyl Smit, 1992 and 2001).

In order to continue to improve the prison conditions and alleviate the levels of overcrowding two additional release policies were implemented (Steinberg, 2005 citing Van Zyl Smit, 2004). The first policy was introduced in 2000 based on section 66 (1) of the Correctional Services Act No. 8 of 1959 which states that:

> *"....the State President may at any time authorize the placement of parole or unconditional release of any prisoner and may remit any part of a prisoner's sentence".*

Section 67 of the Correctional Services Act No. 8 of 1959 further states that:

> *"If the Minister is satisfied that the prison population in general or the population of a particular prison is reaching such proportions that the safety, human dignity and physical care of the prisoners are being materially affected detrimentally, he may on the recommendation of the National Advisory Council advance the date of the placement of any prisoner or a group of prisoners on parole, subject to any condition which he may determine".*

Applying the rules noted in sections 66 and 67 of the Prison Act No. 8 of 1959 the Minister of Correctional Services and the President of South Africa allowed for the release of 8 451 un-sentenced prisoners unable to pay the granted bail of up to R 1000 in 2000 (Steinberg,

2005 citing Van Zyl Smit, 2004). In 2001 a new provision was added to the Criminal Procedure Act. The new provision allowed the head of a prison to apply for a review of bail conditions of certain un-sentenced prisoners (Steinberg, 2005 citing Van Zyl Smit, 2004).

These two policies allowed for a drastic reduction of overcrowding levels in the prisons. Where the number of remand detainees in South Africa at 31 January 2001 was 61 563 by 31 January 2004 the number of remand detainees reduced to 48 306 (Steinberg, 2005). Statistics presented by the Department of Correctional Services (2007a) show that this figure has remained almost constant. As of 31 March 2012 the number of remand detainees was 46 351 (JICS, 2012).

While these two policies encouraged the un-sentenced inmate numbers to decline the sentenced inmate numbers began to increase (Steinberg, 2005). According to Steinberg (2005) the number of sentenced inmates rose from 88 301 on 31 July 1998 to 136 500 at 31 July 2004. In order to address the overcrowding issue with regard to sentenced offenders in 2005 the Department of Correctional Services embarked on and introduced a Special Remission of sentencing (early release) programme. The programme provided remission, or the early release of offenders who met the *set risk profile criteria*. Implementation of the programme in 2005 reduced the sentenced inmate population by 33 000 (Department of Correctional Services, 2006). This programme has had a huge impact on the inmate population. The number of sentenced offenders at 31 March 2007 stood at 113 313 (Department of Correctional Services, 2007a). Fewer sentenced offenders are serving sentences in correctional centres at 31 March 2007 (113 313) than at 31 July 1998 (136 500). In addition to this programme further efforts were made to reduce overcrowding of the remand detainees. Through the implementation of certain release programmes during July 2005 the number of remand detainees decreased from 51 538 at 31 March 2005 to 46 327 at 31 December 2005. Continuing with the drive to reduce overcrowding at 31st March 2011 the Department of Correctional Services reported that during the year 2010 – 2011 overcrowding levels were reduced by 5.75% from 40.62% in the 2009/2010 financial year to 34.87% in the 2010/2011 financial year. This came about through " *implementing a multi-pronged overcrowding strategy, working in collaboration with criminal justice partners to*

improve diversion options and providing additional bed spaces" (Department of Correctional Services, 2011). Continuing with the strategy, at 31st March 2012 the Department of Correctional Services (2012) reported that overcrowding stood at 35.95%. Figure 5.2 presents the occupancy rates in prisons per region for the years 2010 and 2011.

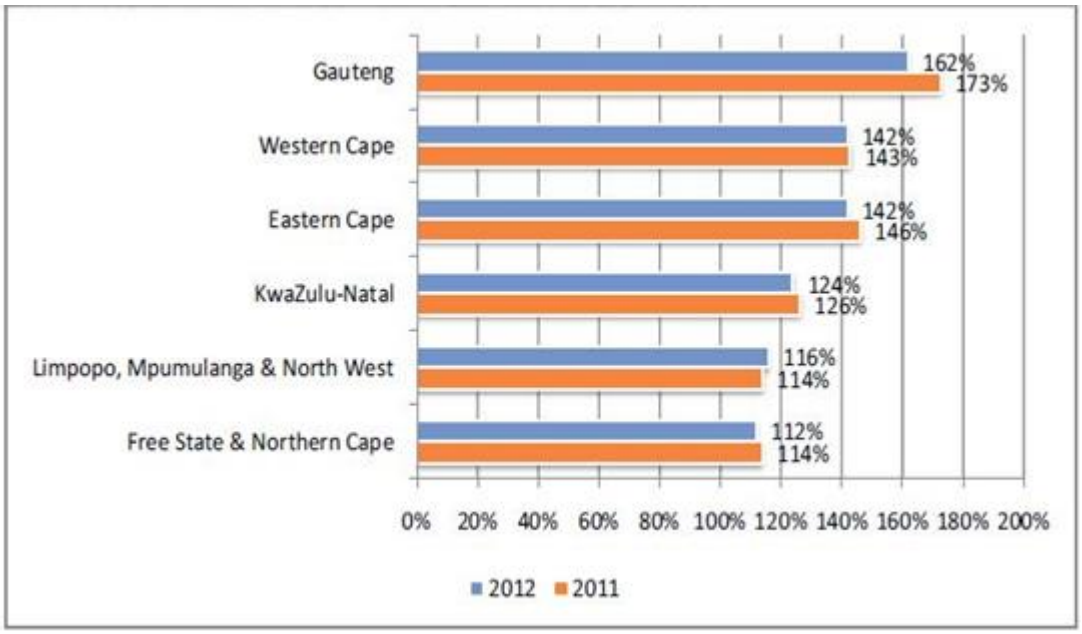


Figure 5.2: Occupancy rates in prisons per region for the years 2010 and 2011 (Source: JICS (2012:29))

Although evidence on the effects of crowding on behaviour remains debatable (Farrington and Nuttall, 1985) prison authorities in South Africa continue to attribute overcrowding as a hindrance to prison control and function. The JIP (2006) reported that overcrowding is a form of injustice and brings with it *concomitant evils*, in 2012 the JICS noted that overcrowding brings about "*unintended consequences*" and a range of logistical challenges (JICS, 2012:30 - 31). With this in mind Correctional authorities in South Africa continually attempt to ensure that prison overcrowding levels are monitored and addressed. More recently, the Department has striven to set targets to reduce overcrowding and in 2011 and 2012 these target were virtually met. For example, in 2010/2011 the target was set to reduce overcrowding to 38% the actual achieved was 34.87%; during 2011/2012 the target was to reduce overcrowding to 36% the actual performance resulted in 35.95% overcrowding

(Department of Correctional Services, 2011 and 2012a). Table 5.4 presents the overcrowding levels in 18 correction centres in South Africa that are considered to be critically overcrowded by the JICS (2011).

Table 5.4: Eighteen correctional centres considered critically overcrowded

Correctional Centre	Capacity	Remand	Sentenced	In Custody Total	Current % Occupation	31.03.10 % Occupation
OBIQUA	239	0	479.00	479	200.42%	193.72%
POLLSMOOR MED. B NT	534	0	1086.00	1086	203.37%	192.51%
HEIDELBERG	443	248.00	653.00	901	203.39%	192.10%
POLLSMOOR FEMALE	245	282.00	219.00	501	204.49%	184.49%
BOKSBURG	2012	2188.00	1973.00	4161	206.81%	217.30%
CALEDON	215	354.00	94.00	448	208.37%	178.60%
MAKHADO	324	101.00	579.00	680	209.88%	193.83%
GROOTVLEI MAX.	890	1260.00	609.00	1869	210.00%	200.79%
PARYS	84	101.00	81.00	182	216.67%	134.52%
DURBAN MED. B	1853	0	4044.00	4044	218.24%	211.87%
MDANTSANE	582	1.00	1314.00	1315	225.95%	214.43%
POLLSMOOR MAX.	1872	4162.00	104.00	4266	227.88%	220.30%
ALLANDALE	342	518.00	276.00	794	232.16%	203.80%
MIDDELDRIFT	386	0	903.00	903	233.94%	182.97%
JOHANNESBURG MED. A	2630	6118.00	150.00	6268	238.33%	246.39%
MOUNT FRERE	42	0	103.00	103	245.24%	228.57%
JOHANNESBURG MED. B	1300	0	3245.00	3245	249.62%	242.15%
KING WILLIAMS TOWN	301	745.00	20.00	765	254.15%	247.51%

(Source: JICS (2011:13))

Several causes have been attributed to the problem of overcrowding in South Africa's prisons. Firstly, the blame for overcrowding rests with the Correctional Services Act 111of 1998 which restricts the timeous release of prisoners (JIP, 2006). Furthermore, the problems associated with application of the legislations and their impact on overcrowding are as follows:

- There is no reduction on sentence served while awaiting trial once the accused is sentenced. Up until the introduction of the minimum sentence legislation time served was deducted from the awarded sentence.

- For minimum sentences suspension of sentence is prohibited.

- Persons convicted in regional courts might have their cases referred to higher court for the imposition of a sentence. This can take over a year; the accused is held in prison for the duration of this period. Moreover, the time spent waiting is not considered in the eventual sentencing and as such the eventual sentence is over and above this time served.

According to the JIP (2006) the second primary cause for the problem of overcrowding lies with the minimum sentence legislation enacted on the 1st May 1998. This legislation enforces minimum sentences for a number of crimes most notably life sentences for crimes such as specific instances of murder and specific forms of rape, such as gang rape and the rape of a minor (Steinberg, 2005). Longer sentences were also awarded to a host of other crimes such as car-jacking and specific drug offences. The JIP (2006) acknowledges that the minimum sentencing legislation has significantly contributed to the issue of overcrowding in prisons.

According to the JIP (2006) Legislation contained in the Criminal Law Amendment Act 105 of 1997 which came into effect in 2004 stipulates the maximum sentence for the more serious crimes (murder, rape etc.) is life imprisonment. According to Muntingh (2006) receiving a life sentence essentially means the sentenced person may be incarcerated in prison for the remainder of their life. Prisoners sentenced to life imprisonment are not given a reduction in their sentence for the time spent in prison awaiting trial nor are they eligible for release (parole) until 25 years of the sentence has been served, if sentenced after October 2004, or after 20 years if sentenced before October 2004 (Correctional Services Act 111 of 1998; JIP, 2006 and Muntingh, 2006). .

Section 73 (1) (a) and (b) and Section 73 (6) (b) (iv) of the Correctional Services Act 111 of 1998, which came into force on the 1st October 2004 states that:

(1) (a) a sentenced prisoner remains in prison for the full period of sentence;
(b) a prisoner sentenced to life imprisonment remains in prison for the rest of his or her life.

(6)(b) a person who has been sentenced to –

(iv) life imprisonment, may not be placed on parole until he or she has served at least 25 years of the sentence but a prisoner on reaching the age of 65 years may be placed on parole if he or she has served at least 15 years of such sentence

In addition to the enforcement of longer sentences for life sentences the Act of 1998 also addressed the issue of minimum sentences and as a result minimum sentences were made longer.

Section 73 (6) (b) (v) of the 1998 Act states that a person serving a sentence through imprisonment *"may not be placed on parole until he or she has served at least four fifths of the term of imprisonment imposed or 25 years, whichever is the shorter, but the court, when imposing imprisonment, may order that the prisoner be considered for placement on parole after he or she has served two thirds of such term".*

Overall, application of the Act of 1998 has resulted in an increase in the number of prisoners serving long sentences (JIP, 2006). Of all offenders incarcerated during 2010/2011, over one-half were incarcerated for long sentences for violent crimes. Of the total 112 683 inmates serving sentences in South Africa's correctional centres as of 31st March 2011, 86 388 were incarcerated for violent or aggressive offences (JICS, 2011). Significantly 34% of the total inmate population is below 25 years of age. Noted by the JICS (2011) at 31st March 2011the number of prisoners serving long term (life) sentences stood at 52 050. Reported by the JICS (2010) the number of offenders serving life imprisonment increase by 572% during 2000/2010 increasing from 1 436 to 9 651 (JICS, 2011) and the number of sentenced offenders serving sentences in excess of ten years increased from 23 702 in 2000 to 53 944 in 200 (JICS, 2011:14). While the JICS (2011) notes the increase in number of prisoners they also note the possible effect of long sentences on offenders and notes that it is undertaking extensive research to examine the effects of long sentences on cost, overcrowding and prison gangs (JICS, 2011:14-15). However, while the issues of overcrowding and long sentences are continually noted by the JICS in 2008 the Inspectorate noted the significance this growth

has on the need for more prisons and the nature of those prisons. As noted by the JIP Annual Report for the period 1 April 2007 to 31 March 2008:24:

"It is not only about the need for more prisons but also the nature of the building itself (maximum vs. medium security) its location and its size".

This supports the JIP (2006) which indicated that the additional problem of long term offenders is their housing allocation and this is dependent on their security classification. The security classification system evaluates the security risk of all sentenced offenders. As noted by the JICS (2012) at 31st March 2012 25% of the total 111 814 sentenced offenders 25% were classified as maximum and 16% of the sentenced offenders were incarcerated for crimes of a sexual nature. Figure 5.3 presents the crime categories of offenders incarcerated in 2002, 2006 and 2011.

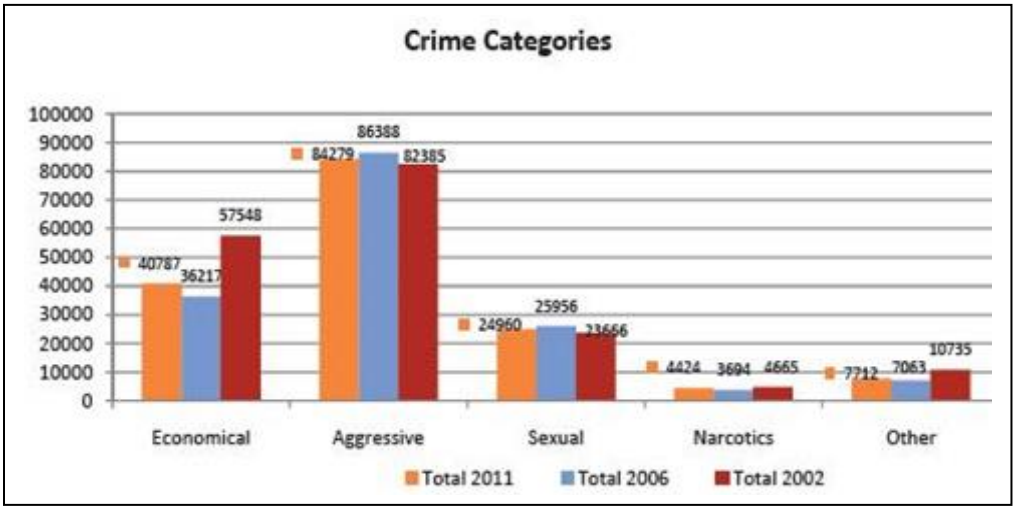


Figure 5.3: Crime categories of offenders incarcerated in 2002, 2006 and 2011 (Source: JICS (2011:12))

5.4.3 Offender Classification and overcrowding

Section 29 of the Correctional Services Act No. 111 of 1998 states:

"Security classification is determined by the extent to which the prisoner presents a security risk and so as to determine the prison or part of a prison in which he or she is to be detained".

The evaluation of offender risk is undertaken through the Admission Risk Classification Tool (G303 (B)) and is based on the type of offence, the length of sentence; the number of previous convictions and risk of escape. The classification system works on a grading method; points are awarded based on specific criteria and the overall grade sorts the offender to a security classification. For example, those offenders convicted of murder will be allocated a grading of +14 points while an offender convicted of theft will be awarded a grading of 2 points (JIP, 2006). In addition, points are awarded depending on the length of sentence. An offender with +11 years to serve will be awarded a grading of 45 points. The more points an offender is awarded the higher the security classification given. Therefore, a prisoner with a high point rating will be given a higher security designation. One result of applying the point system is that more offenders are being classified as maximum security offenders (JIP, 2006).

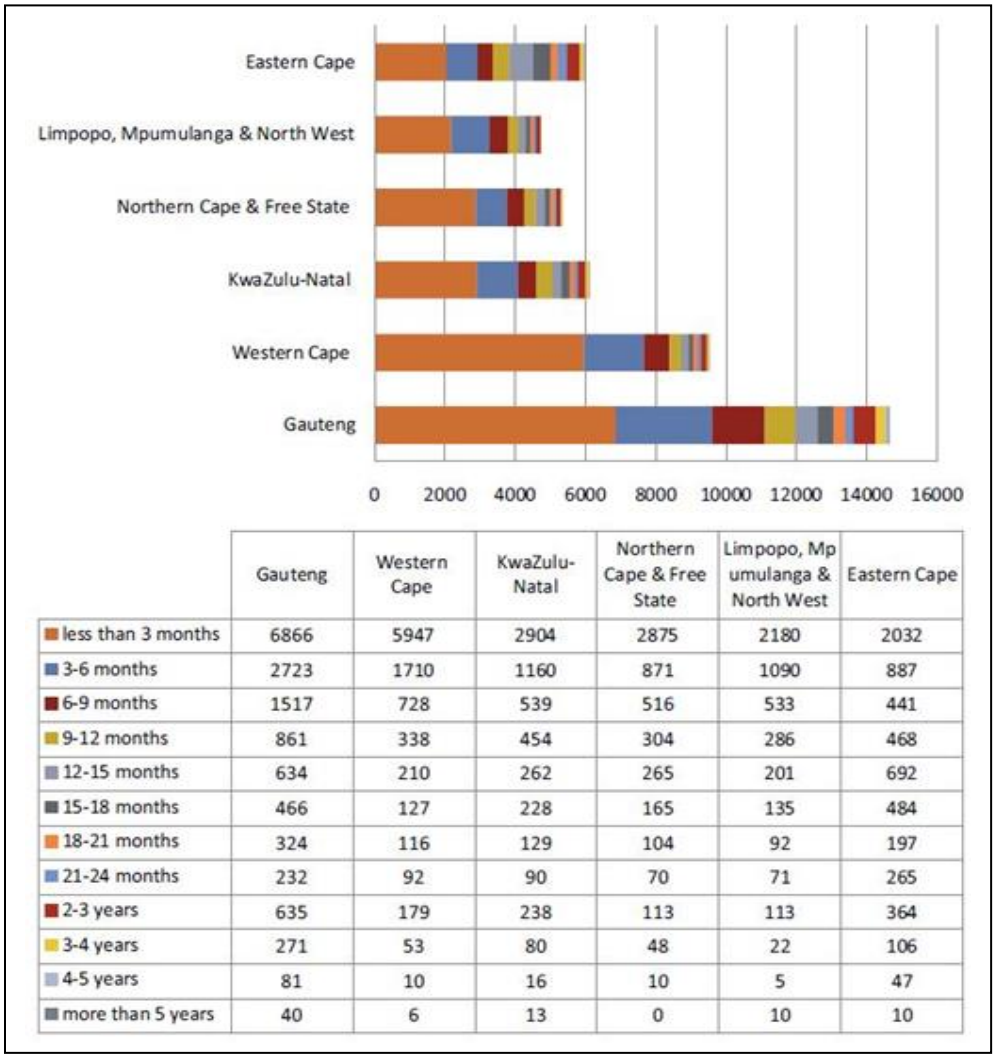
In addition to delays in release and minimum sentencing of sentenced offenders the problem of overcrowding is exacerbated by the numbers of remand detainees. The estimated number of awaiting-trial detainees at 31st March 2011 totaled 47 880 or 29.82% of the total inmate population (JICS, 2011). According to the JICS (2011) 47.63% of all remand detainees are incarcerated for more than three months while awaiting trial and at 31st March 2011 23 032 were detained for a period exceeding three months. At 31 March 2012 2470 remand detainees had been detained for more than two years (JICS, 2012). According to the JICS (2011) the high levels of remand detainees exacerbates the levels of overcrowding in correctional centres. As shown in Table 5.4 in some instances the number of remand detainees outnumber sentenced offenders and this contributes to the challenges by the

Department of Correctional Services to reach percentage targets to reduce overcrowding and meet the targeted percentage occupation.

At 31st March 2007 the total approved capacity of all 237 correctional centres in South Africa was 114 549. With a total of 161 639 persons in custody the occupancy stood at 141.11%. According to JIP (2008a) in January 2008 there was an approved capacity of 114 559 in the 237 operational prisons in South Africa. By 31 January 2008 there were 165 987 prisoners incarcerated and as such the prisons were 45% overcrowded (51 428 prisoners over the approved capacity). At 31st March 2010 there were 239 correctional facilities with an approved capacity of 118 158 accommodating 163 312 sentenced and remand detainees (114 282 sentenced offenders and 49 030 remand detainees) (JICS, 2010).

The number of remand detainees in any correctional facility is significant as remand detainees pose the greatest threat to the Corrections system. Remand detainees are reported to be the group with the highest risk for attempted escape and are the group that are most problematic in terms of control. Moreover, the most significant challenge to face the Department of Correctional Services with regard to remand detainees is what to do with them once they are incarcerated awaiting trial. By virtue of their transient nature and the fact that they are not sentenced remand detainees cannot be enrolled on any courses, they cannot be put to work and they cannot be placed on any rehabilitation programs. Coinciding with this issue is the problem the correctional centres face in terms of the length of time a remand detainee can be incarcerated awaiting trial.

In order to address these problems and the problem of overcrowding caused in part by remand detainees the Correctional Matters Amendment Act 5 of 2011 (49G. (1) addressed the concerns regarding detention periods for remand detainees. The Act states that the detention period for a remand detainee must not exceed two years without the matter being brought to a court. Moreover, all head of prisons must report to the Director of Public Prosecutions at six-monthly intervals those remand detainees who are detained for successive six month periods. Figure 5.4 presents the status of remand detainees detention period per region at 31st March 2012.



	Gauteng	Western Cape	KwaZulu-Natal	Northern Cape & Free State	Limpopo, Mpumulanga & North West	Eastern Cape
less than 3 months	6866	5947	2904	2875	2180	2032
3-6 months	2723	1710	1160	871	1090	887
6-9 months	1517	728	539	516	533	441
9-12 months	861	338	454	304	286	468
12-15 months	634	210	262	265	201	692
15-18 months	466	127	228	165	135	484
18-21 months	324	116	129	104	92	197
21-24 months	232	92	90	70	71	265
2-3 years	635	179	238	113	113	364
3-4 years	271	53	80	48	22	106
4-5 years	81	10	16	10	5	47
more than 5 years	40	6	13	0	10	10

Figure 5.4: Remand detainees detention periods per region at 31st March 2012 (Source: JICS (2012:28))

Despite the overcrowding levels presented in Figure 5.2 the efforts to reduce overcrowding have reportedly proved effective. According to the Department of Correctional Services (2006) annual report for the 2005/06 financial year, at the end of the financial year 2005/06 (31st March 2006) the total offender population in South Africa's correctional centres was 150 302 as opposed to 187 394 at 31st March 2005. However, as effective as the Special Remissions programmes have been in the effort to reduce overcrowding the approved offender capacity at 31st March 2006 was still 114 796 and as such South Africa's correctional centres were 76.3% overpopulated. Despite these figures the Department of Correctional Service (2006) maintains that during 2005/06 there was a 10% decrease in

prison assaults. As presented in Figure 4.2 reportedly, fewer than 1739 incidents of offender on offender assault, and offender on staff assaults took place. There was reportedly a 5% decrease in the number of unnatural deaths caused by violence and a 34% reduction in escapes from correctional centres compared to those recorded during the financial year 2004/05. These figures are significant when compared to the types of offences the inmates are incarcerated for.

As noted, the Department of Correctional Services acknowledges that overcrowding in South Africa's correctional centres is a problem and according to the Department of Correctional Services (n.d.a) strategic plan for 2006/2007 – 2010/2011 p9 the Department of Correctional Services realizes that the problem of overcrowding *continues to seriously hamper efforts at rehabilitation.* In 2011 the Department of Correctional Service went further and stated that overcrowding in South Africa's prisons pose challenges with regard to the safety, security and conditions of those incarcerated, affects the delivery of rehabilitation and developmental programs and affects the utilization of prison personnel and prison facilities (Department of Correctional Services, 2011: 108).

At the core of the overcrowding issue is the fundamental question of whether the accommodation present in the correctional centres in South Africa meets up with the core values and responsibilities of the Department of Correctional Services. As noted by the Department of Correctional Services (2005a) Corrections and Rehabilitation are linked and as such are primary goals in the new strategic plan of the Department of Correctional Services. In order for rehabilitation to be effective in correcting behaviour, notes the Department of Correctional Services (2005a:18), it must be carried out in a *"secure, safe and humane environment"*. Moreover, being a core objective, rehabilitation that is conducted in a safe and humane environment must be viewed on a needs-based approach. In order to implement rehabilitation on a needs-based approach the Department of Correctional Services identified six key service delivery areas. Notably, at the centre of the six areas (with the exception of aftercare) are the physical facilities (correctional centres) where the rehabilitation process takes place. The six areas are identified as: corrections; development; security; care; facilities; and after care. Given the overcrowding levels in the correctional

centres it is questionable how the core objective of rehabilitation grounded on needs-base for each offender can be met. This issue is highlighted when the Department of Correctional Services noted that accommodation must meet with this objective. The Department of Correctional Services (2005a) states that the physical accommodation must ensure security particularly in terms of individual security; meet with the physical and emotional well-being of the individual and provide adequate physical accommodation to ensure the needs of the individual inmate are provided for.

The issue of overcrowding raises concern of whether the Department of Correctional Services are providing accommodation for inmates that is in line with two core human rights principles. The core principles are note by the International Bill of Human Rights by the United Nations and secondly in the Constitution of the Republic of South Africa (1996).

The first Universal Declaration of Human Rights was initiated on 10 December 1948. It was adopted through its resolution 217 A (III), by the General Assembly of the United Nations. The Declaration subsequently served as a basis for the International Covenant on Economic, Social and Cultural Rights. The International Covenant on Civil and Political rights was adopted by the General Assembly in 1966. The Universal Declaration and the International Covenants form the International Bill of Human Rights and as such serve as the foundation of International Human Rights Law.

According to the United Nations International Bill of Human Rights (2005) Section 1 which encompasses the Universal Declaration of Human Rights, Article 5 states:

"No one shall be subjected to torture or to cruel, inhuman or degrading treatment or punishment"

The United Nations International Bill of Human Rights (2005) Section 1 (part 3) which includes the International Covenant on Civil and Political Rights (part III, Article 7) states:

No one shall be subjected to torture or to cruel, inhuman or degrading treatment or punishment.

The United Nations convention against torture and other cruel, inhuman or degrading treatment of punishment defines *torture* as any act in which pain or suffering (mental or physical) is inflicted on a person.

Furthermore, the International Covenant on Civil and Political Rights (part III, Article 10) states:

1. *All persons deprived of their liberty shall be treated with humanity and with respect for the inherent dignity of the human person.*
2. *(a) Accused persons shall, save in exceptional circumstances, be segregated from convicted persons and shall be subject to separate treatment appropriate to their status as unconvicted persons;*
3. *The penitentiary system shall comprise treatment of prisoners the essential aim of which shall be their reformation and social rehabilitation.*

Contained in section IV of the United Nations International Bill of Human Rights (2005) is *Selected United Nations Human Rights Instruments Relating to the Administration of Justice*. Part 16 of Section IV deals specifically with the Standard Minimum Rules for the Treatment of Prisoners (as first adopted by the First United Nations Congress on the Prevention of Crime and the Treatment of offenders, held at Geneva in 1955, and approved by the Economic and Social Council by its resolutions 663 C (XXIV) of 31 July 1957 and 2076 (LXII) of 13 May 1977).

It is worth noting a number of these rules firstly when examining the effects of overcrowding in South Africa's correctional centres and secondly, as the Department of Correctional Services acknowledges the rules for application into the New Generation concept and the theories of unit management.

The Standard Minimum Rules for the Treatment of Prisoners which is severely impacted on through overcrowding in South Africa's correctional centres is the rule on the minimum standard for accommodation. The Standard Minimum Rules for the Treatment of Prisoners as set by the United Nations is divided into two parts. Part I refers to the minimum standards relating to the general management of correctional institutions and is applicable to all categories of prisoners. Part II contains rules applicable to special categories.

Part I (rule 9. (1)) focuses on accommodation in prisons and makes for provision for the design of prisons. The design of prisons should take into consideration the need for separation for a number of different categories of offenders.
The specific minimum standard for accommodation in prisons as noted by the United Nations (2005) states:

Rule 8 *(1)The different categories of prisoners shall be kept in separate institutions or parts of institutions taking account of their sex, age, criminal record, the legal reason for their detention and the necessities of their treatment. Thus,*
(a) Men and women shall so far as possible be detained in separate institutions; in an institution which receives both men and women the whole of the premises allocated to women shall be entirely separate;
(b) Untried prisoners shall be kept separate from convicted prisoners;
(c)Persons imprisoned for debt and other civil prisoners shall be kept from persons imprisoned by reason of a criminal offence;
(d) Young prisoners shall be kept separate from adults

Rule 9 *(1) Where sleeping accommodation is in individual cells or rooms each prisoner shall occupy by night a cell or room by himself….it is not desirable to have two prisoners in a cell or room.*
(2)Where dormitories are used, they shall be occupied by prisoners carefully selected as being suitable to associate with one another in those conditions. There shall be regular inspection by night, in keeping with the nature of the institution.

Rule 10 *All accommodation provided for the use of prisoners and in particular all sleeping accommodation shall meet all requirements of health, due regard being paid to climatic conditions and particularly to cubic content of air, minimum floor space, lighting, heating and ventilation.*

Rule 11 *In all place where prisoners are required to live or work,*
(a) The windows shall be large enough to enable the prisoners to read or work by natural light, and shall be so constructed that they can allow the entrance of fresh air whether or not there is artificial ventilation;
(b) Artificial light shall be provided sufficient for the prisoners to read or work without injury to eyesight

Rule 12 *The sanitary installations shall be adequate to enable every prisoner to comply with the needs of nature when necessary and in a clean and decent manner*

Rule 13 *Adequate bathing and shower installations shall be provided so that every prisoner may be enabled and required to have a bath or shower at a temperature suitable to climate, as frequently as necessary for general hygiene according to season and geographical region, but at least once a week in a temperate climate.*

Rule 14 *All parts of an institution regularly used by prisoners shall be properly maintained and kept scrupulously clean at all times.*

As noted Part II of the Standard Minimum Rule or the Treatment of Prisoners refers to *special categories* and this includes prisoners under sentence.

Rule 60 *(1) The regime of the institution should seek to minimize any differences between prison life and liberty which tend to lessen the responsibility of the prisoners or the respect due to their dignity as human beings.*

Rule 63 *(1) The fulfillment of these principles requires individualization of treatment and for this purpose a flexible system of classifying prisoners in groups; It is therefore desirable that such groups shall be distributed in separate institutions suitable for the treatment of each group.*

Rule 63 *(3) It is desirable that the number of prisoners in closed institutions should not be so large that the individualization of treatment is hindered. In some countries it is considered that the population of such institutions should not exceed 500. In open institutions the population should be as small as possible.*

Rule 67 *The purpose of classification shall be:*
(a) To separate from others those prisoners who, by reason of their criminal records or bad characters, are likely to exercise a bad influence;
(b) To divide the prisoners into classes in order to facilitate their treatment with a view to their social rehabilitation.

Rule 68 *So far as possible separate institutions or separate sections of an institution shall be used for the treatment of the different classes of prisoners.*

Rule 85 *(1) Untried prisoners shall be kept separate from convicted prisoners*

Rule 86 *Untried prisoners shall sleep singly in separate rooms, with the reservation of different local custom in respect of climate.*

Where the Universal Declaration and the International Covenants form the International Bill of Human Rights and as such serve as the foundation of International Human Rights Law, South Africa is governed by The Constitution of the Republic of South Africa (1996). Act 108 of 1996 section 35 (2) (e) states:

Everyone who is detained, including every sentenced prisoner, has the right to conditions of detention that are consistent with human dignity, including at least exercise and the

provision, at state expense, of adequate accommodation, nutrition, reading material and medical treatment.

Act 108 of 1996 section 12 (d) and (e) specifically state with reference to the security of the person:

Everyone has the right to freedom and security of the person, which includes
(d) the right to be free from all forms of violence from either public or private sources.
(e) Not to be treated or punished in a cruel, inhuman or degrading way.

Act 108 of 1996 section 24 (a) further states:

Everyone has the right-
(a) to an environment that is not harmful to their health or well-being.

While it is debatable whether correctional centres in South Africa meet with these minimum requirements, Steinberg (2005) argues that the rate of overcrowding in South Africa's prisons violates the constitutional standards as set out in the Constitution of South Africa. This violation, Steinberg (2005) argues, is specifically with reference to the conditions in prisons and particularly significant when examining the allowable floor space for inmates. Previously, the Department of Correctional Services allocated or worked to 3.344m² of floor space per prisoner in communal cells and allocated 5m² per prisoner in single cells (Steinberg, 2005).

On 31st March 2004 the capacity in South Africa's correctional centres was 114 821 and the actual number of offenders incarcerated was 184 806. Based on the allocated 3.344 m^2 per inmate principle, Steinberg (2005) calculated that an inmate in an average institution was actually allocated 2.1 meters of floor space. Using the same principles as Steinberg (2005) and adopting the figures for 2007 (as of 31st March 2007 the capacity of South Africa's correctional centres stood at 114 549 although the actual number in custody stood at 161 639;

this reflects a 141.11 % occupancy) the average square meter of floor space per inmate in South Africa's correctional centres during 2007 stands at 2.4 m^2 of floor space per inmate.

5.4.4 Overcrowding and norm accommodation guidelines

According to the Department of Correctional Services (n.d.c) the norms guidelines for prison facilities adopted by the Department of Correctional Service cell accommodation for inmates includes all cells used to detain sentenced, unsentenced, assessment, special care and high risk inmates. All categories of inmates are to be detained in *sections* that hold a maximum of 64 inmates. This figure the Department of Correctional Services has determined will meet with the principal requirements for unit management to be effective. In terms of the Living/sleeping area (cells) Table 5.5 presents the set standards for accommodation as determined by the Department of Correctional Services Norm guidelines for prison facilities.

Table 5.5: The set standards for living/sleeping accommodation

Cell type	Total area allocated	Facilities to be included	Additional furniture
Single cells	Total area: 6m²	1 x WC 1 x WHB	1 x desk 1 x chair
Double cells	Total area: 8m²	1 x WC 1 x WHB	1 x desk 1 x chair
Communal cells	Total area calculated as ideally 4m² per inmate although the norm is 3.5 m² per inmate	1 x WC per 15 inmates 1 x WHB per 15 inmates 1 x urinal per 15 inmates 1 x shower per 10 inmates	

(Source: Department of Correctional Services (n.d.c))

While Table 5.5 presents the norm guidelines for sleeping/living areas Table 5.6 presents the Norm guidelines determined by the Department of Correctional Services (n.d.c) for allowable area per inmate for all other areas. These norms are the described norms to be adopted in all new build facilities specifically those which adopt the unit management principles. Interviews with facility staff at the Department of Correctional Services stated that these

Norm requirements are to be implemented where possible in existing facilities and many of the Norms requirements were based on those adopted for existing facilities.

Table 5.6: Norm guidelines for allowable area per inmate for all other prison areas

Location/facility	Description	Allowable floor area	Facilities to be provided
Dining area	A communal dining area per section	1.4m² per inmate	Sufficient seating to seat all inhabitants
Living area	Area to be used for leisure time activities	1.4m² per inmate	Telephone booth per section
Servery	To serve a section and receive prepared food from the central kitchen.	0.22m² per inmate (one room per section with a total area of 14m²)	Lockable cabinet, Single bowl sink, Stainless steel sink and Serving counter
Communal wash and ironing area	Area used to wash /iron clothing	0.35m² per inmate	Three double wash troughs Six mounted ironing boards Spin drier, Tumble drier
Communal ablution facilities	For use when inmates are in living area and the sleeping areas are locked	Non-assignable area	2 x WC, 2 x WHB, 2 x urinals 8 x showers
Cleaners store room	For the storage of cleaning materials	0.125m² per inmate (one room wit a standard area of 8m² per section)	Belfast sink and adjustable shelving
Consultation office	For individual consultation between personnel and offender	0.125m² per inmate (one standard office per section with a total area of 8m²)	
Section control office	Controlling office to monitor offenders movement	0.071m² per inmate (office to be standard area of 9m²). Provide one office per two sections	
Unit store room	Se for storage of blankets, clothing and other supplies	0.196m² per inmate One store room per unit with a total area of 50m²	
Exercise yard	A secure outside yard adjacent to the unit	7m² per inmate	

Table 5.6 continued: Norm guidelines for allowable area per inmate for all other prison areas

Location/facility	Description	Allowable floor area	Facilities to be provided
Unit support facilities	Administrative offices to support a unit with 256 inmates	0.098m² per inmate One standard office per unit for administrative assistant – total floor area: 10m² One standard office per unit for the Unit Manager with a total area of 12m²	
Unit control office	Area that monitors or controls all movement inside the unit	0.040m² per inmate One office per unit with a total area of 10m²	
Consultation rooms for professional	For the use of psychologists, social workers to meet with inmates individually or in groups	0.0141m² per inmate Three rooms per unit, each with a total area of 12m²	
Group consultation room	For the use by psychologists, social workers etc to work with offenders in groups	0.0141m² per inmate One room per unit with a total floor area of 24m²	
Nursing station	First aid room and for the administration of first aid	0.024m² per inmate One room per unit with a total of 12m²	Medical wash basin Lockable cabinet
Tuck shop	Area where provisions (condiments) are available for inmates to purchase	0.047m² per inmate One shop per unit total area of 12m²	sink
Book store/reading room	Book store for purposes of recreation or study	0.086m² per inmate One room per unit with a total area of 22m²	Adjustable shelving
Rest room for officials	Communal facility for staff	0.04m² per inmate One room with a total floor area of 10m²	Sink, Cupboard, WC, WHB

(Source: Department of Correctional Services (n.d.c))

When calculated as a total floor area space per inmate, facilities that adopt these norms principles will allow for:

Total Norm for double cells accommodation: 16.016m² / inmate
Total Norm for single cell accommodation: 17.516 m² / inmate
Total Norm for communal cell accommodation: 15.516 m² / inmate

According to Steinberg (2005) the allowable space (floor area) per inmate in South Africa's correctional facilities is cause for concern. The Committee for the Prevention of Torture and Inhuman or Degrading Treatment or Punishment (CPT) who monitor compliance to the Convention for the Prevention of Torture and Inhuman or Degrading Treatment of punishment set out 10 m² of floor space per inmate as the preferred standard (Steinberg, 2005). In America the allowable floor space is even greater; the American Public Health Association determined 18.18 m² of floor space per inmate (Steinberg, 2005). According to Steinberg (2005) when comparing the floor space per inmate in South Africa's correctional centres with the requirements set overseas, the conditions are degrading and cruel. However, it must be noted that while Steinberg (2005) states that the results of overcrowding in terms of allowable space are tantamount to cruel and degrading conditions there is a discrepancy with the levels of overcrowding in South Africa's prisons. For example, occupancy at Hanover is reported to be 14.86%, while at the other end of the scale occupancy at King Williams Town Correctional Centre stands at 254.15% occupation (JICS, 2011).

At the core of the problem of prison overcrowding is the effect prison overcrowding has on control. Steinberg (2005) argues that prison overcrowding places a strain on prison management and their ability to maintain security and stability. As a result of overcrowding and the strain it places on officials, movement is restricted and prisoners spend more time in cells. While these sanctions may help to maintain order in the prison through reducing prisoner movement, overcrowding also decreases the amount of security that can be awarded. The result of this is an increase in the likelihood of violent outbreaks.

While prison officials attempt to maintain order in an overcrowded environment, prisoners attempt to maintain control when their control levels specifically relate to the amount of control the prisoner has over his or her own environment as opposed to the inherent nature of imprisonment (Wortley, 2002). Research findings presented by O'Donnell and Edgar (1996) and later by Edgar and O'Donnell (1998) suggest that pressures within the prison environment motivate violent outbreaks from prisoners. Those pressures can increase in overcrowded environments. The features that prisoners have little control over and that cause frustrations can result in violent behaviour. The features are defined as *frustration-aggressive* factors (Wortley, 2002). Frustrations regarding queuing for food, using the telephone, limited access to televisions and being limited to or sharing recreational equipment can lead to violent outbreaks (O'Donnell and Edgar, 1996). Issues that continuously cause frustrations include having to continually defend territory, sharing territory and rights of access. These issues are all exacerbated in an overcrowded environment.

These opinions were amplified during informal interviews with officials at the Department of Correctional Services. According to officials at the Department of Correctional Services overcrowding causes frustration particularly in light of the effect overcrowding has on available facilities and infrastructure. Services such as the number of taps, toilets, showers and urinals are calculated on the capacity of the prison, not on occupation. Continual use, overuse and wear and tear all contribute to the facilities being overused in terms of their intended capacity. In addition, limited facilities encourage certain services being considered a luxury rather than an essential. It was reported during informal interviews with officials at the Department of Correctional Services that where communal cells have one shower, gangs members present in the communal cell exercise control over the use of the shower. In addition, the limited space provided in the ablution areas means that more than three prisoners are often sharing the facilities at one time.

While the JICS (2011) reported that a number of prisons are chronically overcrowded (see Table 5.4) Johannesburg central prison has been at the centre of the controversy of overcrowded conditions for a number of years. According to the JIP (2006:18) citing a

report by the Johannesburg Attorneys Association (2006) the extreme overcrowding at prisons such as Johannesburg Central Prison brought about *"degrading and inhumane treatment suffered and the miserable conditions resulting from the large numbers …while there is inadequate space and facilities for them"*. The JIP (2006) went on to explain that extreme overcrowding levels results in inmates being forced to share beds with others (often up to four others) and often with others who were infected with disease. While in these conditions inmates are forced to climb over other inmates to get to beds or bathrooms and in some cases up to 103 inmates were forced to share one WC and 1 urinal (JIP, 2006). Pictures contained in the annual report the JIP (2006) present images of inmates being forced to sleep on the floor in the ablution areas; officials at the specific centres have reported that during times of extreme overcrowding offenders are forced to sleep on *top* of the toilets or in the shower units due to lack of space. To exacerbate the problem it has been reported that these sleeping arrangements are organized in shifts; there is not enough space to allow all inmates to sleep at the same time.

Despite the JIP (2006) bringing the issue of overcrowding to the fore in 2006, in March 2008 the JIP (2008a) Annual Report for the period 1 April 2007 to 31 March 2008 indicates that conditions in many prisons are much the same, if not worse than those indicated in 2006.

Of the issues highlighted in the JIP (2008a) Annual Report for the period 1 April 2007 to 31 March 2008 the number of beds, eating utensils, private searching facilities, hospitals, schools, dining halls, libraries and recreational facilities were examined and noted on an audit. The audit suggested that many prisoners are not provided eating utensils, have to eat food and wash utensils in their cells, and have to share utensils/containers with other inmates. Prisons such as Johannesburg Medium A and B were again noted to be particularly problematic in meeting basic needs. The provision of beds to inmates in Johannesburg Medium B was reportedly so dire that in many instances up to five adult males were forced to share two mattresses (sponges) pushed together on the floor.

Prisons in South Africa range from those such as Flagstaff Correctional Centre in the Eastern Cape or Bergville Correctional Centre in the Kwazulu Natal region with an approved

capacity for 31 offenders to those larger prisons such as Johannesburg Correctional Centre (Female, Medium A, Medium B and Medium C) with an approved capacity for 4864 offenders or others such as Durban Correctional Centre (Medium A, Medium B and Medium C) with an approved capacity for 4923 offenders (Department of Correctional Services, 2007a).

Accommodation in South Africa's prisons range from single cells, housing one, two, three or four offenders, to communal (community) cells which can house anywhere between 5 to 200 offenders. According to the Correctional Services Act No. 111, 1998 Section 7 (2) (e) *the commissioner may accommodate prisoners in single or communal cells depending on the availability of accommodation.* [Para (e) added by s.6 (b) of Act No. 32 of 2001]. Section 7 (f) states that *where there is a danger of prisoners who are awaiting trial or sentence defeating the ends of justice by their association with other prisoners, the commissioner must detain them apart* [Para (f) added by s.6 (b) of Act No. 32 of 2001].

5.5 PRISON ACCOMMODATION AND VIOLENT BEHAVIOUR

While there are security, safety and physical challenges in either of the housing types provided in South Africa's prisons, Gear and Ngubeni (2002) report that housing quarters particularly communal cells in male South African prisons are at the centre of many violent attacks among inmates.

Existing research conducted on South Africa's prisons have expounded on prison development, gang activity, overcrowding and human rights issues, although little evidence exists with reference to the effect of the built environment on behaviour, specifically assaultive behaviour between offenders or assaultive behaviour of offenders on officials.

Whilst this study does not examine prison gangs *per se* the existence of prisons gangs in South Africa's prisons have been acknowledged in this study, particularly with reference to any violent behaviour the gangs might carry out (Chapter Four). In the process of exploring assaultive behaviour in prisons and the effect of the physical environment on assaultive

behaviour this study has been exposed to, and as such has to address, assaultive behaviour carried out by the prison gangs.

Of the findings that touch on the impact of the physical environment on violent or assaultive behaviour, Gear and Ngubeni (2002) suggest that gang activity and specifically assault and sexual assault in South Africa's male prisons is perceived to occur *everywhere*; that abusers are found in all the prisons; in all sections in the prisons and in all cell types. This study expounds further on these propositions.

Although research such as Gear and Ngubeni (2002) suggest that gang activity and sexual coercion are not location specific, certain locations within the prisons are identified as being more likely to provide opportunities for assault than others. Those sections that house remand detainees are identified as key areas for robbery and sexual assaults as well as other forms of violence. In addition, according to Gear and Ngubeni (2002) facilities that house maximum security prisoners present high levels of assault particularly sexual assault. Gear and Ngubeni (2002) argue that due to the inherent nature of the maximum security prisoners combined with the length of their sentence, maximum security prisoners are more violent toward each other. Within the confines of the prison, locations such as dormitories or communal cells, ablution areas and dining halls are considered to present high risk areas for acts of violence. To a certain extent, findings in this study support this theory.

Generally, Gear and Ngubeni (2002) argue that sexual assault in South Africa's male prisons occurs *everywhere* and abusers are found in all the prisons, all sections in the prisons and in all cell types. It was noted that power is localized and more violent attacks can be more prevalent in specific cells than others, particularly in communal cells. Gear and Ngubeni (2002) found that corridors and communal spaces that have a large number of prisoner movement are perceived as dangerous. They argue this is reflective of a change in power dynamics; communal cells in essence provide a degree of protection. Offenders housed in communal cells are protected from offenders housed in other areas and other gang members; this form of protection is not evident in multiple use areas.

Although not specific it can be assumed that the protection provided by communal cells discussed by Gear and Ngubeni (2002) is seen by offenders in terms of the dynamics of the cell occupants, the concept of defensible space and the sense of belonging.

5.5.1 Accommodation types in Prisons in South Africa

While there are two fundamental types of housing provided in South Africa's prisons, namely, communal cells or single cells, findings by Gear and Ngubeni (2002) indicate that prisoners housed in single cells as opposed to communal cells generally feel safer.

The concept of being housed in a single cell must be clarified as being housed in a single cell is not necessarily for the purposes of segregation or separation.

According to the Correctional Services Act No. 111, 1998 segregation is not a penalty; it is applied for the following:

30. (1) *Segregation of a prisoner for a period of time, which may be for the part of or the whole day and which may include detention in a single cell, is permissible*

(a) *Upon written request of a prisoner*

(c) *if such detention is prescribed by the medical officer on medical grounds*

(d) *when a prisoner displays violence or is threatened with violence*

(e) *if a prisoner has been recaptured after escape and there is reasonable suspicion that such prisoner will again attempt to escape*

The length of time a prisoner can be subjected to segregation is identified as the following:

30. (4) *…may only be enforced for the minimum period that is necessary and this period may not, subject to the provision of subsection (5) exceed seven days*

(5) *....extend the period of segregation for a period not exceeding 30 days*

(9) *….segregation may never be ordered as a form of punishment or disciplinary measure*

According to the Correctional Services Act No. 111, 1998 24 (5) (d) solitary confinement as opposed to segregation is a penalty. Solitary confinement is defined by the Correctional Services Act 111 of 1998 as being *held in a single cell with loss of all amenities* and can be imposed for a period not exceeding 30 days. It must be stopped if it poses a threat to the *physical or mental health* of the offender (Correctional Services Act No. 111, 1998 25 (4)).

Theoretically single cells should provide more security as the design advocates the cell to be occupied by one offender. However, due to overcrowding levels in South Africa's prisons single cells are often occupied by at best one offender and at worst up to four offenders. While Gear and Ngubeni (2002) propose that prisoners in single cells feel *safer*, findings in this study present a differing viewpoint. While some offenders might technically be physically safer in single cells when locked in, single cells do not provide safety all the time nor do they provide the extent of psychological safety purported.

While there are issues surrounding the types of housing provided in South Africa's prisons findings from this study suggests that offenders use the shape and design of the prison facilities to carry out certain (*prohibited*) activities. This is most apparent when examining the behaviours of the prison gangs. Gang activity operates and advances through the overall physical design of the prison. Although expounded on in Chapter Seven gang activity in South Africa's prisons depends on several key factors that can be directly linked to the physical design of a prison.

While findings presented later indicate how the gangs manipulate the physical environment to their advantage, it is worth noting that this manipulation impacts on the levels and type of violence that occurs between offenders in South Africa's prisons at any given time frame. Moreover, the design of the prison facilities, the type of gang, the frequency of violence, the physical location of an assault and the type and motivations of assault are all inextricably linked.

5.6 SUMMARY

This Chapter presents the historical development of corrections in South Africa. Corrections in South Africa have, on the most part, been a reflection of South Africa's political agendas. The current function of the Department of Correctional Services is governed by the White Paper. The standards set out in the White Paper inform the legislative programme, the developmental process and the operational and planning methods adopted by the Department. The governing standards set out in the White Paper were developed to fall in line with the country's Constitution, which introduced the principles surrounding fundamental human rights for all. *All* in this context includes all incarcerated offenders. In order to fall in line with this stipulation the Department of Correctional Services must ensure that corrections deter criminal activity, ensure the safe custody of offenders and implement measures to reduce risk of reoffending. The White Paper states that in order to ensure the health and safety of all incarcerated the Department of Correctional Services must provide appropriate environments that meet with these demands. However, while acknowledging the responsibility of the correctional environments (and the Department) to provide conditions that promote mental and physical health of offenders, the White Paper does not address how the support can be provided. This is most evident in the White Paper's acknowledgement of the existence and problem of prison gangs, prison violence and the associated implications on offenders' safety.

Despite this, some effort is being made by the Department of Correctional Services to address the issues determined in the White Paper, through the design and construction of new prisons. However, providing new prisons does not necessarily mean that the problems experienced in the existing prisons will be eradicated. New prisons will not only accommodate newly sentenced offenders, offenders from other institutions can and will be relocated there. If the Department of Correctional Services does not acknowledge and address the impact current prisons have on offender behaviour and address the issues in existing centres as well as the new ones, those sent to the new prisons from existing centres will import their ideals into the new environments. Therefore, newly constructed prisons will not stamp out current offender behaviours and practices (such as prison gangs); they will simply allow for relocation.

CHAPTER SIX: METHODOLOGY

6.1 INTRODUCTION

This Chapter presents the data collection methods applied in this research. The research approach, research design and the theoretical approach undertaken in this study are presented. This Chapter outlines the rationale for adopting the case study method, and the rationale underlying the four chosen case studies applied in this study. Following this, the method of data collection within the boundaries of the chosen case studies is given. The data collection approaches adopted, namely, interviews and questionnaires are critically described and evaluated in terms of development and application. Finally, this Chapter presents the methods adopted for data analysis and interpretation.

6.2 THEORETICAL BACKGROUND TO RESEARCH APPROACH

According to Leedy and Ormrod (2005) there are two fundamental philosophies underpinning research approaches, namely whether the research approach is qualitative or quantitative.

Quantitative research also referred to as *"traditional, experimental* or *positivist"* is generally applied in research that questions the relationship between specific or *"measured variables"* (Leedy and Ormrod, 2005:94). On the other hand, qualitative research seeks to explain any phenomenon that may emerge as a result of the relationship between the two variables. Qualitative research or *"interpretative, constructivist or postpostivist"*, serves to answer the *"nature of the phenomena"* (Leedy and Ormrod, 2005:94). In order to examine the nature of the phenomena qualitative research is directed toward the understanding of the phenomena from the participant's stand point.

While the research approach to both methods requires the forming of a hypothesis, undertaking a literature review and data collection, the research methods applied to each approach differ (Leedy and Ormrod, 2005). Leedy and Ormrod (2005) identify the key characteristics that differentiate the two approaches in terms of purpose, process, data collection and data analysis and reporting of findings.

In terms of purpose Leedy and Ormrod (2005:95) suggest that quantitative research seeks to *establish, confirm or validate a relationship*, whereas, qualitative research attempts to draw from and develop an understanding of the situation.

With regard to the process Leedy and Ormrod (2005) suggest quantitative research involves measurement of the variables or facts, whereas qualitative research involves more interaction and a deeper understanding with regard to the meaning behind the variables or facts.

In terms of the data collection, quantitative research seeks to apply sound measuring instruments that allow the researcher to gather and generate data which can be converted to numerical logic. The data collection processes involved in qualitative research on the other hand, lean more toward the researcher having direct involvement with the respondents involved with the data collection process; a greater level of interaction goes on between the researcher and the respondents (Leedy and Ormrod, 2005).

On data analysis, quantitative research measures the numerical data presented and interprets the results within specific statistical boundaries; the data analysis is objective. Data analysis for research that is qualitative in nature allows for interpretation and generalizations made through observations or interactions; the data analysis is subjective in nature (Leedy and Ormrod, 2005).

The method for reporting findings for quantitative research is grounded in statistical interpretation. Essentially the correlation, the mean, median and mode etc. for the collection of large numbers are extrapolated and reported on. Reporting on qualitative findings includes the researcher's personal findings and interpretations. Inferences brought about during the data collection process are included into the findings; meanings are brought out and developed from the raw findings (Leedy and Ormrod, 2005).

6.3 RESEARCH APPROACH ADOPTED IN THIS STUDY

In order to justify a research approach in this study the validity of the research was considered. Research validity refers to the legitimacy of the inferences and conclusions drawn by the researcher through an analysis of the gathered data (Fraenkel and Wallen, 1996). To justify the legitimacy of the inferences there must be adequate supportive evidence presented in the data. Therefore, the research validity depends greatly on the amount and type of evidence that supports the researcher's findings, interpretations and conclusions (Fraenkel and Wallen, 1996). With this in mind, consideration needs to be given to the choice of research method to be applied to any study, so that the data collection method applied not only generates *sufficient* data but also generates data that can be interpreted through and with supportive evidence.

Leedy and Ormrod (2005) argue that research validity is determined through examination of the internal and external validity. According to Leedy and Ormrod (2005) the internal validity is the extent to which the research design and the data gathered provides insight into the relationship of the variables examined. The external validity indicates how the findings generated by the data can be applied to situations beyond the context of the study.

In this study the internal validity of the study determines the extent to which architectural design features of male maximum security correctional centres promote or provide opportunity for violent behaviour among inmates. The external validity determines if violence could be reduced by eliminating those design factors from the design of correctional centres built in the future. It must be noted that in this study the external validity of the study is geographically specific to South Africa. While the study is based within the parameters of a real life setting (male maximum security correctional centres) and the representative sample are male offenders in maximum security correctional centres, the four correctional centres from which the samples were taken are located in Gauteng South Africa. Therefore, the findings and recommendations that emerge from the data may only be appropriate (externally validated) within the South African context.

This study poses four key research questions that direct the methodology applied. The first research question is: *What have been the directives that govern prison architecture and what are the benchmarks that measure effectiveness in terms of prison design?* The second research question posed is *What are the principles that govern environmental psychology theories and practices?* And the third research question sought to determine *the theoretical debate regarding the factors that motivate violence in prison.* These research questions were addressed through a review of the literature.

The remaining research questions presented in Chapter One are as follows:

- What are the forms, motivations, distribution and frequency of violence that take place in male maximum security prisons in South Africa?

- What are the design features and construction materials adopted in prison architecture that motivate and provide opportunities for violent behaviour which in turn jeopardize offender and staff safety?

- What are the measures that can be implemented through prison design and construction materials that can reduce prison violence?

Over and above the four research questions, the methodology applied was to be appropriate in testing the hypothesis. The hypothesis and sub-hypotheses of this study posed in Chapter One were:

Generic hypothesis:

Prison violence among male offenders is perpetuated through design features applied in prisons

Sub-hypotheses:

- Specific geographical locations within the prison environment motivate and provide opportunities for prison violence among offenders in male prisons

- Design features and material choice adopted in the prison environment motivate prison violence among offenders in male prisons

- Design features applied in prison design motivate frustration and in turn perpetuate prison violence among offenders in male prisons

In order to address the research questions and the hypotheses of the study and to meet with the demands for both internal and external validity, the research method adopted both qualitative and quantitative research approaches.

6.3.1 Qualitative approach

While the research questions and hypothesis were primary in directing the research methodologies chosen, a study of behaviour in prison should involve a deeper holistic understanding of the prison setting and the prison environment in its totality. The prison environment in its totality had to be observed and examined as a natural setting or as a *"real world"* (Leedy and Ormrod, 2005:133). Moreover, the nature and rational of the behaviour to be studied had to be contextualized within the real life setting, namely the prison. In other words the *why* of the violent behaviour had to be acknowledged and considered as a possible additional or external variable. Applying qualitative research methods allowed for this.

For this study the prison setting was to be viewed in three specific areas. Firstly, it was important to observe the prison as a distinct physical environment. Physical design, layout, size and space in addition to material use were seen as intrinsic to an understanding of the prison setting. Secondly, an understanding of the use of the prison as made by the offenders was essential. There is generally a distinction between theoretical use of space and actual use of space. Observing the offenders' movement within the prison setting would indicate how

the physical design and space of the prison is being used in reality. Having observed these two distinct facets of the prison setting and having gained a clearer image of the prison as a living area, any questions posed to the offenders (representative sample) would be more appropriate to the prison context and to the environment as they view it. Moreover, the collection, analysis and interpretation of data generated from offenders would be clearer to understand and relate to the specific environment. The third area involved gaining an appreciation of prison culture or prison life.

6.3.2 Quantitative approach

While the qualitative approach adopted in this study was applied in order to give a deeper understanding of the prison as a total environment, the quantitative approach was also applied to generate numerical data through surveys (questionnaires) and apply statistical methods to analyze the data and thus draw conclusions. The quantitative information generated would provide support or evidence to the interpretation of the data. In essence, the quantitative approach was to be applied in order to determine statistically whether a relationship exists between prison design and materials and violence.

Therefore, in this study both qualitative and quantitative approaches were deemed appropriate. The qualitative approach was seen as appropriate to generate information to guide the quantitative method applied and further provide supportive evidence to the quantitative findings.

6.3.3 Rational for choice of research approach applied in this study

Given that this study required offenders' perceptions regarding the type, area and frequency of violence that occurs within the correctional centres, the following research methods (presented in Table 6.1) were considered in terms of meeting the research criteria:

Table 6.1: Selection criteria for research method

Methodology	Viability of the method in this study	Perceived suitability of the returned data	Extent of control over the method
Case studies	high	high	high
Historical data	high	low	low
observations	high	high	high
interviews	high	high	high
questionnaires	high	high and low	high and low
experiments	low	low	low

As presented in Table 6.1 the most appropriate methodologies to be applied in this study were seen to be case studies, observations and surveys in the form of interviews and questionnaires.

According to Leedy and Ormrod (2005) in case study a researcher is given the opportunity to study a situation in great depth over a long period of time. The case study provides a real life example of a situation to which research techniques such as interviews, questionnaires and observations can be applied. While Leedy and Ormrod (2005) argue that one case study can be explored for a study, a study that explores multiple case studies provides data that can be compared and generalized for other situations of similar genre.

Although it is feasible through case study to examine one person or phenomena within a situation, a case study also provides the opportunity to examine an entire group within a situation. Examining an entire group within a given situation (a case study) is referred to as *ethnography*. Ethnography allows for studies that require examination of group cultures, behaviours and group beliefs. The approach is undertaken in situation and involves lengthy engagement between researcher, environment and group (Leedy and Ormrod, 2005). While ethnography is the study of large groups that provides insight into the culture and beliefs of a group, it is limited in that it does not necessarily provide insight into the groups' understanding or perception behind a phenomenon. From a researcher's standpoint it is often critical to fully comprehend *why* a particular phenomenon occurs. Exploring the views of a group regarding their perceptions and understanding of the meaning behind a phenomena or event can provide a greater understanding of the logic behind a phenomenon. In order to

gain insight into the perceptions of the group a researcher needs to undertake a phenomenological study (Leedy and Ormrod, 2005).

Having reviewed the research methods available in the context of case study the methodological approach undertaken in this study includes both ethnography and phenomenological examination within the case study context.

In this study the case study was to be the correctional centres, which provides opportunity for violence through its design and materials and the sample group was to be the offenders who undertake the acts of violence, experience acts of violence (directly or indirectly) and who live in the environment which experiences the acts of violence.

While a single correctional centres examined as case study would yield results to determine the environment violence phenomena, the findings would be limited to that institution. The overall physical design, the size of the institution, the configuration of offender housing and the number and type of offenders might all be specific to that scenario (correctional centre) and not be a true representation of the phenomena as it exists in other examples. It was therefore deemed vital to incorporate multiple case studies into this study.

6.3.4 Case study research – a critique

Yin (2009) argues that while case studies are a unique form of empirical research traditionally there are several critical objections regarding case study research. The concerns centre on rigor, generalization, time and whether case studies adequately indicate a causal or true relationship between treatment and effect.

Researchers raising objections to case study as a research method argue that the approach allows for a less formal approach to research and allows for more freedom with regard to research. Moreover, many supporters of this argument suggest that findings and conclusions can be flawed by the researcher's own prejudices and influences. Others argue that case study research does not lend itself to scientific generalizations. In other words, researchers opposed to case study research question how generalizations regarding a phenomena can be

made from case study research. This argument is most powerful when the generalizations emerge from only one case study (Yin, 2009).

The third issue regarding case study research stems from the belief that the research process is time consuming. While on the whole Yin (2009) suggests this is the most compelling argument against case study research, he also suggests this standpoint has emerged from traditional case study approaches undertaken in the past. Traditionally, case study research involved participant observation or ethnographic studies and these methods required extensive periods of time in the field. Yin (2009) argues that true case studies do not necessarily require ethnographic enquiry and as such case study research does not necessarily have to be time consuming.

The final objection regarding case study research questions whether case studies can be categorized as a true experiment. Researchers question whether case studies can examine and conclusively identify causal relationships. This is most poignant when case studies are used to examine the relationship between a *treatment* and an *effect* (Yin, 2009: 16).

While many of the concerns and objections attributed toward case study research can be validated, case study is an acknowledged research method that can be applied to investigate an empirical subject through the application of set measures. Case study research is an empirical inquiry that allows a researcher to examine a phenomenon in a real life context in great depth (Yin, 2009).

6.3.5 Summary

Several research methods were explored as research methods for this study. Some methods, by their inherent nature, were not seen as appropriate at the planning and design stage of the study, for example, experiments. Others were explored and attempted, such as historical method, their validity as a research method for this study are discussed later in this Chapter.

The research methods adopted in this research included case studies, participant observation and surveys (interviews and questionnaires) which addressed both ethnographic and phenomenological research.

6.4 DATA COLLECTION – THE APPROACH AND STRUCTURE

The methodological process applied to undertake this study is categorized into three distinct phases. The first phase involves the formal application to undertake research through the Department of Correctional Service. The second phase entails the protocol for undertaking research within each of the chosen case studies (correctional centres). The third phase comprises the physical data collection process undertaken within each of the chosen case studies. The application process through the Department of Correctional Services is outlined in Figure 6.1.

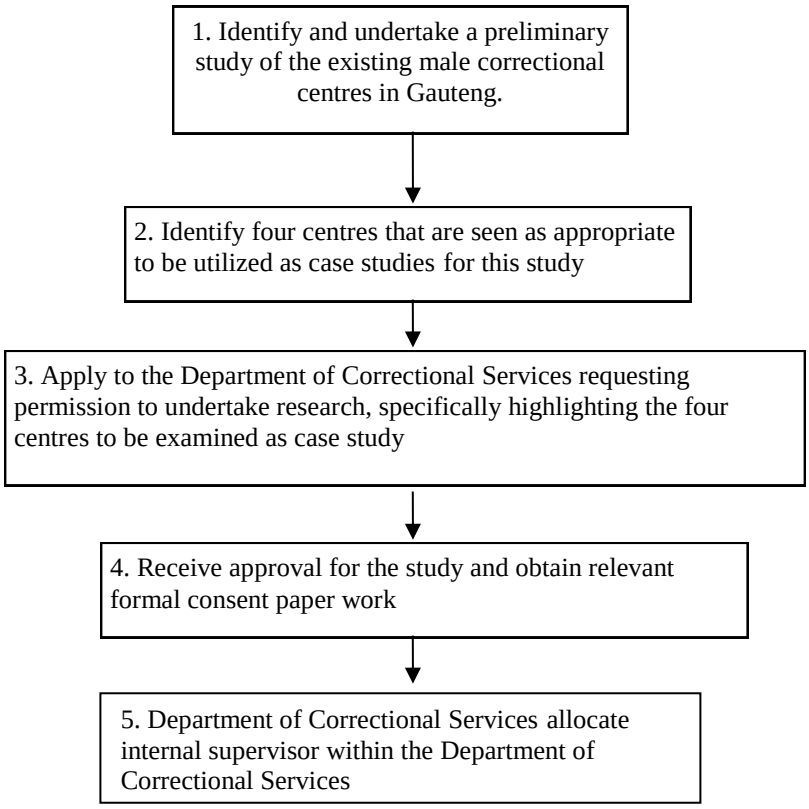


Figure 6.1: Procedure to undertake research through the DCS

Following approval by the Department of Correctional Services, the second phase of the research process took place. This second phase involves formal contact being made with the Head of the Correctional Centre (HOC) to discuss the research, the researcher's requirements to undertake the research and the methods to be applied for gathering data. Based on this the HOC allocates a contact (Centre Supervisor) within the centre. The Centre Supervisor allocated to the researcher is responsible for co-coordinating any research activities that are to take place within the centre including any visits to the centre and any proposed contact to be made between the researcher and any official or offender. The Centre Supervisor is also responsible for the researcher's safety while on the premises.

6.4.1 Phase three - Data collection process

The third phase of the research process comprises the data collection process. This included discussions with HOC and/or internal Centre Supervisor, assessment of historical data, participant observation, unstructured interviews with officials, surveys in the form of interviews and questionnaires with offenders.

Discussions with HOC and/or Centre Supervisor

The data collection process in each of the four case studies was initiated with a discussion with the HOC and/or the Centre Supervisor. Appointments were scheduled between the researcher and the Centre Supervisor in order to discuss the correctional facility. On the most part, meetings were scheduled to be carried out over one day; one day equated to approximately seven hours. However, the duration of the discussions lasted on average between three days and two weeks, depending on the role of the supervisor within the centre. Where the allocated Centre Supervisor was involved with centre security the meetings were longer. The discussions were important for the researcher to be fully versed with the physical and social structure of the correctional centre.

On the whole, the discussions between researcher and Centre Supervisor focused around two key areas, namely, the physical attributes of the building facilities and secondly the social structure of the centre. The physical facilities included prison size, layout, housing configuration, accommodation and capacity. Within this area the key factors that cause

frustration to the offenders and officials regarding prison facilities and physical design were highlighted.

Discussions regarding the social structure of the prison included issues relating to offenders' daily activities and daily organization, order regarding offender movement, gangsterism and general security issues. Issues such as security measures relating to the prevention of escape as well as security measures regarding offender movement inside and outside of the centre were discussed. Specific security concerns were also highlighted, such as the control of contraband and security surrounding housing offenders.

The demographics of the offender population accommodated in the centre were outlined. Lengthy talks were held regarding the offenders who are considered problematic to the order of the prison, as well as those prisoners seen as at-risk. Problem offenders, on the whole, were seen as those who posed a risk to themselves (suicide attempts and self-harming), others and/or the general security and order of the prison. At-risk offenders were those who were seen to pose a risk of escape; young first time offenders and those whose sexual orientation might put them at risk of sexual and/or violent attacks (transvestites, transsexuals and homosexuals).

Where the Centre Supervisor was Head of Security in the centre, lengthy talks were held regarding violence carried out by offenders. This included the types of violence carried out, the rationale behind violence and the materials used for the manufacture of weapons. Where manufactured weapons had been found and confiscated the researcher was able to view the weapons and comprehend the materials that were employed to manufacture the weapons.

The issues brought to light during the discussions in both of these key areas contributed to the formation of questions for the structured interviews and the questionnaires.

Historical data analysis

According to Jupp (1989) any research method should be examined for appropriateness particularly when considering the unit of analysis. However, while appropriate research methods should be considered researchers must note that the unit of analysis is not necessarily reflective of the whole and researchers should be wary of making assumptions that a few embody the whole (Jupp, 1989). This premise is most appropriate when considering the application of official statistics as a valid source of data. Although viewed as a valid source of data, the validity of official statistics is questioned in terms of the ability to give a true reflection of any given situation.

According to Viano (1975) and Jupp (1989), recordings of assaults undertaken in correctional centres are the official statistics of assaults in specific correctional centres and as such should provide a reliable instrument to measure data on assault in correctional centres. Official Statistics are inexpensive, available and, as they present historical data, can be used to explain features and trends and in some instances future predictions (Viano, 1975 and Jupp, 1989). To comprehend the extent of the incidents of violence that take place inside the correctional centres, the data collection process in this study began with a review of the historical data regarding violence in correctional centres.

Each correctional centre in South Africa is required to record all reported incidents of violence. Once collated by the centre the data is forwarded to the Department of Correctional Services Head Office on a monthly basis for monitoring purposes. The historical data regarding violence inside the correctional centres was made available for this study and a review was made of both the collated data held at the Department of Correctional Services Head Office and the data recorded by each correctional centre used as case study.

On review of the historical data available, it was found that making use of the historical data in this study would not be effective. The historical data available was limited in both quantity and detail. On the whole, the numbers of recorded incidents were too few for effective analysis. While each correctional centre records the reported incidents of violence, the recording of information is solely dependent on the offenders reporting incidents of

violence. The lack of recorded data suggested a severe lack of reporting by offenders with regard to violence within the centres. This indication was supported by centre officials who pointed out that offenders are reluctant to report acts of violence for fear of reprisal and for fear of being classified a *snitch*. Officials further indicated that the lack of reporting stems from the view the offenders have of *harm*. On the whole, officials stated that reporting incidents of violence by offenders is relative to the degree of harm a victim might feel. The concept of *harm* and degree of harm is often viewed differently in the correctional centre context. While many *illegal* acts are known to take place the acts might not necessarily be considered illegal in the social context of a correctional centre and as such, are not reported.

Where the historical records presented reported incidents of violence, the details did not offer sufficient information regarding the act. The data only reflected the date of the incident and names of the parties involved in the incident, the cause of the incident, the incident events and the outcome. As this study examines the environment violence phenomena, a key area that would have to be explored when analyzing historical data would be the physical location of the act of violence. Where acts of violence had been reported and recorded the location of the violence was not presented in the data. Prison officials confirmed that recorded incidents of violence are reported to the South African Police Service (SAPS) for further investigation. Essentially, once reported the reported incident is dealt with as a criminal case as the offence is seen as a crime. Therefore, the recording of information regarding any violent act that occurs in prison does not have to be recorded by prison officials in detail. Once the case is reported to the SAPS, the Police Service investigate the matter and gather more detailed information.

Participant observation

Following discussions with the Head of the Correctional Centre and the Centre Supervisor and a review of historical data, the researcher undertook on-site observations of each of the four case studies. While the study concentrated on case studies located in Gauteng Province of South Africa, it was possible to carry out on-site observations of correctional centres at Lucasville (Ohio, USA), Pollsmoor (Cape Town) and Goodwood (Cape Town).

The on-site observations and discussions with three prison officials held at Lucasville (USA) confirmed that comparing the environment and violence phenomena in correctional centres in South Africa with those overseas, particularly in the USA would not be feasible in this study. It emerged from discussion with officials at Lucasville correctional centre that violence in prisons in the USA on the most part focuses on prison gang culture and activity. It became evident through discussions that prison gang culture and activity in the USA and SA differ. Therefore, a comparison of violence in prisons in USA to those in SA would involve an assessment and comparison of prison gangs (culture and activity) internationally and locally and this was not at the core of this study.

Over and above on-site observations at Lucasville, on-site observations were conducted at Pollsmoor and Goodwood prison in the Western Cape. Literature suggests that prison gang activity is most prevalent in correctional centres in the Western Cape and the purpose of the on-site observations at the two centres in Cape Town was to clarify information regarding prison gang culture and activity within the centres. On-site observations took place at Goodwood over a two-day period and at Pollsmoor over a two-week period.

Visits to conduct on-site observation to the case studies were made on a weekly basis for the duration of one year. One case study was awarded on-site observation weekly for four consecutive months while two of other case studies were observed weekly for two consecutive months each. Due to security restrictions, access to carry out on-site observations to one case study (CMax) was limited to one month. While on-site observations were generally conducted consecutively over a number of months in each of the case studies, return visits to each of the centres continued throughout the year.

Access to all facilities in each correctional centre adopted as case study was granted and as such it was possible to observe all the physical locations within each of the correctional centres. Access to conduct on-site observation to each of the centres was granted during the day which allowed for observations to be made on offender movement within the centres. On the whole, observations made during the day were conducted between 07h00 – 16h30. Access to the centres during the day provided the opportunity to observe the offenders

movements and use of the prison facilities. It did not allow the observation of the prison facilities without interference. During the hours between 07h00 – 16h00 the offenders have a great deal of offender movement within the correctional centres. After 16h00 the offenders are returned and locked in their respective cells and as a result the prison facilities, with the exception of the offenders' cells, are not in use.

While observing the movements and interaction of offenders was vital for this study, it was also important to observe the facilities in terms of design, layout, size and materials. To observe these areas without causing a disturbance to the offenders and/or being disturbed by offenders' movement, it was deemed vital to be able to observe the prison facilities at night. Three of the case study correctional centres made available the opportunity to make on-site observations at night. Such observations were made to two of the case studies between the hours of 16h30 – 10h00.

It must be noted that, although vital to gain knowledge into the functioning of a prison, on-site observations in prison are deemed a security risk to both researcher and security personnel. On-site observations undertaken during the day are seen as a security risk to a researcher by virtue of the offenders' movement within the prison. The offenders are not locked in cells during the day and are able to move at will within the confines of their housing unit. A researcher undertaking on-site observations will move among the offenders in any given housing unit. Given that a prison housing unit can contain several hundred offenders at any given time, moving within the housing units and among the offenders can put the researcher's safety at risk. Moreover, while on-site observations are supported as a research method within the Department of Correctional Services, the correctional centres do not have the available personnel to allocate several security personnel to escort researchers. At best, one security official will be allocated to escort a researcher during the on-site observations.

There are advantages to undertaking on-site observations at night (16h00 – 05h00) but these also present security risks. The prison personnel on duty in correctional centres at night are severely reduced. So while the offenders are locked in cells within the housing units, should

an incident occur within the cells the security officials will be fewer in number and will concentrate on controlling the incident rather than be concerned with the researcher's safety.

The motivation for on-site observations on each of the case studies was three fold. Firstly on-site observations were conducted in order to gain knowledge of the physical prison structure. Each case study differed in terms of each centre's design, size, layout and construction materials. To determine the environment and violence phenomena, knowledge had to be gained on the physical environment through observing each of the case study's physical environments.

Through on-site observation the researcher was given the opportunity to appreciate the physical attributes that are considered to present opportunities for crime, such as those noted by Cornish and Clarke (2003). In that vein observations were undertaken on specific physical areas to appreciate the following:

- The observation of access points within the prison facilities. Access pointes were observed in terms of the external and internal access points. The access points were observed in relation to the security measures applied (searches, monitoring of movement and offender and staff screening); appropriateness of access points for applying control (distances from access points for offender control in emergency situations); interactions between staff and offenders and interactions between offenders from other locations around the prison.

- To observe the extent of formal and natural surveillance applied in the prison environment. On-site observations provided the opportunity to determine the extent to which the physical environment permits appropriate formal and natural surveillance. This was particularly significant with reference to the presence of blind spots, extent of and suitability of lighting, width and length of corridors and blind spots that prevented formal observation being applied within communal cells and bathrooms. Moreover, appreciation was gained with regard to the problems

associated with control through formal and natural surveillance within collective areas such as dining halls and exercise yards.

- It was possible to observe the extent of physical damage and wear and tear on the physical environment. Moreover, while observing the physical targets which are most susceptible to physical damage (through vandalism or wear and tear), the efforts made by the prisons officials to counteract the damage and improve the environment were noted.

Secondly, on-site observations gave the researcher the opportunity to understand the offenders' use of the prison environment and how the physical function of the correctional centre is being met by the offenders. To achieve this, the researcher had to observe the offenders' movement patterns, overcrowding levels and the offenders' use of space. For example, by observing the allowable space, use of space and extent of facilities available to offenders within communal cells, it was possible to appreciate the conditions that contributed to and perpetuated offenders' frustration and stress. Moreover, through observations it was possible to observe the counteractive measures implemented by the prison authorities to reduce stress and frustrations.

Due to the length of time spent undertaking on-site observations the researcher was able to observe most areas of the correctional centres. For example, it was possible to observe the offenders' use of cells (holding, communal and single cells), internal passage ways, exercise yards, other recreation areas, dining halls, kitchen areas, laundry facilities, visiting areas, arrivals/reception areas and education facilities. While observing the offenders use of the physical environment the researcher was able to observe if and how offenders manipulate the physical environment to suit their needs and the overall result of their actions. Moreover, by visiting and observing the correctional centres the researcher could conceptualize the correctional centre during preparation of the survey instruments and later, when analyzing the data generated from the study.

The third motivation for on-site observations was for the researcher to gain knowledge into the prison culture that is encapsulated in prison life. While there are several interpretations of the term, 'culture', in this study culture refers to offenders' *way of life*.

The significance of considering prison culture stems from the argument presented in the literature that violence in prison is part of prison culture, particularly, although not always, prison gang culture (Breytenbach, 1984, Gear and Ngubeni, 2002 and Gear, 2005 and 2008). Given the argument for the existence of a specific culture inherent to prisons, this study sought to examine prison culture and to determine the extent to which the physical environment, particularly the physical design of prisons, might support and contribute to prison culture. If it were seen that prison design supports prison culture, it could be argued that prison design supports culture which in turn supports violence. In order to achieve this, prison culture had to be appreciated, and where possible, observed. On-site observation is seen as the most appropriate research methodology that supports an understanding of prison culture.

According to Creswell (2009:178) data collection steps applied to research include establishing the *"boundaries for the study"*, collecting information and determining the *"protocol for recording the information"*. For a researcher to understand the problem and address the research question, participants and sites must be *purposefully selected*. To achieve this, discussions about the participants and sites should include the setting, the events and the actors (Creswell, 2009 citing Miles and Huberman, 1994).

Observations can be carried out through several methods such as: complete participant where the researchers role is concealed; observer as participant where the role of the researcher is made known; participant as observer where the observation role comes secondary to the role of participant; and as complete observer where the researcher observes without any form of participation (Creswell, 2009).

Creswell (2009) posits that the observational protocol for data recording can on the most part be associated with the observational method applied. However, data recording methods

applied in observational research generally involves the researcher taking either unstructured or semi structured notes of the behaviours and activities of individuals within the identified setting. The notes can include descriptive notes, reflective notes and/or demographic information (Creswell, 2009).

While it was deemed important to undertake observations of the settings and participants to this study, the observation technique applied was limited to complete observation where the researcher observed the setting and participants without participation. The observational protocol for recording of data gathered through observations was carried out in the following manner:

- Notes on the setting and the participants within the setting were initially made by the researcher prior to arriving at the setting. This included the gathering of data on the specific setting (each case study prison) and becoming familiar with the prison through data such as aerial photographs of the site, prisoner demographics and historical data on the prison
- Prior to carrying out observations within the prison setting, discussions were held between the researcher and the Centre Supervisor. Discussions included historical aspects of the prison, the demographics of the prisoners, the prison regime, problems of security and areas within the prison that the supervisor believed to be of threat to security
- During discussions, specific locations within the prisons were identified and discussed as potential areas to observe prisoners activities, movement and behaviours. These areas included communal and single cell housing units, dining halls, exercise yards, education areas, work areas and kitchens
- Descriptive notes were taken by the researcher during the discussions
- Given the security measures imposed on researchers in South African prisons all observations were carried out in the presence of the Centre Supervisor. This gave the opportunity for discussion while observations were being carried out
- It was not deemed inappropriate to record notes during the observations therefore reflective notes were recorded following the observations. The reflective notes

served to support the descriptive notes taken prior to the observations and served to enrich the descriptive notes with the researcher's own impressions and observations

- Further discussions were carried out between the researcher and the Centre Supervisor following observations. This gave the opportunity to clarify and address any questions raised during observations

6.5 SURVEYS

The survey research employed in this study included interviews, small group discussions, large group discussions and questionnaires.

6.5.1 Interviews

In order to develop a structured interview a structured pilot interview was developed and conducted with respondent number one at Modderbee Correctional Centre. Appendix 2 presents the interview schedule for the pilot interview. Following the pilot interview the structured interview for all subsequent respondents was formalized. The structured interview is presented in Appendix 4 and was used for all interviews that took place at Modderbee, Pretoria and Johannesburg. A separate interview schedule and questionnaire was developed for respondents at CMax as presented in Appendix 5.

Given that a formal structured interview was conducted with all the respondents, all responses for the pilot interview and all subsequent interviews were recorded by the researcher on the structured interview document. The structured interview was applied for group discussions and as the questionnaire. The process of analysis for data generated through interviews is detailed in section 6.8.2 and section 7.1.1.

The schedule of interviews (Appendix 3) presents the date of the interviews, the duration of each interview, the physical location of the interview within each correctional centre, the respondent's security level, offence and cell type. In total, 18 individual interviews with offenders were conducted for data collection. Ten interviews were undertaken at Modderbee Correctional Centre, three at Pretoria Central Correctional Centre, four at CMax and one at Johannesburg Correctional Centre. Over and above individual offender interviews,

discussion groups were formed. One offender (offender number 10) formed part of a discussion group as well as being individually interviewed. Overall, 46 offenders contributed to this study either as respondents to interviews or as part of discussion groups.

All respondents were selected by the Head of Correctional Centre the Head of Security or the Head of each housing unit. Contractual research rules outlined by the Department of Correctional Services stipulate that all interviews with offenders should be undertaken in the presence of an official and at a place and time determined by the Head of the Correctional Centre or Head of Security. While the formal predetermined protocol for interviews with offenders imposed by the Department of Corrections had to be adhered to, it is acknowledged that two limitations associated with bias can be raised with the interview process imposed. Firstly, it can be argued that by virtue of being chosen by the Head of the Correctional Centre, Security or housing unit, the respondents to interviews were those "approved" and deemed appropriate to respond to this study. Secondly, the reliability of the responses to questions posed at the interview can be regarded as a limitation as the respondents were required to provide responses in the presence of an official.

While interviews were initially seen as the most effective method for obtaining reliable detailed information, it became apparent that they were not the most time effective research instrument to use. Despite the interviews being structured, offenders who had few visitors and/or who had been incarcerated for a long time saw the interview as an opportunity to discuss a variety of problems. This was most apparent when offenders were either gang members, were victims of gang attacks, or had contracted illnesses, such as HIV while in the Correctional Centre. While all questions posed to the respondents were answered, the respondents were encouraged to talk freely regarding areas posed in the structured questions; this provided insight into what Anastasi (1982:610) refers to as *"life history data"*. Depending on the amount of information and detail the offenders wanted to divulge, the time for interviews ranged between two hours to three days. The information that was gathered during interviews contributed to forming the questionnaire.

On the whole, interviews are a data collecting technique that provides little risk to the researcher's safety in the correctional centre environment. Officials were present throughout the interview period and on the most part the officials had weapons. All interviews were conducted in secure rooms, offices or at a designated meeting place. With the exception of four interviews held at CMax all the interviews took place in areas that presented no physical barrier between the interviewer and interviewee.

The four interviews conducted at CMax took place in secure interview rooms normally used for interviews between offenders and legal representatives. The four respondents to interviews at CMax were placed in physical restraints in the form of hand and foot restraints. On entering and exiting the interview venue the offenders in CMax were physically restrained by their hands and feet and they were escorted by two guards. The guards' escorting the offenders were armed with electric shields. Once seated in the interview venue the offender's hand restraints were chained to their foot restraints which were then further secured to the floor. Safety protocol stipulated that the offender- interviewees at CMax had to be secured to the floor before the researcher could enter the interview venue and following the interview the researcher had to leave the interview venue before the offenders were released from the foot restraints and escorted back to their cells. All four of the offenders interviewed at CMax were deemed very high security risk and as such the two escorting officials presided over the interview. Throughout the interviews one official was positioned at the side of the researcher and the other official was positioned standing at the doorway to the interview room. Both of the officials were armed with electric shields throughout the interview.

Although the Department of Correctional Services regulations demand the presence of an official in an interview, the presence of an official can impact negatively on the interview. The reliability of the information given by the offender in this type of situation is dependent on the offender, their length of incarceration and the relationship they have with the official who is present. It is also dependent on how secure the respondent feels with the interviewer. On the whole, it was found that offenders who had been incarcerated for longer periods and

who had normalized to the prison environment were more willing to discuss issues in more detail.

As noted by Atlas (1982), while interviews do not give official data on assaults, they do give insight into the type of assaults, the rationale for assaults and the offenders' experience and perception of assaults. Interviews undertaken in this study provided detailed information into the social and physical context of assaults in correctional centres.

6.5.2 Group discussions

Over and above individual interviews, group discussions were conducted with small groups of offenders (3 offenders) and with large groups of offenders (up to 10 offenders). A total of 28 participants took part in group discussions. Two group discussions were conducted at Modderbee Correctional Centre, Group A comprised three offenders and Group B comprised 11 offenders. One discussion group (Group C) at Pretoria Central Correctional Centre comprised four offenders and one group (Group D) at Johannesburg Correctional Centre comprised ten offenders. Due to security constraints, group discussions with the offenders were not permitted at CMax. The schedule for discussion groups is presented in Appendix 3.

During the course of conducting the individual interviews, a number of offenders suggested group discussions so that more input could be gained from more offenders. On the whole, group discussions did provide an avenue to discuss issues further and obtain different perspectives. As with the other interviewees, the samples of offenders for group discussions were chosen at the discretion of the Head of Correctional Centre, the Head of Security, Centre Supervisor or Housing Unit Manager. All offenders involved with group discussions were initially asked to participate by the Head of Correctional Centre, the Head of Security, Centre Supervisor or Housing Unit Manager and participated voluntarily.

All of the participants to group discussions were provided with information regarding the purpose of the study by the researcher. Once the purpose of the study and group discussions were outlined all the participants were given the opportunity to accept or decline participation. Respondents to the group discussions were then given a copy of the structured

questionnaire (Appendix 4). The respondents were asked to complete the research instrument in the presence of the researcher. Following completion of the document, participants were invited to discuss any issues they had regarding the questions posed on the research instrument. Additional comments made during the discussions were recorded either directly onto the research instrument by the respondents or by the researcher as descriptive notes. The process of analysis for data generated through the group discussions is detailed in section 6.8.2 and section 7.1.1.

Group discussions were conducted in offices, school rooms and libraries, in the presence of security officials. On one occasion a group discussion was held with five offenders in a single cell in a housing unit.

On the whole this arrangement was suitable although issues surrounding security and appropriate facilities arose. While security and risks to researcher's safety did not arise with small group discussion, officials suggested that large group discussions should be avoided. Containing large numbers of offenders in one room for a long period of time can pose a security risk particularly when the number of officials available to preside over the group is limited.

6.5.3 Questionnaire

Over and above individual interviews and group discussions, 355 self-administered questionnaire copies were distributed to offenders within the four case study prisons. The questions posed on the interview and questionnaire (presented in Appendix 4) were influenced by and modeled on the *initial questionnaire* and the *violent environment questionnaire* developed and used by Atlas (1982:385-408). According to Atlas (1982), questionnaires allow anonymity, time, flexibility in distribution, a large sample, uniformity, reliability and simplicity in analysis.

Two forms of questionnaire were generated for this study. The first form (as presented in Appendix 4) was distributed to respondents at Modderbee Correctional Centre, Pretoria Correctional Centre and Johannesburg Correctional Centre. The questionnaire included

questions relating to communal and single cell accommodation. The questions directed to respondents accommodated in communal cells included questions relating to frustrations associated with communal cell living.

The second form of the questionnaire (presented in Appendix 5) was only distributed to respondents accommodated at CMax. Due to the nature of the security at CMax all offenders accommodated at CMax are housed in single cells. Therefore, the questionnaire for respondents at CMax did not pose questions relating to communal cell living.

Despite two forms of the questionnaire being generated, both forms of the questionnaire were modeled on the format of the interviews and were categorized into seven distinct sections.

Section 1 (questions 1 – 15) explored the offenders biographical information such as: home language, tribe or culture, religion, marital status, details of offense and sentence.

Section 2 examined the offender's living area such as communal or single cell accommodation and explored the facilities in the cells and frustrations or stresses experienced while living in the cell. The section examined the living standards in the accommodation such as cleanliness, security and infractions specifically related to contraband including levels of drug abuse. Question 41 and 42 specifically asked whether, given the choice, the offender would prefer to remain in that type of accommodation or be moved and why?

Section 3 (questions 43-64) explored issues relating to facilities and programs. The section examined which facilities (or building materials) were most likely to be damaged and examined the frustrations the damage caused. This section examined which materials in the fabric of the buildings were being damaged to be used as weapons and as such which materials inadvertently contributed to violence. The section further asked the offenders to detail which facilities they would most like to have and as such examined facilities that could be incorporated into correctional centres that might reduce stress. Questions that assessed the

use of facilities such as the exercise yard and the involvement of programs were also dealt with in Section 3.

Section 4 examined the offenders' concept of safety (questions 65-90). Offenders were asked to detail their concept of safety and explain what they believed to be their greatest threat. The questions examined the reasons for fights among offenders and explored the use of weapons and the materials used in the manufacture of weapons. This section covered the issue of gangs and the impact of gangs on the correctional centre environment.

Section 5 examined the area of assault (questions 91-98). The section asked the offenders to identify the place (physical location) where assaults are more likely to occur. Offenders were then asked to explain why they thought more assaults occurred in that place or in those places This section posed the questions on two levels, firstly with regard to offender-on-offender assault and secondly offender-on-official assault.

Section 6 (questions 99-111) looked at the frequency of assault. Offenders were asked to explain assault in terms of time of assault (time of day), the day of week and the month of year.

Section 7 (question 112) was opinion based and asked offenders to give their opinion on how the correctional centre could be made safer.

Of the 112 questions on the questionnaire, 80 were closed questions where a range of potential answers were provided and the respondents had to indicate their chosen answer. Thirty of the questions were open ended and one question adopted the Likert scale.

The system of questionnaire distribution and collection was undertaken by two methods. Firstly, copies of the questionnaire were distributed to offenders who participated in group discussions and secondly, the questionnaire was distributed to, and collected by Unit Managers from offenders.

The questions and the layout of the questionnaire were designed to be self-explanatory (See Appendices 4 and 5). This proved effective as respondents were able to complete the questionnaire without assistance. Where assistance was required it was on the most part where offenders did not have a full understanding of English. Pens were distributed with each questionnaire.

While the questionnaire was simplified to be self-explanatory, the respondents could pose questions regarding the questionnaire to either the researcher, when administered by the researcher, or to the Unit Managers, when distributed by the Unit Managers.
While copies of the self-administered questionnaire were mostly completed in the presence of the researcher, on one occasion a large group of participants requested to take the questionnaire to their cells to complete and return the following day. Although all the participants returned the questionnaire, most returned copies were incomplete. Participants indicated that this method was not effective as other offenders in communal cells wanted to see the questionnaire and in some instances intimidated the offenders to not complete them. Although distributing the questionnaire to small and large groups following group discussions was effective in terms of the response rate, the method was time consuming and limited to the number of participants in the group.

Where the questionnaire could not be self-administered, copies were distributed, collected and returned with the assistance of Unit Managers. This system was adopted after discussions with the Head of the Correctional Centre and Centre Supervisors. Unit Managers of maximum security housing units within each of the case studies were selected by the Head of the Correctional Centre or the Centre Supervisor to participate. Once selected, meetings between the Unit Managers and the researcher were held at the Correctional Centres where the purpose of the research was outlined. Copies of the questionnaire were then distributed to the Unit Managers and explained in full following which the Unit Managers were allocated a specified number of questionnaire copies to distribute to offenders within their housing units. The Unit Managers were requested to distribute the questionnaire to a convenience sample of offenders. This was thought to be the most appropriate method of distribution as the Unit Managers had more insight into the offenders who would be more

willing to complete the questionnaire; which offenders were literate and which offenders could read and write in English. Sets of questionnaire copies issued to Unit Managers were left with the Unit Managers on average for one week. Table 6.2 details the number of Interviews conducted, group discussions held and questionnaire copies distributed. The rate of return is presented with reference to each of the four case study Correctional Centres.

Table 6.2: Distribution and the rate of return in the four Correctional Centres

Name of Correction Centre	**No. of structured Interviews**	**No. of group discussions and No. of participants**	**Rate of return for group discussion questionnaire**	**No. of distributed Questionnaire**	**No. of Questionnaire returned**	**Rate of return of Questionnaire**	**Total No. of data sets per Correctional Centre**
Modderbee Correctional Centre	10	Group A – 3 participants Group B – 11 participants	100%	75	36	48%	60
Pretoria central Correctional Centre	3	Group C – 4 participants	100%	150	87	58%	94
Johannesburg Correctional Centre	1	Group D - 10 participants	100%	100	37	37%	48
CMax	4			30	30	100%	34
Totals	18	28		355	190	54%	236

As presented in Table 6.2, the rate of return for the self-distributed Questionnaire was 54%. There was a 100% return rate for the questionnaire distributed to groups and adopted for Interviews. The low rate of response is attributed to Unit Managers not collecting or returning copies of the questionnaire; Unit Managers distributing copies of the questionnaires

to offenders who were consequently moved to another unit or transferred to another correctional centre; or offenders reportedly refusing to complete the questionnaire. Another plausible reason for the non-return is that the questionnaire paper became a valuable commodity in correctional centres and was used for other purposes.

6.5.4 Constraints

While controlled environments for the distribution, completion and returning of questionnaires is ideal, in two of the correctional centres it was not possible. Johannesburg and Pretoria Correctional Centres did not have the facilities or, more significantly, the manpower to support the requests for controlled environments. Moreover, the security that needed to be provided to the researcher with groups of over 20 offenders was not available. Security constraints at CMax impeded any attempt to address more than one offender at any given time. Johannesburg Correctional Centre Medium B proved to be the most problematic in organizing a survey sample of offenders and distributing the questionnaire and this was attributed to the low staff-offender ratios; staff claimed they did not have the available time. Moreover, at Johannesburg Medium B officials reported that offenders refused to complete the questionnaire unless completing the questionnaire entitled them to be considered for parole hearings. Other offenders refused to participate based on fear of reprisal from prison gangs.

All copies of the questionnaire distributed to offenders by officials at CMax were returned. By virtue of the high security imposed at CMax, offenders are locked in single cells for 23 hours a day and as such it is presumed more time could be given to completing the questionnaire. The questionnaire was distributed and collected through Unit Managers. At CMax, gathering offenders in groups and being present for the distribution, completion and collection of the questionnaire was not possible due to security issues.

6.6 SELECTION CRITERIA FOR CASE STUDIES

Visits were carried out to USA and UK during the course of this study. Initially it was believed that a comparative study could be undertaken comparing the concept of violence in correctional centres through case studies of correctional centres in the UK, USA and South

Africa. However, as previously discussed, after initial explorative work it was determined that the social fabric of the correctional centres and the general character of the offenders both in the USA and UK are not comparable to South Africa. Moreover, after a literature review it became apparent that several studies have explored the phenomena and environment of violence in the USA, while studies that examine the environment of violence in South Africa are limited. Studies that have explored prison violence in South Africa have, on the most part, concentrated on prison gang culture (Breytenbach, 1984; Gear and Ngubeni, 2002 and Gear, 2005 and 2008; Steinberg, 2004 and Parker Lewis, 2006).

With these factors in mind, it was determined that the study should be limited to the environment and prison violence phenomena in South Africa's prisons only.

The application to undertake the research through the Department of Correctional Services was initially made during 2004. Following research approval during May 2007, the Research Directorate at the Department of Correctional Services offered the opportunity to amend the original research application, particularly with reference to the number and type of case studies. Given that three years had passed between making initial application and approval, a review was undertaken between May and August 2007 to determine whether the original case studies should be maintained in the study and whether additional case studies should be incorporated into the study. The evaluation of correctional centres and the selection criteria for the choices of case studies to be included in this study were based on the following factors:

- The correctional centres (gender, physical size and occupancy, physical design and physical location).
- The offenders (gender, security designation and number of offenders).
- Recommendations and Access.
- The Geographical location of the Case studies.

In May 2007, there were 237 operational correctional centres in South Africa with a total of 161 639 persons in custody; 113 313 sentenced offenders and 48 326 remand detainees. Of

the total sentenced offenders 97.82% were males and 2.18% were females (Department of Correctional Service, 2007a).

Initially, the choice of correctional centres(s) for case study was determined in terms of gender. While it is possible to examine the environment and violence phenomena in female and juvenile correctional centres, literature suggests that prison violence is more frequent and more aggressive in nature when it takes place in male correctional centres (Chapter Four). Moreover, literature suggests that prison gang culture, which is considered to contribute significantly to violence in correctional centres, is more concentrated in male correctional centres (Chapter Four).

Having limited the case study choice to male correctional centres, the choice of correctional centres to be examined as case study was based on the prison design, the overall prison size, number of offenders and offender security classification.

The prison designs influenced the choice of the case study as each of the design had to be an application of an acknowledged design in its purest form, rather than a stand-alone prototype design. Therefore, the prisons considered for case study encompassed one of the designs presented in the literature review, i.e., telephone pole; Panopticon, radial (attached or detached), self-enclosing or courtyard, rectangular, linear, or polygonal. At the time of this study the New Generation design and management philosophies had yet to be fully adopted into the South African correctional system. The New Generation centres were still in the construction phase and as such could not be incorporated as case study. While each of the prisons considered for this study presented one of the several accepted designs for prisons, each of the case studies presented a differed design. Initially it was felt that by adopting different prison designs for each of the case studies, the findings might reveal information about the design and violence phenomena which might be specific to one particular prison design.

While the architectural designs of the correctional centres adopted for case study had to differ, the case studies had to be comparable in all other respects. For example, the case

studies had to be comparable in terms of size, number of offenders and security classification of offenders.

Size in this study refers to the overall area of the prison (physical size) in addition to the approved and actual capacity or percentage occupation. The correctional centres to be examined in this study were to involve those deemed large. As previously presented, literature suggests that large correctional centres are those accommodating more than 400 offenders.

Literature reviewed in Chapters One and Four in this study suggests that in order to examine the phenomena of prison violence and prison environment it is useful to identify the offender characteristics in any given prison, as assault rates may be indicative of the offenders disposition rather than the prison environment. Statistics suggest that prison violence levels are greater where large numbers of high security/maximum security sentenced offenders are housed. Remand detainees were not included in the target sample due to their transient nature. Based on this premise, the correctional centres chosen as case study in this study accommodated only male maximum security sentenced offenders.

6.6.1 Recommendations and Access

Having established the selection criteria for the case studies to be applied in this study, further discussions were conducted with seven staff members from a number of divisions at the Department of Correctional Services Head Office at Pretoria. Due to restrictions associated with confidentiality the names and ranks of the participants to the discussions cannot be mentioned here. However, discussions with seven staff members from the following divisions were conducted during May – August 2007:

- Correctional centre Architecture
- Archive information
- Building and Maintenance
- Security and section management
- Statistical Department

- Correctional Administration
- Development and Care / Program reform and rehabilitation

Prior to discussions, the selection criteria narrowed the selection of case studies to male maximum security correctional centres, of different architectural design although of approximately similar size (layout) and capacity. Moreover, the centres had to accommodate similar security classification offenders, namely maximum security offenders.

Having determined the selection criteria for the case studies, discussion with staff from the various divisions noted previously narrowed the selection criteria further. While there were potentially 237 operational correctional centres in South Africa at the time of case study selection (May 2007 – August 2007), the methodology applied in this study required on-site observation, phenomenological study, interviews with offenders and questionnaire distribution and collection. During discussions with staff at the Department of Correctional Services Head office, it was recommended that in order to achieve this, all of the case studies should be located within one province in South Africa. Restricting the case studies to one province in South Africa would allow for greater levels of convenience with regard to access to each of the case studies. Moreover, locating the case studies within one province would reduce travel constraints and not limit the time spent in each of the correctional centres.

The case study selection criteria was therefore limited to those correctional centres located in Gauteng Province. The decision to limit the case studies to Gauteng Province was based purely on geographic location in terms convenience in relation to the perceived extent of field work that was to be undertaken in each of the case studies. It was perceived that a great deal of time would be spent in each of the selected correctional centres, observing the correctional centres and offenders activities, talking with offenders and officials and generally becoming familiar with the prison environment. Extending the study to examine other centres in other provinces would limit the amount of time that could be spent in each centre.

Having restricted the geographical location of the case studies to Gauteng, an evaluation was undertaken of the 26 correctional centres within the Gauteng province. As noted previously the criteria for case study selection included case studies of comparable size and it was recommended during discussions that larger correctional centres should be considered for case study selection. During discussions with staff at the Department of Correctional Services Head Office it was indicated that larger prisons contain a greater number of offenders, a larger percentage of maximum security offenders, incarcerate a larger variety of offenders and generally experience more incidents of assaults among offenders. While these recommendations were not supported by official documentation, the same detail and information was offered by each of the various participants during discussions.

Evaluation of the correctional centres in Gauteng Province determined the larger and smaller correctional centres in Gauteng. The larger correctional centres in Gauteng were deemed those that accommodated 5 000 or more offenders; the number of offenders in this evaluation was based on both sentenced offenders and remand detainees. Based on this criteria, statistics determined as at 31st March 2007 indicated that Johannesburg Management area accommodated a total of 10 983 offenders, Pretoria Correctional Centre accommodated a total of 8 154 offenders and Modderbee Correctional Centre accommodated a total of 5729 offenders (Department of Correctional Services, 2007a).

Having determined the size and capacity of the three centres, discussions with staff within the Architectural division, Building and Maintenance division and Statistical department established the physical design of the three correctional centres. The three correctional centres differed in physical design from each other and each one of the centres presented an acknowledged prison design. Johannesburg presented a radial design, Modderbee presented the courtyard design and Pretoria Central presented the principles of telegraph pole design. CMax was maintained for case study research in this study since approval was granted on the original research application in 2004. CMax represented telegraph pole design.

6.7 THE CASE STUDIES SELECTED FOR THIS STUDY

Based on the criteria presented four correctional centres in the Gauteng Province were chosen to be assessed as case studies in this study. The four centres were Johannesburg Correctional Centre; Modderbee Correctional Centre; Pretoria Central and Pretoria CMax

6.7.1 Case Study One – Johannesburg Correctional Centre

This case study was conducted between September 2007 and March 2008.
Johannesburg Correctional Centre comprises four correctional centres that in turn make up the Johannesburg Management Area (JMA). The centre was built during 1981 and was opened in 1982. Johannesburg Management Area or Johannesburg Correctional Centre as a whole is separated into four distinct correctional centres; Medium A (CCA), Medium B (CCB), Medium C (CCC) and Female. The design of the Centre is based on the principles of radial design. Figure 6.2 presents an aerial view of Johannesburg Management Area and the four centres contained within.

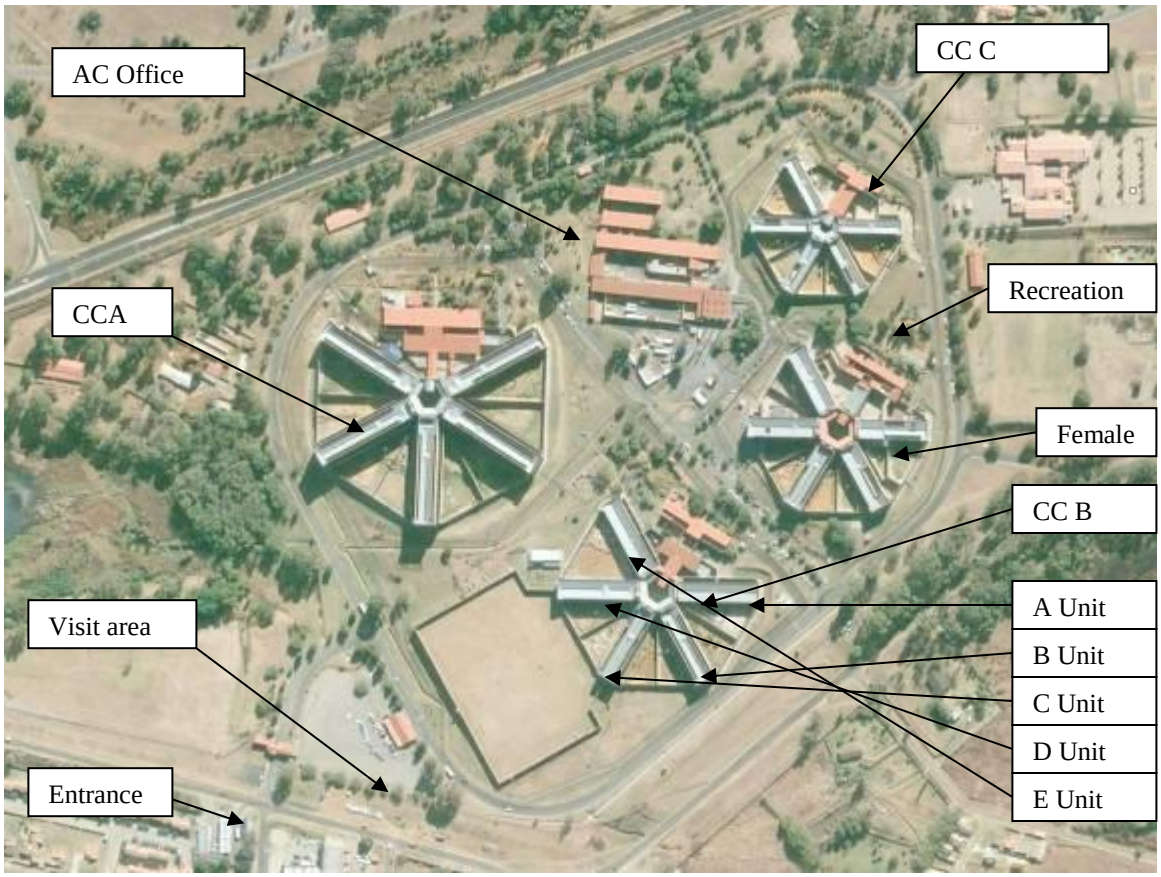


Figure 6.2: Aerial view of Johannesburg Management Area
(Source: Department of Correctional Services (n.d.d))

The four correctional centres that comprise the Johannesburg Management Area are classified as follows:

- Correctional Centre Medium A (CCA).

Medium A houses remand detainees and a number of sentenced offenders. Due accommodating remand detainees, the number of detainees on any given day fluctuates dramatically. Although Medium A was originally designed to accommodate 2630 offenders and has a maximum sleeping space for 4386 offenders. However, the 22/04/2008 statistics provided by Johannesburg Management Area (Department of Correctional Service, 2008f) suggest that there were reportedly 6451 males held at Medium A: 6306 remand detainees and 145 sentenced offenders. The centre allows visits for remand detainees during weekdays and these are organized per court; approximately 6500 visits per week take place. Medium A has initiated an

inmate tracking system which monitors the movement of any inmate within the facility twenty-four hours a day, seven days a week.

- Correctional Centre Medium B (CCB).

Correctional Centre Medium B accommodates sentenced male offenders. Originally designed to accommodate 1300 offenders, it has a maximum sleeping space for 2271 sentenced offenders (at 175% of designed capacity). Statistics provided by the Department of Correctional Services (2008f) indicate that at 22/4/ 2008, CCB housed 3054 sentenced male offenders. Similar to Medium A the number of offenders housed fluctuates on any given day and any given month. While the CCB accommodates sentenced male offenders it also houses sentenced male children and sentenced male juveniles (Department of Correctional Services, 2008f).

- Correctional Centre Medium C (CC C).

Correctional Centre Medium C accommodates sentenced maximum security adult males and when required juvenile maximum male offenders. CC C has approved capacity and maximum sleeping space for 329 offenders although statistics provided by the Johannesburg Management Area suggest that on 22/04/2008 the centre accommodated 550 sentenced male offenders of which 519 were classified as maximum. Significantly, Medium C has only single cells not communal cells.

Overcrowding at JMA is considered to be a major challenge. In the JICS Annual Report of 2010 the JICS maintains that the problem of overcrowding at JMA CC A and CC B is continual. The JICS Annual Report (2010) points out that JMA CCA is the second most overcrowded prison in South Africa with 246.37% occupation and that JMA CC B is reportedly the third most overcrowded correctional centre in South Africa with 242.15% occupation. As presented in Table 5.4, on 31st March 2011 Johannesburg Medium B was reported to be the second most overcrowded prison in South Africa at 249.62% capacity while Medium A was the fourth most overcrowded prison at 238.33% capacity (JICS, 2011).

According to the Department of Correctional Services (2008f) the majority of the population housed at JMA are remand detainees (6631 or 60%) followed by sentenced offenders (4385 or 40%) of which 2488 or 22% of the total offender population are classified as maximum security.

While the number of remand detainees and sentenced offenders housed in JMA fluctuates, the centre is served by approximately 1500 officials. However, as conceded by the JMA, according to resolution 6 of 2001 there should be 2800 officials in order for unit management to function effectively.

Images of Johannesburg Correctional Centre are presented in Appendix 8.

6.7.2 Case Study Two – Modderbee Correctional Centre

This case study was conducted between August 2007 and March 2008. Modderbee Correctional Centre (MCC) is classified as a medium centre. The centre accommodates un-sentenced remand detainees (both male adults and male juveniles); sentenced male offenders (minimum, medium and maximum security classifications) in addition to accommodating further charge offenders. The centre services 14 courts.

The design principle of Modderbee is the courtyard design. Modderbee Correctional Centre comprises 16 units. There are four units that accommodate remand detainees; 6 sentenced units and 6 special care units. Figure 6.3 presents an aerial view or plan of Modderbee Correctional Centre. Additional images of Modderbee Correctional Centre are presented in Appendix 9. The function of each unit and the approved capacity vs. actual accommodation is presented in Table 6.3.

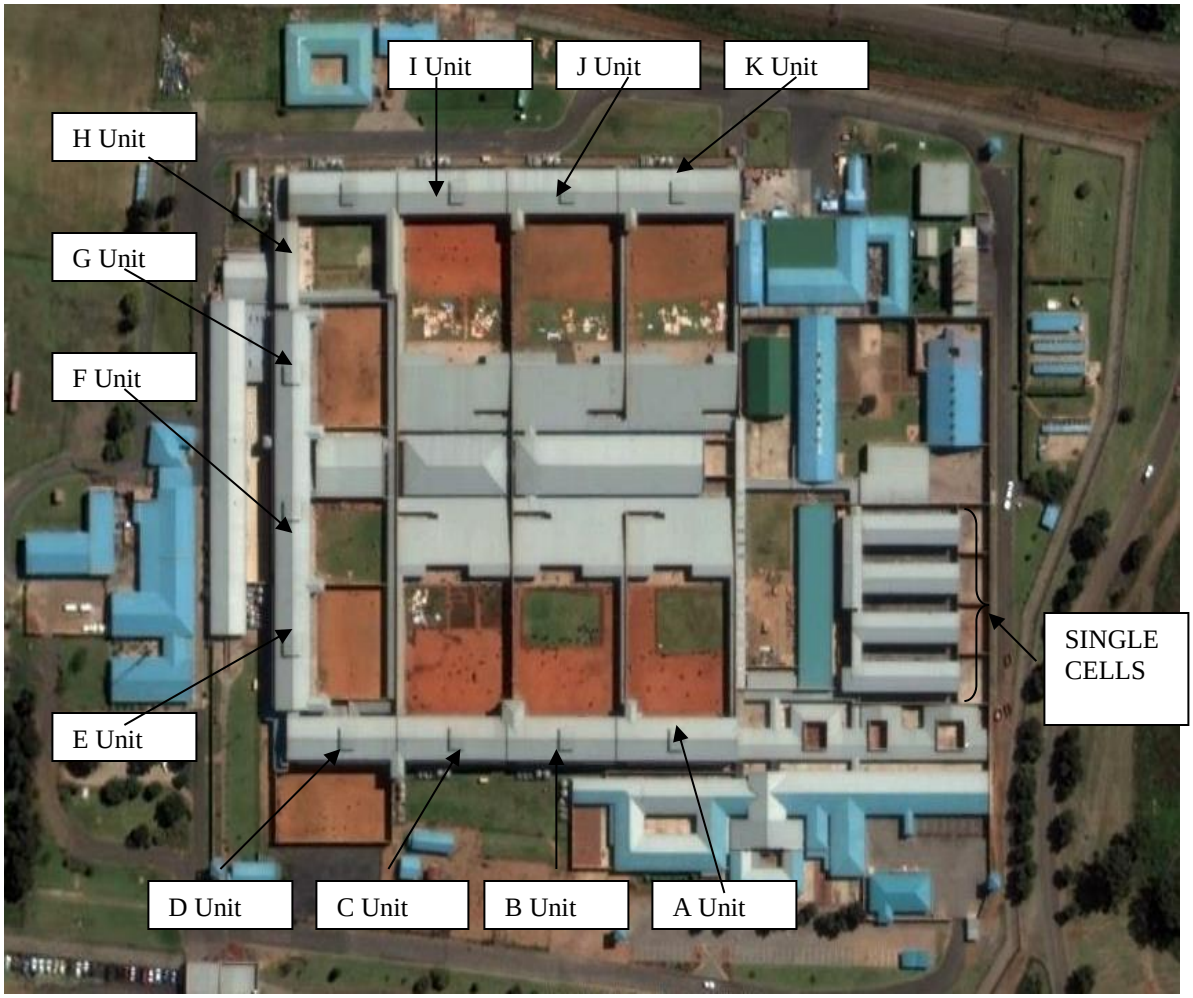


Figure 6.3: Aerial view of Modderbee Correctional Centre
(Source: U.S. Dept. of State Geographer (2011a))

Table 6.3: Unit function, allowable capacity *vs.* actual accommodation as at 17 July 2007

Unit / block	Type of offender housed	Type of accommodation	Approved capacity	Actual number accommodating	Number of officials
A	Un-sentenced (adult)	12 communal cells and 4 single cells	217	560	18
B	Un-sentenced (adult)	12 communal cells 4 single cells	226	468	19
C	Sentenced (school section)	12 communal cells 4 communal cells	229	354	16

Table 6.3 continued: Unit function, allowable capacity *vs.* actual accommodation as at 17 July 2007

Unit / block	Type of offender housed	Type of accommodation	Approved capacity	Actual number accommodating	Number of officials
D	Sentenced (prerelease)	8 communal cells 4 single cells	154	397	15
E	Sentenced	8 communal cells 4 single cells	154	360	14
F	Un-sentenced (juvenile remand detainees)	10 communal cells 4 single cells	184	306	15
G	Un-sentenced (adult)	8 communal cells 4 single cells	148	275	16
I	Sentenced (board section; long sentences and from other centres)	12 communal cells 4 single cells	229	387	16
J	Sentenced (board section) long term sentenced offenders	12 communal cells 4 single cells	226	378	18
K	Sentenced (working section) *Mapetla* section	12 communal cells 4 single cells	229	408	16
H	Special care sentenced/un-sentenced	16 communal cells 11 single cells	123	81	14
1	Sentenced Maximums	Single cells	60	146	14
2	Sentenced Maximums	Single cells	60	143	14
3	Further charges	Single cells	60	115	17
4	Sentenced observation prior to being housed within centre	Single cells	60		
Kitchen unit	Sentenced	3 Communal cells	45	75	14
Reception unit (previously for observation)	Sentenced and un-sentenced	5 Communal cells	34 54		
TOTALS			2492	4453	236

(Source: Department of Correctional Services (2007c))

Modderbee CC houses only juveniles and adult males. According to the Department of Correctional Services (2008b) report, '*Overcrowding: the monthly Management Report, Modderbee Correctional Centre (March 2008)',* on 31 March 2008, there were 5272 males incarcerated in an approved capacity for 2492 (211% of actual capacity). Despite already being overcrowded, Modderbee has been approved to accommodate a minimum of 5607 (225%).

The concept of Unit Management is applied to Modderbee and each unit is self-contained. Each of the communal housing units comprises 8, 10 or 12 communal cells and 4 or 5 single cells; a recreation hall; dining hall, kitchen and serving area; laundry; shop; consulting room for medical purposes; offices; store room and courtyard. While the design of Modderbee is suitable for the application of Unit Management, overcrowding hampers efforts. The norm as required by the Department of Correctional Services for a unit to function in line with the unit management principles is that each unit houses up to 240 – 300 offenders; Modderbee has recognized this as a challenge due to overcrowding. Currently, communal housing units house a minimum of 277 offenders and a maximum of 502 offenders (Department of Correctional Services, 2008c).

According the Department of Correctional Services (2008b) at 31 March 2008 Modderbee accommodated 5598 offenders, 3317 sentenced males of which 417 were classified as maximum security, 2579 medium security and 28 minimum security. The report further suggests there were 1955 remand detainees; 28 male children remand detainees (under the age of 18) and 298 illegal immigrants who were remand detainees.

Offender development is reportedly high priority at Modderbee Correctional Centre. The offender programs offered at Modderbee include educational programs, skills development, skills utilization courses, sports programs, access to a library, involvement in agriculture, social skills, religious care and health care courses (Department of Correctional Services, 2007c). In line with other correctional centres, remand detainees are not permitted to participate in developmental programs.

6.7.3 Case Study Three – Pretoria Central Correctional Centre

This case study was conducted between August 2007 and March 2008. Pretoria Central Correctional Centre is one of six correctional centres that cater for the Pretoria Management Area (PMA). The centre accommodates male sentenced offenders. Originally designed to house medium offenders, it currently accommodates day parolees as well as minimum, medium and maximum risk offenders. The approved capacity of Pretoria Central is for 1563 offenders although as of 31 March 2008 it accommodated 2227 offenders (142% approved capacity); approximately 392 officials work in the centre (Department of Correctional Services, n.d.f). Based on the design principles of the telephone-pole layout, the centre is separated into 10 housing units referred to as units A – K. The housing units are units A, B,C, D, G1, G2 and G3; units E and F serve as special care units and units G 4-6, I, J and K are pre-release units. Unit H serves as an assessment unit. High risk offenders (Maximum security) are accommodated in Units A, B and C. Medium risk (Medium security) offenders are housed in units D, E and F, G1, G2, G3, G4, G5 and G6 as well as in I and K unit. Low risk offenders are housed in J unit. Figure 6.4 presents an aerial view or plan of Pretoria Correctional Centre. Appendix 10 presents images of Pretoria Correctional Centre.

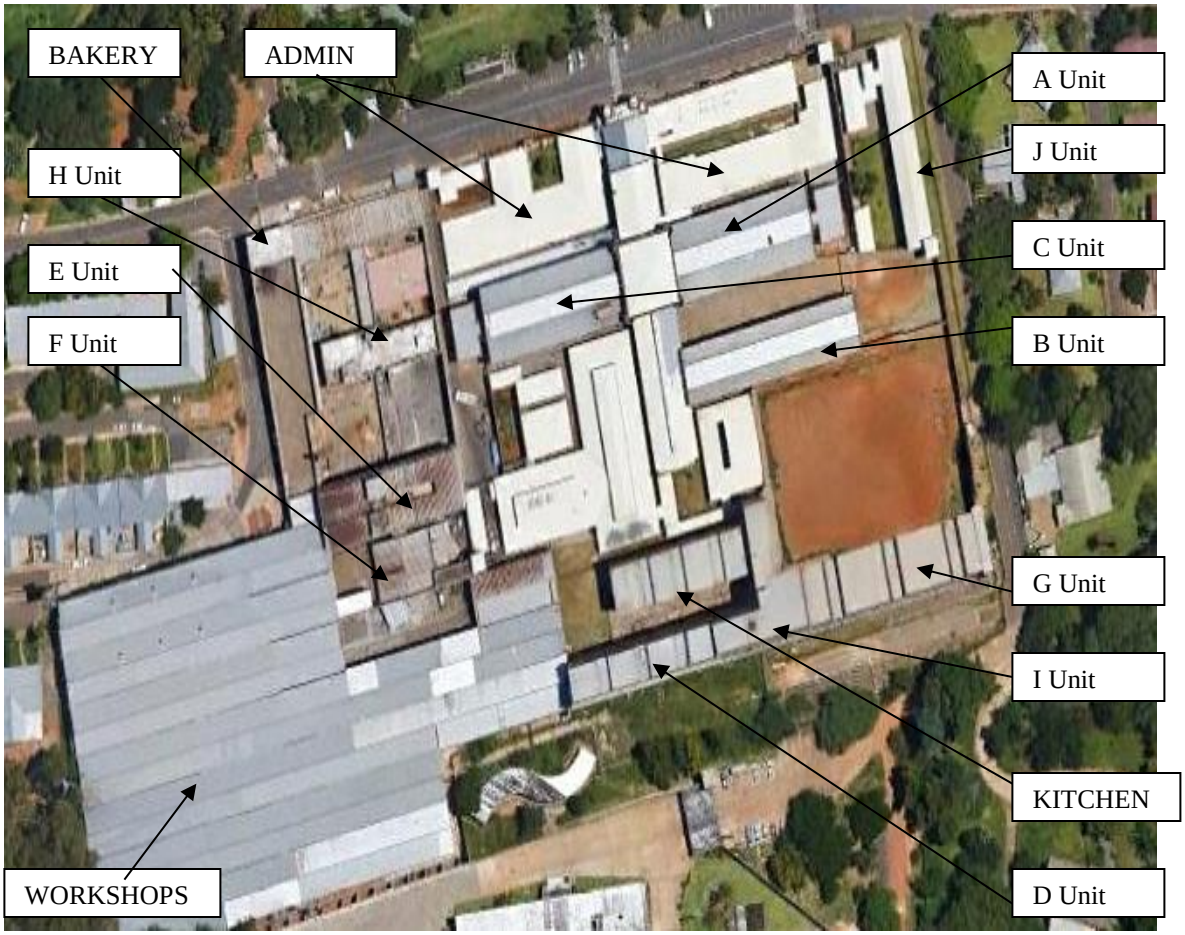


Figure 6.4: Aerial view of Pretoria Correctional Centre
(Source: U.S. Dept. of State Geographer (2011b))

Table 6.4 presents Pretoria Centrals housing unit break down in terms of the housing units, the accommodation provided in terms of number and type of cells, the security designation of the offenders accommodated, the number of offenders accommodate and the number of officials allocated to each unit.

Table 6.4: Pretoria Central housing unit categorization

Unit	Floors/levels in Unit	No. of cells	Security of offenders housed	No. of offenders	No. of officials
A	1	52 single	High risk	285	8
	2	61 single			
	3	57 single			
B	1	42 single	High Risk	327	8
	2	41 single			
	3	38 single			
C	1	52 single	High Risk	341	8
	2	61 single			
	3	57 single			
D	1	2 communal	Medium	310	8
	2	2 single 2 communal			
	3	3 single 3 communal			
	4	3 single 3 communal			
E	1	2 communal	Medium / special care	392	11
	2	2 communal			
	3	2 communal			
	4	2 communal			
F	1	20 single	Medium/ special care		
G	G1	12 communal	Medium	234	8
	G2	12 communal	Medium	226	8
	G3	12 communal	Medium	270	8
	G4	38 single	Pre release	300	8
	G5	38 single	Pre release		
	G6	38 single	Pre release		
I	1	38 single	Medium		
	2	26 single 3 communal			
J			Low		
K			Medium		
H	1	1 communal	Assessment. offenders should only be housed here for a maximum of 60 days	98	4
	2	1 communal			
TOTALS				**2783**	**79**

(Source: Department of Correctional Services, (n.d.f))

The courses and programs available for sentenced offenders at Pretoria Central include educational programs, psychological programs, social work programs, health care programs and religious programs (Department of Correctional Service, n.d.f).

6.7.4 Case Study Four – Pretoria CMax

This case study was conducted between August 2007 and March 2008. Prior to this study research on the physical facilitates at CMax were not permitted or conducted. Due to the nature of security awarded to CMax, documentation or statistics on the facility are not available. In addition, taking, receiving or presenting images of the facility are not permitted. However, while taking images of CMax is not permitted, an Aerial view of CMax is available from Google Earth and is presented in Figure 6.5.

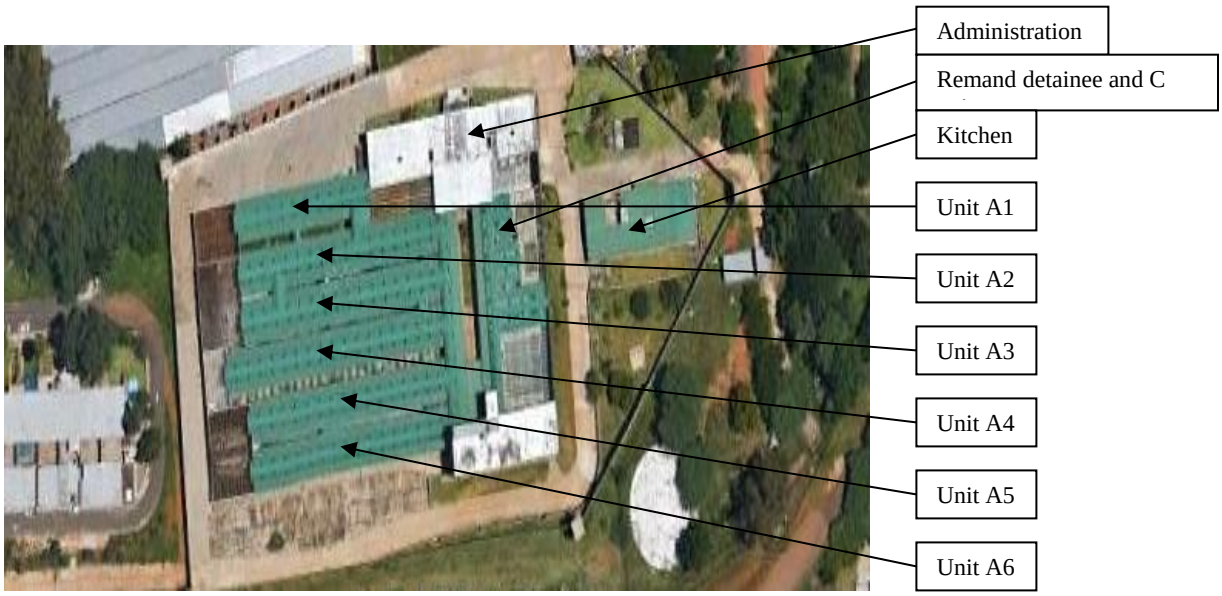


Figure 6.5: Aerial view of CMax
(Source: U.S. Dept. of State Geographer (2011c))

Opened on 22 September 1997, CMax is South Africa's first closed Maximum Security Unit. CMax unit in Pretoria was regarded as the forerunner to the Super-Maximum Correctional Centre and was designed to test the concept of the Super-Maximum in the South African context. CMax was described as *an institutional research project with a view to develop fully fledged Super-Maximum Correctional Centres* in South Africa (Department of

Correctional Services, n.d.g). The Correctional Centre was designed to isolate offenders who cause *severe problems* or who pose a threat to the correctional centre community as a result of the severity of their crimes and/or due to behavioural disorders. The CMax was designed to house offenders in a Super-Maximum security environment to monitor and control behaviour, monitor movement and to reduce the possibility of escape (Department of Correctional Services, n.d.g). With this in mind CMax is currently classified as *not a normal maximum facility but is a National Asset used to detain behavioural problem offenders* (Department of Correctional Services, 2008d:3).

The admission criteria for offenders to CMax includes: offenders with a sentence of 20years or longer; offenders who pose a high risk of escape, offenders who are aggressive and/or who have murdered an official, offenders who are problematic and/or those who are involved in prison gang activity. Other criteria include offenders sentenced for hijacking, high profile crimes and offenders classified as serial killers or serial rapists (Department of Correctional Services, n.d.g).

The concept and need for CMax came about after a number of violent incidents took place in a number of correctional centres in South Africa during 1996. During 1995 the death penalty was deemed unconstitutional and abolished in South Africa; as a result courts imposed life sentences as the maximum punishment. With an upsurge of longer sentences being imposed on hardened offenders the Department of Correctional Services was forced to review security policies in an attempt to *protect communities* (Department of Correctional Services, n.d.g). Initially, the Minister of Correctional Services suggested that the Department of Correctional Services should "*conduct an investigation to house some of the hardened criminals in mineshafts and further to convert some ships into correctional centres in order to protect the community"* (Department of Correctional Services, n.d.g:5). A task team was set up by the Department of Correctional Services during 1996 to explore alternative housing for hardened criminals; the Department of Correctional Services realized that housing hardened criminals in the existing maximum security correctional centres could not ensure safety of the offender, other offenders or officials. A number of delegates visited examples of maximum security correctional centres in the USA and proposed that Pretoria Maximum Correctional Centre be

upgraded into a Closed Maximum Correctional Centre (CMax) (Department of Correctional Services, n.d.g).

According to the Department of Correctional Services (n.d.g) the purpose of the facility is to:

- Keep offenders in safe custody while maintaining their human dignity
- Supervise and control offenders
- Uphold control and discipline in a safe environment
- Provide a humane environment
- Provide rehabilitation programs
- Provide an environment that enhances offenders improvement

With these objectives in mind the management sees incarceration within the facility as a program and the management of CMax works on the "*Batho Pele*" principles. The principles are essentially applied for the benefit of the offenders and the concepts promote the following ideologies:

- Consultation: "you can tell us what you want from us"
- Service standard: "Insist that our promises are kept"
- Access: "One and all should get their fair share"
- Courtesy: "Don't accept insensitive treatment"
- Information: "You are entitled to full particulars"
- Openness and transparency: "Administration must be an open book"
- Redress: "Your complaints must spark a positive action"
- Value for money: "Your money should be employed wisely"

While the Department of Correctional Services maintains the need for CMax, the prison regime has come under criticism. The Jali Commission (2006) raised issues surrounding security such as assaults on offenders by staff, disciplinary procedures and the effects of solitary confinement (Jali Commission, 2006). Further concerns have been raised regarding the security and continual smuggling of prohibited items by officials following the escape of

one prisoner (Ananias Mathe) and the shooting of two offenders and two prison officials during an attempted escape on 7th November 2004 (Jali Commission, 2006). However, despite raising these concerns, the Jali Commission (2006) maintains that the method of detention imposed at CMax is tantamount to cruel, inhumane and degrading punishment.

The physical structure of CMax

CMax comprise an administration block, a maximum security section and a medium section; a hospital, pharmacy and dental section; contact and non-contact visiting areas and a self-contained kitchen. A high security perimeter wall encloses the facility. Five security towers are situated at intervals along the perimeter wall and are manned 24 hours a day by officials working in three separate shifts (Department of Correctional Services, n.d.g).

There are 3 principal offender housing units in CMax, namely: A section, C unit and 1 kitchen unit. The CMax housing section referred to as unit A comprises six housing units. The 6 housing units are referred to as A1 –A6. Housing offenders within each of the 6 units depends on whether the offenders are newly admitted, their duration within the facility and their behaviour while in the facility.

In addition to CMax unit A, there is a section C which accommodates maximum security offenders and is referred to as the maximum security section. High profile offenders such as serial killers, cash in transit heist convicts and political prisoners among others are housed in C section. The maximum security section C comprises C1, C2 and C3. C3 section accommodates high profile un-sentenced remand detainees; C2 houses high profile maximum security sentenced offenders who are serving lengthy sentences. C1 houses the maximum offenders who undertake work within the facility (laborers). A church hall is located in C3 for offenders in C section (Department of Correctional Services, n.d.g). C section accommodates 21 offenders in total and comprises 15 single cells and one communal cell (for 6 inmates). C1 provides 3 single cells; C2 provides 4 single cells and C3 provides 8 single cells (Department of Correctional Services, n.d.g)

While information provided in the Department of Correctional Services (n.d.g), suggests CMax approved capacity for 299 offenders as at 31 March 2008, there were a total of 229 offenders accommodated in CMax in an approved capacity for 306 offenders. As of 31 March 2008, CMax housed 184 sentenced males and 44 un-sentenced males. All offenders who are admitted to CMax Correctional Centre are admitted on the instruction of the Area Commissioner, Regional Commissioner or the National Commissioner.

Each housing unit in A section comprises a long passage with single cells located on either side of the passage and a bathroom with a caged shower unit is located in the centre of the passage. Each unit has its own exercise yard located at the far end of the unit corridor. Offenders housed in unit A5 and A6 (phase 1) exercise individually while offenders in A1/2/3/4 exercise collectively with others housed in the same unit. The exercise yard has a concrete surface and is walled on each side; the top of the yard is covered with wire mesh and as such the yard is completely enclosed. Irrespective of the unit, offenders are permitted to exercise for a maximum of one hour per day. Unless an offender is on a program, receiving a visit, being escorted to the centre shop or on a court visit, offenders remain in their cells for 23hours per day.

According to the Department of Correctional Services (n.d.g), apart from removing an offender for exercise, legal or other visits, hospital or court appearance or program attendance, a cell can only be opened when an offender is sick, is to be transferred, has died or has tried to commit suicide, in the case of a fire or in the case of an explosion.

Positioned on the top of A section and C section cell passageway is a catwalk. Officials patrol the catwalks observing the sections. The catwalks allow for officials to walk directly above the internal cell or housing passageways and small windows positioned directly above each cell allow the patrolling official to view the inside of each cell. Patrolling of the cat walk rotates in 3 specific shifts namely; 06H00 – 14H00, 14H00 – 22H00 and 22H00 – 06H00. CMax rules state that officials must patrol the catwalks a minimum of every two hours. Portal gates are positioned at each end of the catwalk and are kept locked. One portal gate is positioned at the end of the passage which can be opened to view the exercise yard.

Over and above the observation provided by the catwalks, the internal passages of CMax are under constant video surveillance. Table 6.5 presents the offender housing criteria and classification within CMax.

Table 6.5: Offender and housing criteria and classification within CMax

Housing Unit	Phase level	Category of offender	No. of offenders housed	Privilege level
A1	Phase 2	C group offenders	30	Considered for B group classification after 6 months
A2	Phase 2	B and C group offenders	38	B groups considered for A group classification after 6 months
A3	Phase 2	A and B group offenders	40	
A4	Phase 2	A group offenders	48	
A5	Phase 1	Recently incarcerated	50	None
A6	Phase 1	Recently incarcerated	50	None
C1	N/A	Sentenced laborers	Total of 19 offenders	N/A
C2	N/A	Maximum security sentenced offenders		
C3	N/A	Remand detainees		
Kitchen	N/A	Maximum sentenced offenders - Kitchen workers	24	N/A

(Source: Department of Correctional Services (n.d.g))

As presented in Table 6.5, Units A5 and A6 house offenders recently incarcerated and are referred to as phase 1. Units A1, A2, A3 and A4 houses offenders in phase 2 of the incarceration program. A1 and A2 accommodate C group offenders, A2 and A3 accommodate B group offenders and A3 and A4 accommodate A group offenders. Offenders move from phase 1 to phase 2. Offenders housed in phase 1 are not given any privileges. Offenders who move from phase 1 to phase 2 are initially given C group classification; they can be considered for B group classification after 6 months in C group classification. In order to be considered for upgrading, offenders must have positively participated in correctional centre programs, co-operated with the correctional centre officials, have no further charges and have not carried out any negative behaviour in the six months prior to application (Department of Correctional Services, n.d.g). Offenders with B group classification can be considered for A group status after a 6 month period. To be

moved from B to A classification, an offender must meet the previous criteria (that for B classification) in addition to demonstrating progress on correctional centre programs and meeting an escape risk criteria. Offenders who violate any of the requirements can be moved from phase 2 back to phase 1. All offenders in phase 1 are awarded the same privileges irrespective of their security classification.

While CMax offers the highest levels of security of any correctional centre in South Africa assaults continue to take place and as shown in Table 6.6 are increasing. Moreover, despite the tightened security that is maintained in CMax, the failures of CMax include attempted escapes; a revolver found inside the facility in the possession of an offender; two suicides; and an assault on a medical practitioner (Department of Correctional Services, n.d.g). The number of assaults by offenders on offenders is presented in Table 6.6.

Table 6.6: Reported incidents of assaults between 1999 and 2003 in CMax

Year	**1999**	**2000**	**2001**	**2002**	**2003**
Number of assaults	5	6	9	11	Jan-April 8

(Source: Department of Correctional Services (n.d.g))

While the DCS (n.d.g) reported 39 reported incidents of prisoner-on-prisoner assault between 1999 and 2003, the Jali Commission (2006) reported 63 incidents of prisoner-on-prisoner assault between 9th September 1997 and 2nd February 2005.

According to the Department of Correctional Services (n.d.g), offenders at CMax are encouraged to participate in a variety of programmes. The programmes offered to sentenced offenders at CMax include: individual psychotherapy, interpersonal skills development, self-assertiveness training, aggression management, conflict and stress management, sexual offender programmes, the dynamics of gang related activities, pre-transfer orientation and group work. In addition social workers offer programmes such as life skills, family therapy, counseling, HIV programmes and marriage and family care. Bible courses are also available as are ABET (adult basic education training) courses.

6.8 DATA PROCESSING AND ANALYSIS

6.8.1 Units of analysis

According to Babbie (2004) the units of analysis in any study are not restricted. In this study the principal unit under analysis was the prison environment. Essentially, sub-units of analysis were generated under the prison environment aggregate. The two most notable sub-categories were firstly, the prison environment regarding design and construction materials and secondly, the offenders.

The sub-units of analysis determined within the prison environment aggregate are presented in Figure 6.6

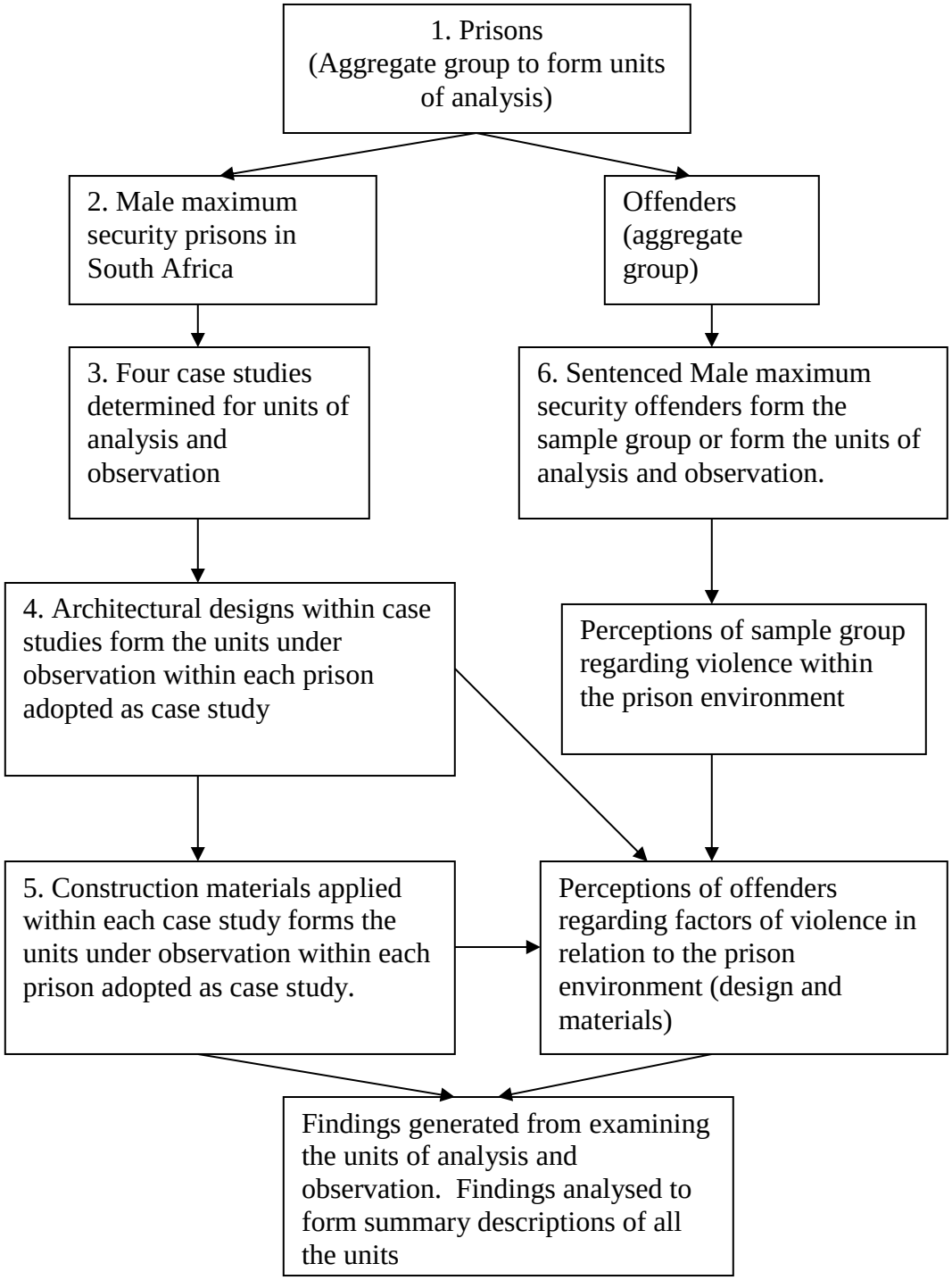


Figure 6.6: Units of Analysis

As presented in Figure 6.6, prisons were the aggregate units under investigation. From prisons, the aggregate unit of analysis and sub-categories for analysis were determined. The first sub-category or unit within the aggregate was determined to be male maximum security prisons within South Africa, specifically located in the Gauteng Province. Under that category four case studies were selected. The four Correctional Centres were examined (as case studies) in order to form general conclusions regarding the phenomena of violence in prisons. The case studies comprise what Babbie (2004:95) referred to as "the units of observation" and the units of analysis. Each one of the case studies was different in architectural design and was chosen in order to determine the extent to which design contributed to violence among offenders or to determine whether prison violence could be seen as generic to the prison environment as a whole, irrespective of design. Analysis of the construction materials applied within each of the case studies indicated the extent to which the materials choice contributed to prison violence. Each one of the four case studies under observation formed the units of analysis.

The second sub-category that formed the unit of analysis in this study comprised the offenders. While offenders were seen as the aggregate, male offenders would essentially form the unit, category or group within the aggregate to be investigated. While individuals within the category of male maximum security offenders were questioned and their responses formed the basis for the overall analysis, summary of the analysis was grounded on the responses from the category as a collective, and as such, responses from the collective or the group within the aggregate formed the unit of analysis. Essentially the male maximum security offenders that collectively formed the unit of analysis in this study were what Babbie (2004:94) referred to as "actors that have attributes as groups"

6.8.2 Data analysis

The data collected in this study was analyzed using SPSS (Statistical Package for the Social Sciences). Initially following collection of data, all the answers to any of the posed questions were numerically coded, or quantified. The coded data were entered into an Excel (data entry) package. The data contained on the Excel spreadsheet was then imported to SPSS which analyzed the coded data. Given that the data was generated through offenders from

multiple case studies (prisons), the analysis was conducted through application of cross case analysis using variable-orientated analysis (Babbie, 2004:371 citing Huberman and Miles, 1994). Variable-orientated analysis allows for consideration of other variables for any given answer such as race, age, length of sentence, type of crime etc. Moreover, Univariate analysis (analysis of one variable), Bivariate analysis (analysis of two variables to determine relationship) and Multivariate analysis (analysis of several variables to determine relationships) were undertaken (Babbie, 2004). Applying the mentioned techniques of analysis, the SPSS package allowed for decriptives and frequencies to be determined. In addition, a Chi-Square test was applied in order to determine the significance of the relationships and as such validate the hypotheses as supported or otherwise.

6.9 ETHICAL ISSUES

According to Babbie (2004: 63-80) the key ethical areas to consider in any research should include participation, element and potential of harm (to respondents), anonymity and confidentiality, deception, and the processes involved with analysis and reporting. The methodologies applied for data collection in this study considered the most appropriate method for data collection that would ensure an ethical approach for the researcher, the Department of Correctional Services, prison personnel and the offenders.

In terms of ethical procedure to conduct the study, all documents relating to the proposal to undertake the study were submitted to the research department within the Department of Correctional Services. The research department granted approval to conduct the study.

All participants in this study were invited to participate and as such did so voluntarily. Moreover, all the participants were given the opportunity to refrain from participating in the study at any time during their involvement. The respondent's identity was not required for the study and none of the respondents to the study was in any way required to make their identity known. Offender's name and prison number were not required or requested on the questionnaires or during interviews. Where offenders did provide their names it was mostly during interviews; they did so voluntarily and their names were not recorded. The offenders

who participated in the study were informed that their contribution in the study did not denote, and would not result in, any form of merit such as parole hearing.

In terms of potential harm two elements of harm or risk emerged during this study, firstly to offenders, and secondly with regard to the researcher's safety. While on the whole offenders returned questionnaires without further comment, it was found that in some cases those offenders who took questionnaires to their cells were at risk of reprisal from other offenders. Moreover, several offenders that were approached to participate in interviews declined for fear of reprisal from prison gangs.

All data collected and entered were processed with the highest level confidentiality. Any other person consulted with regard to data analysis was requested to sign a confidentiality contract with the researcher and the University of Witwatersrand.

6.10 SUMMARY

This study adopted both quantitative (positivist) and qualitative (interpretative) research methods. The prison environment was studied from three perspectives namely, the physical environment (in terms of design, layout and construction materials), the use of the prisons from the offenders perspective and prison culture or prison life. The qualitative approach provided a method for the researcher to obtain a holistic understanding of all the three perspectives. The quantitative approach in this study was applied for the purposes of data analysis. The qualitative approach was applied to generate information and to provide supportive evidence to the quantitative findings.

CHAPTER SEVEN: RESULTS

7.1 INTRODUCTION

This Chapter presents the results of assessment of violence in male prisons in South Africa. The data presented were obtained through case study, participant observation, and surveys including informal interviews, structured interviews, group discussions and self-administered questionnaire. In addition, secondary data in the form of recorded official statistics were examined. The methodology applied in this study is presented in detail in Chapter Six.

The methodology and data collection process applied in this study were governed by the research questions and research objectives posed in Chapter One. The data analysis in this Chapter is presented in accordance with the research questions and research objectives presented in Table 7.1. Section One of the analysis provides an overview of the respondents to this study.

Table 7.1: Research Questions and Objectives governing the data collection

Research Questions	Research Objectives	Presentation of analysis
What are the forms, motivations distribution and frequency of violence that take place in male maximum security prisons in South Africa?	To evaluate and contextualize prison violence in male prisons in South Africa in terms of forms, motivations distribution and frequency.	Section Two of analysis presents the forms, motivations, distribution and frequency of violence
What are the design features and materials adopted in prison architecture that motivate and provide opportunities for violent behaviour which in turn jeopardize offender and staff safety?	To identify where and how prison design and construction material choice in prison design impacts on prison violence.	Section Three and Section Four of analysis. Section Three evaluates prison violence from a situational perspective by identifying the specific geographic locations within prisons where there is a higher propensity for violence. Section Four presents the effects of prison design and material choice on prison violence. Data shows where and how prison design and construction material choice impacts on prison violence

7.1.1 Data analysis presentation

To address the research questions and research objectives, the structured interviews and questionnaire applied in this study were categorized into seven distinct sections (as noted in Chapter Six section 6.8.2). Appendix 4 presents the questionnaire distributed to respondents at three of the case study prisons namely, Modderbee, Pretoria Central and Johannesburg Correctional Centre. Appendix 5 presents the questionnaire distributed to respondents at CMax. The questionnaire for respondents at CMax was refined from the general questionnaire to be more appropriate to those incarcerated in CMax. The questionnaire for respondents in CMax did not present questions regarding communal cell living and the frustrations associated with communal living. For the purpose of this analysis all reference made to specific questions refer to the questions posed on the general questionnaire.

Several questions presented on the questionnaire were not included in the analysis presented in this Chapter. The questions not analyzed were posed on the questionnaire to provide the researcher with additional information regarding the respondents' background, and as such they were presented as contextual questions. Moreover, the researcher initially perceived that many of the respondents may not have previously participated in a survey and as such, a number of questions were posed on the questionnaire to put the respondents at ease.

Data analysis is presented from analyzing primary data from 236 offenders. Information gathered from interviews (18 respondents), group discussions (28 respondents), questionnaire (190 respondents) and observations that corroborate with the primary data is also presented. The structure of the questions posed during the interviews followed the questionnaire format. All data generated through the structured interviews have been incorporated into the primary data and further into the overall analysis. Where additional supportive information was obtained through interviews and group discussions the comments have been detailed as support to the primary data.

Appendix 3 presents the schedule of interviews and group discussions. As presented, each respondent in the interviews and group discussion is numerically referenced on the schedule of interviews and group discussions. Where respondents to interview and group discussions

provided additional comments, the comments are presented in this analysis and the respondent reference number is indicated in the analysis as the data source.

As noted in Chapter Six, the data collected in this study were analyzed using SPSS (Statistical Package for the Social Sciences). Once collected, all the answers to any of the posed questions were numerically coded or quantified, and entered into an Excel (data entry) package. The data contained on the Excel spreadsheet was then imported to SPSS. Given that the data was generated through offenders from multiple case studies (prisons), the analysis was conducted through the application of cross case analysis using variable-orientated analysis (Babbie, 2004:371 citing Huberman and Miles, 1994). In addition, Univariate analysis, Bivariate analysis and Multivariate analysis were undertaken (Babbie, 2004). Applying the mentioned techniques of analysis, the SPSS package allowed for descriptive statistics and frequencies to be determined. In addition, a Chi-Square test was applied to selective cross-tabulations for significance of relationships or trends. Where multiple responses are presented, the analysis is based on number of responses and not number of respondents. Multiple responses were not subjected to Chi-Square testing.

7.2 SECTION ONE: RESPONDENTS' BIOGRAPHICAL BACKGROUND AND HISTORY

Of the total 236 offenders who were respondents to this study (190 to questionnaire, 28 to group discussion and 18 to interviews (see Table 6.2), 94 (up to 40%) were in Pretoria Central, 60 (25%) in Modderbee, 48 (20 %) in Johannesburg Correctional Centre and 34 (up to 15%) in CMax as presented in Table 7.2.

Table 7.2: Numerical breakdown of the respondents from the 4 sample Correctional Centres

Correctional Centres	Frequency	Percent of respondents (N = 236)
Pretoria Centre	94	39.8
Modderbee Centre	60	25.4
Johannesburg Centre	48	20.3
CMax Centre	34	14.5
Total	236	100.0

Question one asked the respondents to indicate their race. The racial compositions of the total 236 respondents are presented in Table 7.3. The modal ethnicity of respondents to this study is black (183 or up to 78%) while Indian (2 or 0.8%) represented the minimum number. During informal discussion with prison officials at Pretoria Central, it was suggested that there were reportedly 57 different cultural or racial groups within the prisoner population housed in Pretoria Central alone.

Table 7.3: Racial composition of respondents

Respondents' Ethnicity	Frequency	Percent of respondents (N = 236)
Black (African)	183	77.5
White (European)	29	12.3
Coloured	16	6.8
Other	4	1.7
Indian	2	0.8
South African	2	0.8
Total	236	100.0

Over and above race, offenders were asked in **Question 2** to identify their ancestral tribe. Overall, 235 respondents identified themselves into 15 different ancestral tribes as presented in Table 7.4.

Table 7.4: Respondents' Ancestral tribe

Ancestral tribe	Frequency	Percent of respondents (N = 235)
Zulu	49	20.9
Sothu	46	19.6
Afrikaans	36	15.3
Tswanei	20	8.5
English	19	8.1
Ndebele	16	6.8
Tsonga	12	5.1
Setswana	12	5.1
Seepedi	11	4.7
Xhosa	9	3.8
Other (5 categories)	5	2.0
Total	235	100
Missing	1	
Total	236	

Respondents 1- 8, 10, 25 - 27, 34 and 35 to the interviews provided further detail regarding this question. During interviews with these respondents (1- 8, 10, 25 - 27, 34 and 35) (Appendix 3) it was pointed out that cultural background has an impact on certain behaviours, and infractions can occur when offenders do not understand, or have little tolerance for another's culture, belief and behaviour. Moreover, lack of understanding for, or tolerance of, another's culture can be the cause of frustration among offenders and cultural differences (as a result of cultural beliefs and behaviours within ancestral tribes) can motivate infractions between offenders in prison. Respondents 1- 8, 10, 25 - 27, 34 and 35 to the interviews noted that offenders from different cultures speak different languages and have different etiquette regarding communication; some cultural groups are inherently reserved and quiet while others were seen as loud and brash. In addition, respondents to the

interviews pointed out that the difference of cultures among offenders can be identified by offenders (and cultures) showing a preference for certain foods, certain television and radio programs and different beliefs with regard to hygiene and cleanliness.

Respondents 1- 8, 10, 25 - 27, 34 and 35 posited that inter grouping in South African prisons can be influenced by cultural background, racial motives and numbers of offenders. Over and above ethnicity and culture, inter grouping among offenders was reported by the respondents to the interviews to be based in terms of numbers. Large numbers of offenders affiliated to a group propels the group's dominance, power and control within the prison environment. Power and dominance between offenders is demonstrated through the implementation, application and adherence of offender rules within the social and physical environment in the prison setting.

Respondents 1- 8, 10, 25 - 27, 34 and 35 indicated that the creation of rules among offenders and the continual struggle for dominance among various subgroups of offenders was for the control of food and provisions, the use of recreational facilitates and the movement of contraband within the prisons. Offenders who broke the rules or who were seen to be disrespectful toward the more powerful groups were susceptible to assault.

Question 3 asked the respondents to indicate their age. As presented in Table 7.5, the modal age range of the sample (67 respondents or up to 29%) was between the ages of 31-35. Two respondents (0.9%) were aged 61-65.

Table 7.5: Age categories of respondents

Age categories	Frequency	Percent of respondents (N = 233)
21-25	20	8.6
26-30	49	21.0
31-35	67	28.8
36-40	45	19.3

Table 7.5 continued: Age categories of respondents

Age categories	Frequency	Percent of respondents (N = 233)
41-45	25	10.7
46-50	11	4.7
51-55	8	3.4
56-60	6	2.6
61-65	2	.9
Total	233	100
Missing System	3	
Total	236	

Question four asked the respondents to identify their religious background. The modal religion of the 230 respondents to this question was Christian (86 or up to 37%). Forty eight (up to 21%) were Zionists, 24 (up to 10%) of the respondents were Muslim and 20 (up to 9%) were Catholic. The four modal religions all require assembly as an integral part of their activities.

During interviews with respondents 1 - 4, 6, 8, 10, 25, it was stated that religious beliefs can perpetuate frustration among offenders specifically during certain times of the year, for example, during certain festivals and when certain offenders require special or restricted diet. Respondents 1 and 8 to the interviews suggested that many offenders change their religion when entering prison in order to receive privileges such as an improved diet.

A number of prison staff noted safety problems associated with certain religious groups, particularly satanists, muti men and sangomas or traditional healers. Prison staff noted that offenders who based their beliefs on occult related religions, such as satanists, are the most difficult to handle in terms of security and are the religious group that are most likely to jeopardize the safety of other offenders.

In terms of safety, one security official at Modderbee Correctional Centre and another at Pretoria Correctional Centre noted that offenders who proclaim to be affiliated to an occult religion are not necessarily at risk to attack but rather cause a disturbance to other offenders. The two officials claimed that other offenders are reportedly afraid of offenders who practice such religions, and as such officials segregate them from the general prison population. This claim was supported by the researcher observing two offenders who claimed to be muti men being segregated from the general prison population at Modderbee Correctional Centre.

Information received during observations at Modderbee Correctional Centre and Pretoria Correctional Centre and interviews with respondents 1 - 4, 6, 8, 10, 25, indicate that physical facilities in most of the prisons are inadequate to support religious activity. During observation at Pretoria Correctional Centre, seven Muslim offenders were undertaking morning prayers in the central corridor of a housing unit (C Unit) while other offenders were walking among and over the offenders at prayer.

Respondents 1 - 4, 6, 8, 10, 25 to offender interviews, and interviews with security personnel at Modderbee Correctional Centre, Pretoria Correctional Centre and Johannesburg Correctional Centre report that due to lack of security personnel, religious activities are often cancelled. The security personnel indicated that gathering large numbers of offenders together posed security risks.

However, respondents 1 - 4, 6, 8, 10, 25 reported that religion was one, if not the only, psychological support they received. Moreover, the respondents posited that canceling religious activities and the lack of physical resources allocated for religious activity causes frustration among offenders. Respondent number 8 to the interviews pointed out that religious gatherings at Modderbee Correctional Centre had been cancelled indefinitely due to the risk the gatherings posed. He further noted that as a result of the cancellation tension among the offenders was increasing.

Findings from this study suggest further investigation should be conducted to determine the impact of religion on offenders, and further explore the physical facilities required to support religious activities.

Question 5 asked the respondents to indicate how long they had been incarcerated in their current institution. Results are presented in Table 7.6. Of the 231 responses the modal responses (152 or up to 66%) indicated an incarceration period of between 1 and 5 years with 36 (up to 16%) having been incarcerated at the current institution for under one year. Thirty-three (14%) had been incarcerated for between 5 and 10 years and 9 (up to 4%) for between 10 and 15 years.

Table 7.6: Length of incarceration at current institution

Years of incarceration	Frequency	Percent of responses (N=231)
0-1	36	15.6
1-5	152	65.8
5-10	33	14.3
10-15	9	3.9
15-20	1	.4
Total	231	100
Missing System	5	
Total	236	

Question 6 sought to determine the offences for which the respondents were incarcerated at the time of the survey. While 233 respondents identified 23 categories of offences a number of the respondents indicated that they were serving sentences for multiple offences and as such there were 334 multiple responses. While 23 categories of offences were put forward by the respondents, for the purpose of analysis the 23 categories of offences have been

merged into 12 offence types (including 'other'). Table 7.7 presents the 12 offence types for which the respondents were sentenced.

As indicted in Table 7.7 of the total 334 multiple responses indicating offense type, the modal offence that led to incarceration was related to robbery or theft (up to 61% of the respondents). This category of offense included all forms of robbery, attempted robbery, armed robbery, aggressive robbery and theft. **Question 7** asked the respondents to indicate their length of sentence. The modal response (up to 38%) from 230 respondents pointed to a sentence of 11 – 15 years. One respondent was serving a sentence for less than one year and up to 20% of the 230 respondents were serving a sentence for more than 25 years.

Notwithstanding the respondents length of sentence, **Question 8** asked the respondents to indicate the number of years they had remaining to serve on their sentence. From the 215 respondents to Question 8, up to 43% of the respondents had between 6 – 10 years remaining on their sentence. Four of the respondents had over 25 years left to serve and 4% had less than one year to serve.

Table 7.7: Categories of offenses

Offence types	Frequency	Percent of responses (N = 334)	Percent of respondents (N = 233)
Robbery, armed robbery, aggressive robbery, theft and attempted robbery	141	42.2	60.5
Murder	65	19.4	27.9
Possession of firearm (Unlicensed)	26	7.8	11.2
Rape	23	6.9	9.9
Attempted murder	19	5.7	8.2
House breaking	13	3.9	5.6
Assault and Indecent assault	11	3.3	4.7
Fraud	8	2.4	3.4
Smuggling/Drug related	7	2.1	3.0

Table 7.7 continued: Categories of offenses

Offence types	Frequency	Percent of responses (N = 334)	Percent of respondents (N = 233)
Kidnapping	6	1.8	2.6
Escape	5	1.5	2.1
Other (including car hijacking, arson, Damage to property, crimes against the state, terrorism, sabotage and breaking parole	10	3.0	4.2

Question 13 asked the respondents to state their marital status and **Question 14** asked whether they had children. While 157 (67%) of the 233 respondents to **Question 13** claimed they were not married, 176 respondents from the sample claimed to have children (in **Question 14)**. Five of the respondents (up to 3%) claimed to have more than six children. **Question 15** asked the respondents to indicate if they lived close to the prison in which they were incarcerated. Of the 229 respondents who answered **Question 15,** 123 (up to 54%) claimed to have lived close to the prison in which they were currently held.

In **Question 9** respondents were asked to indicate their security classification. Findings are presented in Table 7.8. Of the 236 responses the modal security classification of the sample was maximum security (61% of the respondents). Responses such as “bad” or “good”; “tight”, “high profile” and “do not know” were grouped together for the purpose of analysis.

Table 7.8: Security classification of respondents

Security classification	Frequency	Percent of respondents (N = 236)
Maximum	145	61.4
Medium	41	17.4
Minimum	1	.4
Do not know	49	20.8
Total	**236**	**100.0**

Ellis (1984) recommended that studies which examine assaults in prisons should identify the level of crowding in a specific geographic location such as the housing unit, cell block or communal cell. Moreover, Ellis (1984) suggested that analysis of assaultive behaviour in the prison setting should be examined within that geographic location and not within the prison as a whole. In line with this theory and in order to examine perceptions of safety and assault with the respondents living accommodation **Question 16** asked the respondents to identify the type of cell they currently occupied. Table 7.9 presents the respondents housing category in each of the sample prisons.

As presented in Table 7.9, the sample to this study were representative of offenders living in both single cell and communal cell living, with only 10 more of the respondents living in communal cells (121 or 52%) than single cells (111 or up to 48%). The high percentage of respondents accommodated in single cells (up to 48% of respondents) was reflective of their security designation (maximum security) and that all offenders accommodated in CMax are housed in single cells.

Table 7.9: Respondents' housing category

Cell Types	Sample prisons				Totals	Percent of respondents (N= 232)
	Johannesburg	Pretoria	Modderbee	CMax		
Communal	36	26	59		121	52.1
Single	12	65		34	111	47.8

7.3 SECTION TWO: FORMS OF VIOLENCE IN MALE MAXIMUM SECURITY PRISONS

This section of analysis presents the forms of violence that takes place within maximum security prisons in South Africa and evaluates prison violence in terms of the types of violence and the frequency.

7.3.1 Forms of violence

In order to recognize the respondent's perception of assaults in prison, the respondents were asked (**Question 66**) to indicate the factors that posed a risk to their safety. Examples such as other offenders, theft of property, aggressive assault, sexual assault and other were posed as suggestions. Respondents were further asked in **Question 66** to indicate where (**Question 66b**), when (**Question 66c**) and why (**Question 66c**) the threat to safety would take place. From the 99 respondents and 189 responses which included multiple responses, the modal response (up to 57% of respondents) indicated that the respondents believed other offenders posed the greatest threat to their personal safety. In support of this the respondents indicated that their risk from other offenders was with regard to theft of their property (up to 52% of respondents); aggressive assault (41% of respondents) and/or the risk of sexual assault (25% of respondents). Where respondents indicated *other* (6 or 3%), gangs, infestation of vermin and contaminated or unhealthy food were cited in support.

Features that posed threats to safety were cross-tabulated with each of the four prisons case studies, findings are presented in Table 7.10. Fifty-four respondents (up to 55%) of the

respondents) from 3 of the case study prison samples (Modderbee, Pretoria and Johannesburg Correctional Centres) reported that their greatest threat to safety were other offenders, theft of property (50% of respondents), aggressive assault (35% of respondents) and sexual assault (24% of respondents). A Chi - Square test for these four modal responses in three of the case study prisons is presented in Table 7.11. On the other hand, 44% of respondents from CMax suggested their greatest threat was aggressive assault. Despite indicating aggressive assault as their greatest threat respondents from CMax did not indicate whether the risk of aggressive assault would be from other offenders or officials. Given the extreme levels of security and the isolation that offenders a kept in for 23hours of the day in CMax, it is noteworthy that respondents indicated aggressive assault as their greatest risk. The security restrictions imposed on offenders accommodated at CMax results in complete isolation except where the offenders are congregated for exercise and showering.

Table 7.10: Cross tabulation of prison samples and threats to safety

Perceived greatest risk/threat	Prison				Total number of responses	Percent of responses (N = 189)	Percent of respondents (N = 99)
	Johannesburg Centre (No. of respondents = 27)	Pretoria Centre (No. of respondents = 29)	Modderbee Centre (No. of respondents = 34)	CMax Centre (No. of respondents = 9)			
Other offenders	16	17	21	2	56	29.6	56.6
Theft of property	16	17	17	1	51	27.0	51.5
Aggressive assault	9	13	15	4	41	21.7	41.4
Sexual assault	8	6	10	1	25	13.2	25.3
The actual building	1	0	0	0	1	.5	1.0
Other	0	3	2	1	6	3.2	6.1
officials	0	4	2	3	9	4.8	9.1

Table 7.11: Chi Square test for prison samples and threats to safety

Perceived threat	Responses	Prison samples				Chi-square test results
		Johannesburg (R = 27)	Pretoria (R = 29)	Modderbee (R = 34)	CMax (R = 9)	
Other offenders	Agree	16	17	21	2	Chi-square = 4.82
	Disagree	11	12	13	7	P = 0.1851 df = 3
Theft of property	Agree	16	17	17	1	Chi-square = 7.15
	Disagree	11	12	17	8	P = 0.0673 df = 3
Aggressive assault	Agree	9	13	15	4	Chi-square = 1.00
	Disagree	18	16	19	5	P = 0.8007 df = 3
Sexual assault	Agree	8	6	10	1	Chi-square = 1.86
	Disagree	19	23	24	8	P = 0.6022 df = 3

The association by the Chi-Square test is best interpreted through the results presented in Table 7.11. The Chi-Square test was undertaken to compare those respondents who endorsed and those who did not support each of the four modal responses in the respective correctional centres.

Analyses of the Chi-Square results to determine significant relationship between those respondents who did and did not endorse the responses are presented as follows:

Other offenders

As presented in Table 7.11 results from the Chi-Square test indicate a probability of less than 95% of a significant relationship between those respondents who did and did not indicate other offenders as a threat to safety (Chi-Square = 4.82; df = 3, p = 0.185). The test outcome is therefore not statistically significant and does not warrant further analysis.

Theft

As presented in Table 7.11 results from the Chi-Square test indicate a probability of less than 95% of a significant relationship between those respondents who did and did not indicate theft of property as a threat to safety (Chi-Square = 7.15; df = 3, p = 0.0673). The test outcome is therefore not statistically significant and does not warrant further analysis.

Aggressive assault

As presented in Table 7.11 results from the Chi-Square test indicate a probability of less than 95% of a significant relationship between those respondents who did and did not indicate aggressive assault as a threat to safety (Chi-Square = 1.00; df = 3, p = 0.801). The test outcome is therefore not statistically significant and does not warrant further analysis.

Sexual Assault

As presented in Table 7.11 results from the Chi-Square test indicate a probability of less than 95% of a significant relationship between those respondents who did and did not indicate sexual assault as a threat to safety (Chi-Square = 1.86; df = 3, p = 0.602). The test outcome is therefore not statistically significant and does not warrant further analysis.

Question 67 asked the respondents whether they had ever been assaulted by another offender. Of the 229 responses 190 (83%) of the respondents claimed they had not been assaulted by another offender while in prison. Table 7.12 presents the results. Table 7.13 presents the Chi – Square test to determine the association of the four prisons and whether the offenders had experience being assaulted.

Table 7.12: Respondents' experience of assault by another offender

Assaulted by others offenders	Prison				Total number of responses	Percent of responses (N=229)
	Johannesburg Centre	Pretoria Centre	Modderbee Centre	CMax Centre		
Yes	6	13	19	1	39	17
No	42	78	37	33	190	82

Table 7.13: Chi – Square test for prison sample and respondents' experience of assault by another offender

Chi-Square Tests			
	Value	**df**	**Asymp. Sig. (2-sided) (P)**
Pearson Chi-Square	17.276(a)	3	.001
N of Valid Cases	229		

As presented in Table 7.13 results from the Chi-Square test indicate a 99% probability of a significant relationship between prison and experience of assault (Chi-Square = 17.28; df = 3, p = 0.001).

The association determined by the Chi-Square test is best interpreted through results presented in Table 7.12. As presented in Table 7.12 more respondents (up to 34% of the 56 respondents) from Modderbee Correctional Centre indicated that they had been assaulted than those at Johannesburg Correctional Centre and Pretoria Correctional Centre. Moreover, the fewest number of respondents who reported being assaulted were from CMax.

Question 69 further asked the respondents to indicate the reason for their involvement in a fight if they answered yes to **Question 67**. Seventy-three respondents provided 177 multiple responses to this question. The reasons for respondents' involvement in a fight cross-tabulated with each of the four prisons are presented in Table 7.14

Table 7.14: Reasons for respondents' involvement in a fight cross-tabulated with four sample prisons

Reasons of the involvement in a fight	Prison				Total number of responses	Percent of responses (N = 177)	Percent of respondents (N = 73)
	Johannesburg Centre (Total No. of respondents = 17)	Pretoria Centre (Total No. of respondents = 26)	Modderbee Centre (Total No. of respondents = 25)	CMax Centre (Total No. of respondents = 5)			
Protection of yourself	5	14	14	3	36	20.3	49.3
Protection of belong	5	10	11	1	27	15.2	36.9
Provocation	6	7	6	2	21	11.8	28.7
Frustration	2	6	10	2	20	11.2	27.3
Gang related	2	4	9	1	16	9.0	21.9
Protecting others	5	1	6	1	13	7.3	17.8
Loss of control of environment	1	3	6	1	11	6.2	15.0
Drug related	2	2	5	0	9	5.0	12.3
Sexually related	2	2	5	0	9	5.0	12.3
Economy related	0	3	4	0	7	3.9	9.5
Gambling related	0	0	4	0	4	2.2	5.4
Other	1	3	0	0	4	2.2	5.4

Of the 177 responses from 73 respondents, 49% of the respondents suggest involvement in an assault was for the purpose of personal protection and up to 37% of the respondents indicated involvement in an assault was in order to protect their personal belongings. A Chi - Square test for the four modal responses in three of the case study prisons is presented in Table 7.14b

Table 7.14b: Chi-square test for prison samples and reasons for respondents' involvement in a fight

Reasons of the involvement in a fight	Responses	Prison samples				Chi-square test results
		Johannesburg (R = 17)	Pretoria (R = 26)	Modderbee (R = 25)	CMax (R = 5)	
Protection of yourself	Agree	5	14	14	3	Chi-square = 3.58
	Disagree	12	12	11	2	P = 0.3101 df = 3
Protection of belongings	Agree	5	10	11	1	Chi-square = 1.59
	Disagree	12	16	14	4	P = 0.6618 df = 3
Provocation	Agree	6	7	6	2	Chi-square = 0.69
	Disagree	11	7	8	3	P = 0.8746 df = 3
Frustration	Agree	2	6	10	2	Chi-square = 4.73
	Disagree	15	20	15	3	P = 0.1928 df = 3

The association by the Chi-Square test is best interpreted through the results presented in Table 7.14b. The Chi-Square test was undertaken to compare those respondents who endorsed and those who did not support each of the four modal responses in the respective correctional centres.

Analyses of the Chi-Square results to determine significant relationship between those respondents who did and did not endorse the responses are presented as follows

Protection in yourself

As presented in Table 7.14b results from the Chi-Square test indicate a probability of less than 95% of a significant relationship between those respondents who did and did not indicate protection of yourself as a reason for involvement in a fight (Chi-Square = 3.58; df =3, p = 0.3101). The test outcome is therefore not statistically significant and does not warrant further analysis.

Protection of belongings

As presented in Table 7.14b results from the Chi-Square test indicate a probability of less than 95% of a significant relationship between those respondents who did and did not indicate protection of belongings as a reason for involvement in a fight (Chi-Square = 1.59; df =3, p = 0.6618). The test outcome is therefore not statistically significant and does not warrant further analysis.

Provocation

As presented in Table 7.14b results from the Chi-Square test indicate a probability of less than 95% of a significant relationship between those respondents who did and did not indicate provocation as a reason for involvement in a fight (Chi-Square = 0.69; df =3, p = 0.8746). The test outcome is therefore not statistically significant and does not warrant further analysis.

Frustration

As presented in Table 7.14b results from the Chi-Square test indicate a probability of less than 95% of a significant relationship between those respondents who did and did not indicate frustration as a reason for involvement in a fight (Chi-Square = 4.73; df =3, p = 0.1928). The test outcome is therefore not statistically significant and does not warrant further analysis.

When the respondents who had been assaulted by other offenders are cross-tabulated with the respondents' ethnicity (Table 7.15) and a Chi- Square test (Table 7.16) undertaken, findings suggests a 99% probability that there is a significant relationship between ethnicity and involvement in an assault (Chi-Square = 32.70; df = 2; p= 0.000).

The association between ethnicity and involvement in an assault, determined through the Chi-Square test is shown in Table 7.16. Findings suggest that while overall fewer respondents indicated their involvement in an assault, more White respondents admitted to have been assaulted by another offender. Moreover, fewer Black and Coloured respondents than White respondents admitted to having been assaulted by another offender.

Table 7.15: Cross tabulation of assault and ethnicity

Ever been assaulted by other offenders	Ethnicity			Total
	Black (African)	Coloured	White (European)	
Yes	19	1	15	35
No	158	15	14	187
Total	177	16	29	222

Table 7.16: Chi-Square Test for ethnicity and assault

Chi-Square Tests			
	Value	df	Asymp. Sig. (2-sided) (P)
Pearson Chi-Square	32.700(a)	2	.000
N of Valid Cases	222		

In order to determine the association between experience of assault and housing type the results from those respondents who indicated they had experienced assault were cross-tabulated with the respondents' housing type. Findings are presented in Table 7.17. A Chi – Square test was applied to the results and findings for the Chi- Square test are presented in Table 7.18.

Table 7.17: Cross tabulation assault and housing type

Type of cell	To be assaulted by others offenders		Total responses
	Yes	No	
Communal	26	90	116
Single	12	98	110
Total	**38**	**188**	**226**

Table 7.18: Chi-Square Test for assault and housing type

Chi-Square Tests			
	Value	**df**	**Asymp. Sig. (2-sided) (P)**
Pearson Chi-Square	5.343(b)	1	.021
N of Valid Cases	226		

While Gear and Ngubeni (2002) suggest levels of safety improve when offenders are housed in single cells, it is presumed their findings reflect the levels of assault that take place inside the cells. While this may be the case, this test was undertaken to determine the respondents' experience of assault. As the findings presented reflect the respondents' experience of assault, the test did not determine whether the assault took place in the cells. The findings rather suggest that irrespective of the accommodation type the modal response indicates that respondents to this study have not been assaulted by another.

As presented in Table 7.18 results from the Chi-Square test indicate a 95% or more probability of a significant relationship between experience of assault and housing type (Chi-Square = 5.34; df = 1, p = 0.021).

Examining this association with the findings presented in Table 7.17 indicates that while a greater percentage (83%) of all the respondents stated that they had not been assaulted, proportionally more respondents accommodated in communal cells admitted to having been assaulted than those living in single cells.

While **Question 67** examined if respondents had been assaulted by another offender, **Question 68** explored if respondents had ever assaulted another offender. Of the 229 responses to this question, 201 or up to 88% of respondents reported that they had not ever assaulted another offender.

When associated to accommodation type, findings suggest that from 226 responses up to 15% of respondents who lived in communal cells and up to 11% of respondents living in single cells had assaulted another offender while incarcerated. Again these findings do not

reflect the location of the assault but rather the respondents' experience of assault and their housing type.

Question 69 asked those respondents who had been involved with an assault to explain the events that led up to the assault. Table 7.19 presents findings that indicate the rationale for assaults cross-tabulated with housing type. Of the 174 multiple responses from 72 respondents, the modal response (35 or 20% of responses) for involvement in an assault was related to personal protection. This analysis was undertaken to determine whether housing type could perpetuate assaults.

As presented in Table 7.19 the modal response for the rationale for assaults by respondents living in either communal or single cell accommodation was protection of themselves. It is interesting to note that the second highest reason noted by the respondents for involvement in an assault was for protection of their belongings. This is particularly interesting with regard to those respondents accommodated in single cells.

Table 7.19: Respondents' involvement in assault cross-tabulated with housing type

Reasons for being involved in a fight	Type of cell		Total number of responses	Percent of responses (N =174)	Percent of respondents (N = 72)
	Communal cells (45 Respondents)	Single cells (27 Respondents)			
Protection of yourself	23	12	35	20.0	48.6
Protection of belongings	16	10	26	14.9	36.0
Frustration	13	7	20	11.5	27.7
Provocation	12	9	21	12.0	29.1
Gang related	11	4	15	8.6	20.8
Protection of others	10	3	13	7.4	18.0
Sexually related	8	1	9	5.1	12.5
Loss of control of environment	7	4	11	6.3	15.2
Drug related	7	2	9	5.1	12.5
Economy related	4	3	7	4.0	9.7
Gambling related	4	0	4	2.2	5.5
Other	3	1	4	2.2	5.5

In order to further understand the respondents' perception of vulnerability to assault the respondents were asked if they had ever witnessed an assault between offenders in their current prison (**Question 70**) and to further indicate whether they believed assaults were a common or rare occurrence (**Question 71**).

Findings presented in Table 7.20 suggest that of 227 responses 131 or up to 58% of the respondents had at some point witnessed an assault among other offenders in their correctional centre. Despite 58% of respondents reported having witnessed a fight up to 51% (106 of the 208 respondents) pointed out that assaults among offenders were uncommon (Table 7.21). However, when examined with reference to the prison sample (presented in Table 7.21) it can be seen that the responses are not consistent with for all the prison samples. The results presented in Table 7.21 show that 58% of respondents from Pretoria prison and 73% of those from CMax believed assaults were uncommon while 55% of those from Johannesburg and 65% from Modderbee indicated that assaults among offenders were a common occurrence. When these results are examined with reference to the respondents' housing type (presented in Table 7.9) the results suggest that while 58% of respondents from Pretoria prison and 73% of respondents from CMax indicate that assaults are uncommon 71% of the respondents from Pretoria and 100% of respondents from CMax were accommodated in single cells (Table 7.9). In addition, while 65% of respondents from Johannesburg and 65% from Modderbee indicated that assaults were a common occurrence, 75% of respondents from Johannesburg and 100% of respondents from Modderbee were accommodated in communal cells (Table 7.9).

Table 7.20: Frequency of witnessing an assault

Frequency of witnessing and assault among other offenders	Frequency	Percent of respondents (N= 227)
Yes	131	57.7
No	96	42.3
Total	227	100.0
Missing System	9	
Total	236	

Table 7.21: Assault frequency cross-tabulated with prison sample

Fights common or uncommon	Prison				Total No. of responses	Percent of respondents (N = 208)
	Johannesburg Centre (No. of respondents = 45)	Pretoria Centre (No. of respondents = 82)	Modderbee Centre (No. of respondents = 51)	CMax Centre (No. of respondents = 30)		
Uncommon occurrence	20	48	16	22	106	50.9
Common occurrence	25	32	33	8	98	47.1
Both	0	2	2	0	4	1.9

While Table 7.10 presents findings that indicate the threats to respondents' personal safety, (**Question 72**) asked the respondents to indicate the reasons for assaults among other offenders. Table 7.22 present the findings cross-tabulated with prison samples in this study and Table 7.23 presents the findings cross-tabulated with the respondents' living accommodation.

Table 7.22: Cross tabulation for reasons for assaults among other offenders and prison sample

Most common reasons for assaults	Prison				Total number of responses	Percent of responses (N = 594 multiple responses)	Percent of respondents (N = 161)
	Johannesburg Centre (No. of respondents = 40)	Pretoria Centre (No. of respondents = 59)	Modderbee Centre (No. of respondents = 49)	CMax Centre (No. of respondents = 13)			
Gang related	17	30	31	6	84	14.2	52.2
Protection of belong	21	35	22	1	79	13.3	49.1
Protection of yourself	19	22	21	5	67	11.3	41.6
Provocation	20	21	19	2	62	10.4	38.5
Frustration	17	20	20	4	61	10.3	37.9
Drug related	15	19	19	0	53	8.9	32.9
Sexually related	12	18	14	1	45	7.6	28.0
Economy related	10	20	14	1	45	7.6	28.0
Protecting others	6	13	15	0	34	5.7	21.1
Loss of control of environment	8	12	11	2	33	5.6	20.5
Type of conviction	4	5	8	1	18	3.0	11.2
Other	0	8	5	0	13	2.2	8.1

Table 7.23: Common reasons for assaults among offenders cross-tabulated with living accommodation

Most common reasons for assaults	Type of cell		Total No. of responses	Percent of responses (N = 589 multiple responses)	Percent of respondents (N = 158)
	Communal cells (No. of respondents = 92)	Single cells (No. of respondents = 66)			
Gang related	48	34	82	13.9	51.9
Protection of belongings	54	24	78	13.2	49.4
Protection of yourself	41	26	67	11.4	42.4
Provocation	39	23	62	10.5	39.2
Frustration	39	21	60	10.2	37.9
Drug related	34	18	52	8.8	32.9
Sexually related	25	20	45	7.6	28.4
Economy related	25	20	45	7.6	28.4
Protecting others	21	13	34	5.8	21.5
Loss of control of environment	20	13	33	5.6	20.9
Type of conviction	13	5	18	3.1	11.4
Other	5	8	13	2.2	8.22

While the modal responses for the respondents' involvement in an assault (Table 7.19) pointed to personal protection (35 or 20%) the modal response from 594 multiple responses indicated by 161 respondents for other offenders involvement in an assault pointed to gang related activity (52% of respondents).

When the reasons for assaults among other offenders in prison are cross-tabulated with the respondents type of living accommodation (Table 7.23), the modal response overall from 158 respondents attributed gang related activities (82 or up to 52% of respondents and up to 14% of the 589 multiple responses) as the primary motivator for assaults among offenders. While the modal response for single cell respondents was gang related activities (34 or 51% of

single cell respondents), the modal response for communal cell respondents was protection of belongings (54 or up to 59% of communal cell respondents).

As presented in Table 7.22, up to 33% of respondents indicated assaults among other offenders being drug related. Respondents 1 - 7, 25 and 26 to the interviews indicated that drug related assaults occur when offenders do not pay debts for drugs; while offenders are under the influence of drugs; when offenders steal others drugs and/or when assaults occur as a result of territorial issues regarding drug dealing. Respondents 1 - 7, 25 and 26 stated during interviews that assaults occur among offenders when drugs are in short supply and/or when offenders have a shortage of money and cannot purchase drugs.

Respondents 1 - 7, 25 and 26 commented that offenders are assaulted by gang members when they fail or refuse to supply drugs to prison gangs. As revealed by officials during interviews (at Modderbee, Pretoria and Johannesburg Correctional Centres as well as one official at Pollsmoor) and respondents 1 - 7, 25 and 26, offenders involvement in smuggling can take place in the transportation vans from the courts and when this occurs it usually involves some form of assault. Respondents 1 - 7, 25 and 26 stated in most instances newly admitted or newly sentenced offenders are forced to act as *drug mules* by swallowing drug packages or by inserting "*pokes*" (packages of drugs) into their anal cavity. If new offenders refuse, the pokes are often forced into the offender, this is usually carried out by a group of offenders. A group of offenders hold the potential smuggler down on the floor of the van, while another forces the *poke* into the cavity. On arrival at prison and if the drugs are not detected by officials the *mules* must remove the poke for the other offenders. Respondents 1 - 7, 25 and 26 during interviews reported that when the poke cannot be removed, other offenders forcibly remove the poke either with wire or with bottles of liquid detergent; both of which are forced into the cavity in an attempt to loosen the poke. Respondents 1 - 7, 25 and 26 indicated that in order to remove the pokes offenders will often jump on top of the smuggler in the hope of releasing the poke. During interviews officials and respondents 1 - 7, 25 and 26 stated that the use of pokes to transport drugs around the prison is common practice and experienced offenders can insert and smuggle large amounts of drugs into their cavities for that purpose. A security official at Pretoria Central stated during an interview that the

amount of drugs carried by some offenders in this manner can be equivalent to *three large tins of pilchards*.

Question 34 asked respondents to indicate the prevalence of drugs in their prison. From the 164 respondents to **Question 34**, 52% of the respondents indicated that other offenders do not take drugs in their cell; 9% of the respondents stated that did not know. However, when asked to indicate the types of drugs available in their prison (**Question 35**) from 10 options for multiple responses, 100% of the 145 respondents indicated marijuana as the most prevalent drug in their prison, followed by 30% of the respondents indicating Bamba (pronounced "Mbamba') (homemade alcohol).

While debt as a result of drug use is a cause of assault among offenders, 28% of respondents indicate economic issues to be another specific cause of assaults. Economic issues include unpaid debts of all kinds but most notably gambling debts. Card games, dice games and games of chess, darts or football among others are all seen as viable gambling opportunities. During interviews, respondents 1 - 3, 5, 7, 8 and 25 noted that all gaming that involves gambling is taken very seriously in the prison environment and offenders acknowledge that not meeting debts incurred during gambling will results in assaults. Offenders who do not have work placements or visitors are particularly susceptible to incurring large debts and while one option is reportedly to borrow off another to pay the debt, the *account system* in prison can escalate the problem. Several respondents noted that despite debts being incurred through gambling, debts are also incurred by borrowing money to purchase clothing, toiletries, food and drugs.

While currency is a vital commodity in prison, respondents 1, 2, 4 - 9, 11 - 13, 25 - 27 and 36 - 46 stated during interviews that other items have a trade value, for example, food can be swapped for an item of clothing or for cigarettes. Meat received at lunch can be sold for 50 cents or swapped for cigarettes. While the prison authorities allocate clothing to each offender on arrival at the prison, the resale value of prison clothing varied between prisons. Respondents 1, 2, 4 - 9, 11 - 13, 25 - 27 and 36 - 46 noted that prison issued trousers cost R2 - R4 while shirts cost R3 - R5. During interviews respondents 6 and 9 both requested

additional prison uniforms as they both claimed they could not afford new clothing at the current (*market*) prices.

During observations it was apparent that offenders alter prison clothing. Respondents 1, 2, 4 - 9, 11 - 13, 25 - 27 and 36 - 46 stated that the style of wearing prison clothing can be indicative of offenders gang affiliation, homosexual or transvestite offenders or, more affluent prisoners. Respondents 1, 2, 4 - 9, 11 - 13, 25 - 27 and 36 - 46 stated that prison gang members specifically those of the 26 gang generally are neater in appearance, their prison uniforms are generally pressed (ironed) and they wear expensive training shoes and sunglasses; members of the 28 gang on the other hand tend to be more casual in their dress and tend to wear prison issue hats.

While 28% of the respondents noted sexually related issues as a basis for assaults, respondents 1, 4, 5, 6, 8 and 25 during interviews stated that sexually related assaults can be defined into two specific areas. Firstly, assaults can come about because of unwanted sexual attention and secondly, assaults can be as a result of issues surrounding wyfies or young boys. In other words, assaults which are sexually related can occur when offenders fight off other offenders who are sexually attracted to them or when *husbands* fight to obtain, maintain and/or defend wyfies.

Question 73 on the questionnaire presented 20 categories of weapons. Out of these 20 categories respondents were asked to indicate the weapon(s) most likely to be used by offenders during an assault. Where respondents indicated "other" they were asked to further identify the "other" weapons used by offenders during an assault.

For the purposes of analysis the weapons used in assaults are distinguished into three categories, namely, assaults that do not involve a weapon (manufactured), those that involve manufactured weapons and assaults that involve imported weapons. Table 7.24 presents findings in the three categories cross-tabulated with the prison samples. Table 7.25 presents findings in the three categories cross-tabulated with accommodation type.

Table 7.24: Weapons adopted during an assault cross-tabulated with prison sample

Weapons adopted during an assault		Prison				Percent of responses (N =1194)	Percent of respondents (N = 181)
		Johannesburg Centre (No. of respondents =42)	Pretoria Centre (No. of respondents =71)	Modderbee Centre (No. of respondents =53)	CMax Centre (No. of respondents =15)		
Assaults that do not involve a weapon	Hands/Fists	36	48	35	10	10.8	71.3
	Tramping/ Kicking	18	26	28	5	6.4	42.5
	Sodomy/Rape	12	21	20	1	4.5	29.8
	Strangulation	7	9	9	1	2.1	14.4
Assaults that involved a manufactured weapon	Locks in socks	23	48	40	2	9.4	62.4
	Locks on belt	28	41	33	1	8.6	56.9
	Weapons involving blade	18	34	36	2	7.5	49.7
	Soap in sock	16	28	25	7	6.3	42.0
	Razor blades	19	24	28	1	6.0	39.8
	Throwing boiling water	19	24	27	0	5.8	38.7
	Glass from window	12	23	31	0	5.5	36.5
	Broom handles	12	29	24	0	5.4	35.9
	Batteries in sock	7	17	29	7	5.0	33.1
	Spoons/ mugs	14	27	17	0	4.8	32.0
	Bricks or stones in sock	7	9	27	0	3.6	23.8
	Mug in sock or pillow case	5	13	15	0	2.7	18.2
	Bricks or stones	3	7	17	0	2.2	14.9
	Spitting in cup	1	5	3	0	0.7	5.0
Imported weapons	Firearms	0	0	1	2	0.3	1.7
	Other	1	12	5	2	1.7	11.0

Table 7.25: Weapons adopted during an assault cross-tabulated with accommodation

Weapons adopted during an assault		Type of cell		Percent of responses (N = 1185)	Percent of respondents (N = 178)
		Communal cells (No. of respondents = 103	Single cells (No. of respondents = 75)		
Assaults that do not involve a weapon	Hands/Fists	77	50	10.7	71.3
	Tramping/Kicking	50	27	6.5	43.3
	Sodomy/Rape	35	19	4.6	30.3
	Strangulation	15	11	2.2	14.6
Assaults that involve a manufactured weapon	Locks in socks	66	45	9.4	62.3
	Locks on belt	63	39	8.6	57.3
	Weapons involving blade	59	31	7.6	50.6
	Soap in sock	41	35	6.4	42.6
	Razor blades	48	23	5.9	39.9
	Throwing boiling water	42	28	5.9	39.3
	Glass from window	42	23	5.5	36.5
	Broom handles	36	28	5.4	35.9
	Batteries in sock	36	24	5.1	33.7
	Spoons mugs	35	22	4.8	24.2
	Bricks or stones In sock	33	10	3.6	24.2
	Mug in sock or pillow	22	11	2.8	18.5
	Bricks or stones	19	8	2.3	15.1
	Spitting in cup	4	5	0.8	5.1
Imported weapons	Firearms	1	2	0.3	1.7
	Other	8	12	1.7	11.2

As presented in Table 7.24 there were 1194 multiple responses from 181 respondents for **Question 73**. The overall modal response, by 71% of respondents, for weapons used in assaults point to assaults that involve hands or fists and as such are assaults that do not involve manufactured weapons.

Of the assaults that involve weapons the modal responses indicated that assaults would involve the use of a padlock. The respondents suggest that padlocks are either used in socks (62% of the respondents) or attached to belts (up to 57% of the respondents). In either scenario offenders place padlocks in socks or attach them to belts; the socks or belts are used for grip. Appendix 6 presents an example of a padlock placed in a sock to be used as a weapon. The weapons presented in Appendix 6 are examples of confiscated weapons at Modderbee Correctional Centre.

According to respondents 1 - 13, 25 - 27, 33, 37 - 46 during interviews and additional comments provided on the questionnaire, padlocks are reportedly aimed at the victims head, specifically the back of a victim's head. These results indicate that while the modal responses suggest assaults in prisons do not reportedly involve a manufactured weapon, when a weapon is used the most common weapon is a padlock either in a sock or attached to a belt. This is noteworthy for a number of reasons. Firstly, padlocks are readily available in prisons as they are used for securing offenders lockers. Secondly, according to respondents 1 - 13, 25 - 27, 33, 37 - 46 padlocks on belts or in socks are reportedly the weapons of choice for the 26 gang and as such would most likely be the weapon used in assaults that take place in the morning. During interviews respondents 1 - 13, 25 - 27, 33, 37 - 46 indicated that assaults using padlocks are common place and are carried out in order to damage the victims head. On the most part they are used to fracture the skull *so blood comes out.*

As presented in Table 7.24 over and above padlocks as weapons, up to 50% of the respondents indicated that manufactured weapons include weapons involving a blade. Blades in this instance refers to objects that are manufactured to resemble and function as a knife. Blades are often manufactured out of sharpened pieces of metal or sharpened plastic. During observations for this study the researcher had the opportunity to view an array of confiscated weapons at Modderbee Correctional Centre, Pretoria Correctional Centre and Johannesburg Correctional Centre. As observed, two forms of manufactured blades are prevalent in the prison environment. The first form involves a sharpened piece of metal with a handle manufactured out of wound fabric. The second form involves a sharpened piece of metal attached to another object. The object to which the blade is attached forms the handle for the

weapon. Examples of the second form include sharpened metal attached to a tooth brush or a piece of wood. Examples of blades confiscated by security personnel at Modderbee Correctional Centre are presented in Appendix 6.

Further examples of manufactured weapons presented in Table 7.24 noted by up to 40% of the 181 respondents include razor blades; soap in socks (42% of the respondents); boiling water (up to 39% of the respondents); glass from windows (up to 37% of the respondents); broom handles (up to 36% of the respondents); batteries in socks (33% of the respondents); spoons or mugs (32% of the respondents) and bricks or stones in socks (up to 24% of the respondents).

Respondents 1 - 13, 25 - 27, 33, 37 - 46 during interviews noted that a weapon can be manufactured out of most physical items found in the prison setting. Moreover, respondents suggested that many of the materials adopted in the manufacture of weapons are readily available in the prison environment as they are more often than not supplied by the prison to the offenders.

As previously noted, during observations for this study the researcher was given access to the variety of confiscated weapons in all of the case study prisons with exception of CMax. While the variety of manufactured weapons included various shanks and knives, many of the weapons used by the offenders are modest or simply crafted weapons. Moreover, during interviews respondents 1 - 13, 25 - 27, 33, 37 - 46 noted that the weapons used by offenders during assaults are generally weapons that are readily available to hand, involve materials that are supplied by the prisons administration and are manufactured out of materials that do not require extensive alteration for them to become dangerous weapons. For example, during interviews Respondent 25 explained how soap can be placed in socks to hit a victim's head, or razor blades can be inserted into soap and thrown at a victim from height or used to slash a victim's face. Respondents 1, 8 and 25 stated that razor blades are placed between the fingers of an assailant and on passing the victim the assailant will slash the victims face. During interviews respondents 1 -9, 11 -13 and 25 - 27 noted that assaults which involve an assailant throwing boiling water into the face of a victim will most frequently take place at

night and only in communal cells. Respondents noted that on the most part an assault is carried out so the victim's identification (facial features) is permanently destroyed. Respondents 1, 2, 4 - 8 and 25 - 26 indicated that while boiling water is a common method of assault in some instances sugar and/or oil rather than water is boiled and thrown into a victims face. Respondents 1, 2 and 4 - 8 admitted to witnessing the scalding of another offender using boiling water, while being housed in a communal cell. Respondent 8 stated that he had considered using this form of assault on another offender in order to ward off the other offender's sexual advances.

Having indicated the weapons adopted during assaults, **Question 74** asked the respondents to indicate the most common injuries brought about as a result of assaults among offenders. **Question 74** was an open ended question. From 133 respondents, 211 multiple responses were presented. While the choice of weapon used during assaults among offenders can disfigure, cut, bruise and/or kill a victim, the modal response indicated by up to 47% of the respondents indicates that injuries brought about as a result of assaults are more often injuries to the head. Findings are presented in Table 7.26.

Table 7.26: Injuries brought about as a result of assaults

Injuries as a result of assaults	Responses	Percent of responses (N = 211)	Percent of respondents (N = 133)
Injuries to head	62	29.4	46.6
Cuts	30	14.2	22.6
Stab wounds	20	9.5	15.0
Bruises	20	9.5	15.0
Scars/Wounds/Damage to body	17	8.1	12.8
Loss/injury of eyes	16	7.6	12.0
Blood shed	11	5.2	8.3
Swelling	10	4.7	7.5
Loss of teeth	6	2.8	4.5

Table 7.26 continued: Injuries brought about as a result of assaults

Injuries as a result of assaults	Responses	Percent of responses (N = 211)	Percent of respondents (N = 133)
Broken bones	6	2.8	4.5
Minor injuries	4	1.9	3.0
Death	3	1.4	2.3
Deformation	2	0.9	1.5
Internal injuries	2	0.9	1.5
Burns	1	0.5	0.8
Emotional/Psychological scars	1	0.5	0.8

During interviews respondents 1 - 9 and 25 suggested that while certain weapons are used specifically by certain prison gangs, certain methods of assault are specific to certain prison gangs and as a result the injuries sustained can be linked to certain prison gangs. For example, Respondent 5 who was a member of the Big 5 prison gang indicated that tramping or stamping on a victim while he is lying on the ground is reportedly an assault technique of the Big 5 gang. Respondents 2 and 8 who were members of the 26 gang indicated that members of the 26 gang prefer to use padlocks to assault victims and the 28 gang reportedly use rape as punishment. The distinguishable marks on the victim as a result of a prison gang assault include wounds on the head, specifically on the skull, on the face and in some instances the loss of an eye. Respondents 2, 3, 5, 8 and 25 indicated that offenders who *grass* on gangs would often have one eye removed by the gang. This type of assault sends out a message to other offenders that their eyes should not be watching the gangs. During observations at Modderbee the researcher witnessed one elderly offender with one eye missing. The security officer escorting the researcher indicated the offender's eye had been removed by other offenders who considered him a *snitch*.

While many types of assault are specific to each of the prison gangs, respondents to this survey indicated that many of the prison gangs have specific types of assaults for infractions

among same gang members. For example, respondents 2 and 8 stated if a 26 gang member transgresses from the rules of the 26 gang he will be forced to drink a certain amount of water following which other gang members will repeatedly hit the victim's kidneys; reportedly 13 times on each kidney. On the other hand, as noted by a security official at Pollsmoor, punishment for 28 gang members involves a circle of 28 gang members each one of who is required to spit into a cup. The victim or transgressor of the gang rules is then forced to drink the contents of the cup. Three respondents during interviews (respondents 2, 8 and 10) were asked to comment on and/or verify this form of punishment within the 28 gang. Respondents 2 and 8 indicated that this form of punishment does occur within the 28 gang adding that the cup can be either filled with spit, urine or vomit. Respondent 10 who admitted to being a member of the 28 gang, refused to comment, indicating that he would be punished by other members of the 28 gang if he revealed the 28 gang secrets. Respondents 2, 8 and 10 stated that members of the 28 gang who violate the gang rules can also be subjected to gang rape by other members of the gang.

As previously noted this study does not focus on prison gangs, however, during interviews it became apparent that prison assaults could not be thoroughly examined if the assaultive practices of prison gangs were not considered.

In order to examine the influence of the prison gangs on the respondents' perception of assault in prison, respondents were asked in **Question 78** to indicate whether they believed there to be a large number of prison gang members present in their prison. From 195 respondent's, up to 55% of the respondents indicated that there was large number of gangs in their prison.

While 40 or p to 21% of the respondents indicated that the respondents did not know of the existence of gangs in their prison this might reflect their fear of prison gangs and fear of reprisal for talking about prison gangs. During interviews and group discussions respondents were initially very reluctant to discuss the issues of prison gangs.

All of the respondents to interviews indicated that there were repercussions for discussing issues relating to prison gangs and as such were not willing to discuss the subject. Where respondents were willing to discuss prison gangs the respondents had been in prison for a long time, were ex-gang members or had been members of a prison gang for a long period of time. Where respondents were gang members or ex-gang members they were willing to discuss certain issues relating to prison gangs although only during individual interviews. During interviews respondents 3, 6, 25 and 26 admitted to being Airforce 3 gang members; respondents 5 and 13 admitted to being Big 5 gang members; respondents 2, 8 and 9 admitted to being 26 gang members and Respondent 10 admitted to being a 28 gang member. Respondent 1, 4, 7 and 27 stated they were *franse* or non-gang members. The four respondents at CMax (32, 33, 34 and 35) denied being affiliated to a prison gang. The remaining 28 respondents to individual interviews or group discussions refused to state any gang or non-gang affiliation.

While **Question 78** in the questionnaire asked respondents to indicate whether there were a large number of prison gang members in their prison **Question 79** asked the respondents to indicate which prison gangs existed in their prison. As presented in Table 7.27, 516 multiple responses were indicated by 146 respondents. As depicted by respondents, overall, the 26 prison gang was noted to be the more prominent prison gang by up to 85% of the respondents. Where *other* gangs were noted (up to 3% of the respondents), gangs such as the *desperado's*, the *one/ones*, the *29's* and the *2pac* gangs were identified.

Table 7.27: Types of prison gangs cross-tabulated with prison sample

Gangs in the prison	Prison				Total No. of multiple responses (N= 516)	Percent of responses (N = 516)	Percent of respondents (N = 146)
	Johannesburg Centre (No. of respondents = 36)	Pretoria Centre (No. of respondents = 60)	Modderbee Centre (No. of respondents = 47)	CMax Centre (No. of respondents = 3)			
26	33	46	43	2	124	24	84.9
27	5	8	7	1	21	4.1	14.3

Table 7.27 continued: Types of prison gangs cross-tabulated with prison sample

Gangs in the prison	Prison				Total No. of multiple responses (N= 516)	Percent of responses (N = 516)	Percent of respondents (N = 146)
	Johannesburg Centre (No. of respondents = 36)	Pretoria Centre (No. of respondents = 60)	Modderbee Centre (No. of respondents = 47)	CMax Centre (No. of respondents = 3)			
28	32	42	36	3	113	21.8	77.4
3	18	29	28	2	77	14.9	52.7
4	18	30	27	1	76	14.7	52.1
5	17	28	32	1	78	15.1	53.4
Do not know their names	1	1	1	0	3	0.6	2.1
All of them	1	6	3	0	10	1.9	6.8
Nome of them	1	3	0	0	4	0.8	2.7
Do not know	2	4	0	0	6	1.2	4.1
Other	0	1	3	0	4	0.8	2.7

Having identified the prison gangs in their prison, respondents were asked in **Question 80** whether gang members were more likely to be involved with assaultive behaviour. As presented in Table 7.28, from the 184 respondents to **Question 80**, the modal response (136 or up to 74%) indicates that gang members are more likely to be involved with assaultive behaviour than non-gang members.

Table 7.28: Gang propensity to be involved in assaultive behaviour cross-tabulated with prison sample

Gang members more likely to be involved in assaults than non-gangs	Prison				Total No. of responses (N = 184)	Percentage of responses and respondents (N = 184)
	Johannesburg Centre (No. of respondents = 45)	Pretoria Centre (No. of respondents = 84)	Modderbee Centre (No. of respondents = 52)	CMax Centre (No. of respondents = 3)		
Yes	30	58	45	3	136	73.9
No	6	7	3	0	16	8.7
Do not know	9	19	4	0	32	17.4

When responses indicated that gang members were more likely to be involved in assaultive behaviour than non-gang members, **Question 81** asked the respondents to indicate their understanding of the motivation behind prison gang assaults. **Question 81** was an open ended question.

Table 7.29 offers the respondents' perceptions as to the motivation for prison gang related assaults cross-tabulated to the prison sample. Of the 130 respondents who indicated 176 multiple responses the modal response indicated by up to 39% of the respondents, state the motive for violence among or between gangs was power related to the gang's.

Table 7.29: Motives for assaultive behaviour by prison gang members

Reasons for gangsters assault than non	Prison				Total number of responses (N= 176)	Percent of responses (N= 176)	Percent of respondents (N = 130)
	Johannesburg Centre (No. of respondents = 32)	Pretoria Centre (No. of respondents = 50)	Modderbee Centre (No. of respondents = 47)	CMax Centre (No. of respondents = 1)			
Power related	15	20	14	1	50	28.4	38.5
Image/ Part of their functioning as a gang	10	11	8	0	29	16.5	22.3
Like fighting	4	7	5	0	16	9.0	12.3
Dealing in drugs	1	6	8	0	15	8.5	11.5
All have to be involved	1	6	2	0	9	5.1	6.9
Dealing in sex	0	5	3	0	8	4.5	6.2
To protect reputation	0	6	2	0	8	4.5	6.2
Attack non gangs to	1	0	6	0	7	4.0	5.4
Territory	3	3	1	0	7	4.0	5.4
stealing	1	2	3	0	6	3.4	4.6
To control people	3	0	1	0	4	2.3	3.1
To obtain goods	1	2	1	0	4	2.3	3.1
To show that the number is alive	1	1	0	0	2	1.1	1.5
Forcing non gangs to join them	0	0	2	0	2	1.1	1.5
Do not know	0	1	1	0	2	1.1	1.5
Other	0	2	5	0	7	4.0	5.4

Question 82 asked the respondents to indicate if they had ever belonged to a prison gang. Of the 189 respondents to **Question 82** 166 (up to 88%) of the respondents claimed not to have belonged to a prison gang; 23 (12%) stated that they had. However, when asked to identify the specific gang affiliations in **Question 83** of the 236 respondents to this survey there were 25 responses to **Question 83** who indicated their specific gang affiliations; 13 respondents indicated affiliation to the 26 gang and one to the 27 gang; four noted being 28 gang members. Three respondents reported affiliation to the Airforce 3 and two respondents noted being associated with the Airforce 4. One respondent noted being a Big 5 member and one recorded being affiliated to another gang which was a street gang, namely, the Hard Living gang. As previously noted, 18 of the 46 respondents to interviews and group discussions indicated their affiliation to prison gangs.

Having ascertained gang related assaults the respondents were asked to indicate the victimization potential of offenders. **Questions 84 and 85** asked respondents to indicate whether certain offenders are more susceptible to assault. While 166 (up to 88%) of the 189 respondents to **Question 84** indicated that certain people are not more likely to be assaulted, 23 (12%) respondents indicated that certain offenders are more likely to be assaulted.

When asked in **Question 85** to identify the specific traits that promote victimization potential in offenders 224 respondents provided feedback. From the 365 multiple responses the modal response for the most influential trait that would motivate victimization (69 or up to 19% of responses) point to age of offender. During interviews respondents 1 -13, 25 - 27 and 32 - 46 suggested that young offenders particularly offenders below the age of 40 were considered high risk of being victimized.

Where responses indicated that younger offenders are at greater risk of assault, assault referred to physical violent assault and sexual assault. During interviews with respondents 1 - 9, 25 - 27, 32 - 35, and 37 - 46 and through additional comments provided by respondents on the questionnaire, it was stated that younger offenders are at particular risk of sexual assault as older offenders seek out younger offenders as sexual partners. Moreover, while younger offenders are at greater risk of being approached for sexual favors they would have

to assault the predators in order to stave off advances. Respondent 8 to the interviews' explained during an interview how he had assaulted an older offender with an iron, in order to defend himself against further sexual advances.

Where respondents noted ethnicity as a factor that might impact on assault (up to 12% of responses) respondents 1 - 9, 25 - 27, 32 - 35, and 37 - 46 to the interviews and additional comments provided by respondents to the questionnaire indicated that Coloured and White offenders, non-South African's and foreign or minority ethnic groups were at specific risk of assault. Respondent 1 to the interviews stated that he was, at the time of the survey, protecting another young Brazilian offender against the sexual advances of 28 gang members. In order to provide protection to the young offender Respondent 1 had approached officials and had the young offender moved into his cell so he could "*keep an eye on him*".

Where respondents indicated *other* factors (up to 7% of responses), additional comments on the questionnaire included whether an offender is/was a gang member, being moved from one cell to another, housing type, having an aggressive attitude or being too timid. Further comments stated being a newly admitted offender, being in possession of money or cigarettes, being non-compliant to the *prison* rules, running up debt, being homosexual and not respecting others.

Question 95 asked the respondents to indicate whether they believed assaults between offenders were mostly planned or spontaneous. As presented in Table 7.30, of 186 respondents 107 (up to 58% of respondents) pointed out that most violent assaults between offenders are planned while 67 or 36% believed they were not planned. Twelve of the respondents (up to 7%) believed they were both planned and unplanned i.e., opportunistic. As pointed out the modal response suggests assaults between offenders are mostly planned. From this stand point it can be assumed that the planning of assaults includes the method of assault and the place or location for the assault to take place. Taking this premise further an act of planned assault involves an evaluation of the place for the assault, which suggests specific areas within the prison are seen as more appropriate for assaults to take place.

Table 7.30: Planning of violent assaults between offenders in prison

Planning of assaults between offenders	Frequency	Percent of respondents (N = 186)
Planned	107	57.5
Unplanned	67	36.0
Both	12	6.5
Sub total	186	100.0
Missing System	50	
Total	236	

7.3.2 Frequency of assault

This section of the analysis presents findings for the frequency of assault in male prisons in South Africa. This section evaluates frequency of assault in terms of the perception of the respondents for the time of day, day of week and month of year when assaults between offenders is more likely to occur.

Question 99 asked respondents the time of day in which they felt most safe. Findings are presented in Table 7.31.

As indicated in Table 7.31, of 199 multiple responses 82 or 41% of the responses indicated a perception of feeling safer at night. Night time in prison and offenders terminology refers to the period between lock up and unlock and as such is the period of time the offenders are locked in their cells. During interviews respondents 1 - 9, 11 - 13 and 36 stated that following lock up, patterns of order and a sense of familiarity are formed by occupants in communal cells. Respondents 1 - 9, 11 - 13 and 36 noted that while cells are unlocked offenders are at liberty to move around the housing unit and this brought a sense of fear of assault. Respondents 1 - 9, 11 - 13 and 36 indicated that lack of safety during the day was due to the high levels of offender movement combined with low official-to- offender ratio. Although a large number of responses indicated the respondents felt safer at night (82 or

41%) a substantial number of the responses (46 or 23%) indicated that the respondents felt safe all the time.

Table 7.31: Time of day perceived as safer

Time of day	Frequency	Percent of responses (N = 199)
Night	82	41.2
Day	69	34.7
Both	46	23.1
Neither	2	1.0
Total	199	100.0
Missing System	37	
Total	236	

Table 7.32 presents the time of day perceived by the respondents as safer cross-tabulated to their type of accommodation and Table 7.33 presents the Chi – Square test. As presented in Table 7.33 the Chi-Square results indicate a 99% probability of a significant relationship between time frequencies for perception of safety and type of accommodation (Chi-Square = `0.74; df = 1, p = 0.0010). Examining this association with the findings presented in Table 7.32 indicates that while a greater percentage (54%) of the 149 respondents indicated feeling safer at night overall, 58% of the respondents accommodated in communal cells felt safer during the day while up to 69% of respondents accommodated in single cells felt safer at night.

Table 7.32: Cross tabulation for time frequencies and type of accommodation

Time of day and safety	Accommodation type		Total No. of responses	Percent of Respondents (N = 149)
	Communal cell (No. of respondents = 79)	Single cells (No. of respondents = 70)		
Day	46	22	68	45.6
Night	33	48	81	54.3

Table 7.33: Chi-Square Test for time frequencies for safety and type of accommodation

Chi-Square Tests			
	Value	**df**	**Asymp. Sig. (2-sided) (P)**
Pearson Chi-Square	10.74(b)	1	0.0010
N of Valid Cases	149		

Having highlighted their perception of their personal safety in relation to the time of day, **Question 102** asked respondents to indicate if there was a specific time during the day in which assaults between offenders were more likely to take place. Findings are presented in Table 7.34.

Table 7.34: Time of day for increased likelihood of assault

Time offenders assault likely to occur	**Responses**	**Percent of responses (N = 139)**	**Percent of respondents (N = 87)**
Morning	66	47.4	75.9
Afternoon	35	25.2	40.2
Evening (After lock up)	28	20.1	32.2
Other	1	0.7	1.1
Anytime	9	6.5	10.3

As presented in Table 7.34, of 139 multiple responses from 87 respondents the modal response presented by up to 76% of the respondents to **Question 102** indicated that assaults on offenders are more probable in the morning. According to respondents 1 – 9, 13, 25, 26 to interviews, specific times of the day are allotted to the activity of specific prison gangs. According to respondents 1 – 9, 13, 25, 26 while the overall concept within the times for gang functioning is maintained, the specific times for gang activity varies between prisons. Respondents 1 - 9, 13, 25, 26 indicated that the 26 gang either functions from sun rise until midday and the 28 gang functions between midday and sun rise the next morning or the 26 gang functions from sun rise until Midday and the 28 gang function only after the sun sets until sun rise the next morning.

Where respondents to interviews noted that the 28 gang function from midday to the sun rise the next morning respondents stated that the time allocated to the 28 has less to do with the position of the sun, and more to do with fairness regarding time allocation for the gangs to function. By allowing the 28 gang to function only after the sun has set would restrict the 28 gang to only function within the confines of the cell.

Findings presented in Table 7.34 posit that assaults are more likely during the morning (time of the 26 gang) and during the afternoon (time of the 28 gang). During both of these times the offenders are on the most part moving around the prison. Where respondents indicated assaults at night, respondents 1 – 9, 13, 25, 26 stated it would be after the cells are locked and being at night it would be the time of the 28 gang.

While **Question 102** asked respondents to indicate the time of day for increased assaults among offenders, **Question 103** asked respondents to indicate the time of day for increased risk of assault by offenders' on officials. From 129 respondents, 91% of the respondents indicated an increase assault by offenders on officials during the morning. **Question 104** asked the respondents to rationalize the increased risk of assault on officials during that time of the day, up to 47% of the 113 respondents indicated that assaults on officials would be more likely to occur as fewer officials are on duty at that time. Only up to 2% of the respondents attributed the risk for assault on officials as a result of gang activity.

Having identified the specific time of day when assaults would be more probable **Question 102c** asked respondents to identify the specific activities that are associated to the time of assaults. As presented in Table 7.35, from 36 respondents 43 multiple responses were presented. The modal responses, presented by 47% of the respondents to **Question 102c** indicated that assaults are more likely to take place during unlocking in the morning and during eating time in dining halls. Again, this supports the modal response from up to 76% respondents presented in Table 7.34 which posited that assaults on offenders are more probable in the morning. Findings presented in Table 7.34 and Table 7.35 indicates an increased likelihood of assaults between offenders after the cells are unlocked and during the morning hours, during periods of increased offender activity.

Table 7.35: Specific activities associated to the frequency of assaults

Specific actions associated to the frequency of assault	Frequency	Percent of responses (N = 43)	Percent of respondents (N = 36)
Unlocking (Mastering morning)	17	39.5	47.2
Dinner time/Eating time	17	39.5	47.2
All day/Anytime	4	9.3	11.1
After lock up	3	7.0	8.3
At lock up	2	4.7	5.6

Following on from indicating the actions that could perpetuate assaults (Table 7.35) during specific times of the day (7.34) **Question 102c** further asked respondents to indicate the motivations for assaults at specific times of the day and during specific activities during the day. As presented in Table 7.36, from 43 respondents who presented 48 multiple responses, the modal response presented by up to 35% of the respondents to **Question 102c** indicate that assaults are most likely to take place at a time and during an activity that supports prison gang mores.

Table 7.36: Motivation for assaults associated to assault frequencies

Rationale for specific time of assault	Frequency	Percent of responses (N = 48)	Percent of respondents (N = 43)
Gangs work during this time	15	31.3	34.9
No officials	8	16.7	18.6
Brooding	7	14.6	16.3
Queuing for food	6	12.5	13.9
When offenders come together	5	10.4	11.6
Fights from previous day	4	8.3	9.3
Smuggling	3	6.3	7.0

Analysis of data presented in Tables 7.34, 7.35 and 7.36 suggests that on the whole assaults are more likely to occur during the morning either at the time of unlocking the cells or in the dining hall, both of which are a result of gang activity.

Having determined the frequency of assault in terms of time of day, respondents were asked to indicate whether assaults could be patterned in terms of day of week. **Question 105** asked respondents to indicate the day of the week on which they felt safest. Findings are presented in Table 7.37.

Table 7.37: Perceptions of safety in relation to day of week

	Monday		**Tuesday**		**Wednesday**		**Thursday**		**Friday**		**Saturday**		**Sunday**	
	Freq	Valid %	Freq	Valid %	Freq	Valid %	Freq	Valid %	Freq	Valid %	Freq	Valid %	Freq	Valid %
Unsafe	39	33.3	38	32.5	35	29.9	40	34.5	41	35.3	53	45.7	46	40.0
Safe	78	66.7	79	67.5	82	70.1	76	65.5	75	64.7	62	53.4	69	60.0
Total	117	100.0	117	100.0	117	100.0	116	100.0	116	100.0	116	116	115	100.0

As presented in Table 7.37, respondents indicate they felt equally safe (and unsafe) on all the days during the week. Moreover, the modal responses to safety for each day of the week suggest respondents to **Question 105** felt safer rather than at risk on all days in the week. However, comments by respondents 1 – 9, 11 – 13, 25 and 27 during interviews indicate that there is greater risk of assault on specific days. Most notably, respondents 1 – 9, 11 – 13, 25 and 27 posit that offenders are more at risk of assault on Saturdays and Sundays. In terms of sentenced offenders, Saturdays and Sundays are the stipulated visiting days. Respondents 1 - 9, 11 - 13, 25 and 27 noted that offenders who receive visits are more likely to be assaulted and robbed of items received during visits.

During interviews respondents 1 - 3, 5, 6, 8, 13 and 25 explained that specific days of the week are the days of certain prison gangs. Respondents 1 - 3, 5, 6, 8, 13 and 25 pointed out that while each day of the week is given a reference number, prison gangs related that number to their prison gang number and as such claim that day.

For example, a number of respondents noted that Saturday being the sixth day of the week is the day of the 26 gang; others suggested that the day of the 26 gang is on Friday. Respondents further alluded that specific days belonging to the 28 gang, the Big 5 and the Airforce 3 and 4. While detailed information of which days belonged to the gangs was at best vague due to gang confidentiality, respondents 1 - 3, 5, 6, 8, 13 and 25 did note that there is a link between the days of the week and specific prison gang activity. Despite the specific days of the week and gang activity being ambiguous it was noted that gang members refer to one day in prison as one year and when revenge is sought by members of a particular prison gang, the prison gangs must carry out their revenge in either 6 years (days) for the 26 gang, or in 8 years (days) for the 28 gang. Information gathered from interviews with a security official at Modderbee Correctional Centre stated that it was possible to predict, and therefore be prepared for, some outbreaks of assault on certain days of the week due to the time frames allocated by certain gangs for attacks.

Question 106 asked respondents to indicate whether officials are at greater risk of assault on specific days of the week. From 174 respondents, 54% of respondents stated officials were not at greater risk of assault on specific days during the week.

Question 108 asked respondents to indicate whether assaults were more likely during specific months of the year. Of 187 respondents to **Question 108**, 78 (up to 42%) respondents indicated that assaults were not more prevalent during specific months of the year.

However, when respondents were asked to indicate any specific months during the year when an increase of assault between offenders was more likely (**Question 109**) the respondents indicated the high risk months for assault. From 66 respondents who answered **Question 109**, up to 79% of the respondents indicated that assaults among offenders were likely to increase in December followed by up to 23% of the respondents indicating that assaults are likely to be increased during November. Eighteen percent of the respondents posited that assaults would increase in January while up to 17% pointed to June and 15% pointed to July.

In South Africa the summer months are November December, January and February while winter months are June, July and August.

Findings in this study regarding levels of assaults in relation to specific months of the year supports previous research carried out by Atlas (1982) who found a marked difference in the levels of assaultive behaviour between inmates during specific months of the year. Atlas (1982) found that assaultive behaviour between offenders is more likely to increase during June and July (hot weather months) and January and February (cold weather months). Findings in this study point to increase assaults during November, December and January (summer months in South Africa) and further in June and July (winter months in South Africa),

Atlas (1982) found that increased assaults in summer months was due to limited access to showers, limited air conditioning and specific building materials that contribute to uncomfortable conditions and increased frustrations. However, findings in this study suggest that increased assaults during the summer months coincided with summer being the Christmas or festive period. As presented in Table 7.38, 50% of the 40 respondents who presented 49 multiple responses to **Question 109b** stated that assaults increase during November, December and January as a result of it being the festive period and as a result of increased frustrations. According to one security official at Modderbee Correctional Centre and one security official at Pretoria Correctional Centre and respondents 1, 3-8, 11-13, 25, 26 and 32-35 during interviews, assaults between offenders increase over the festive period as the number of work teams are reduced. Due to a reduced number of officials on duty over the festive period and the likelihood of more attempted escapes, the prison work teams are reduced if not completely stopped. Preventing work teams not only increases tension as more prisoners have less to do, work teams reportedly smuggle contraband into the prisons, particularly drugs and as there are fewer work teams employed fewer drugs are smuggled into the prison. As a result of limited supply of drugs coming into the prisons, the cost of the available drugs inside the prisons increases. Less supply and the high price of drugs added to an increased number of idle offenders all contributes to increased levels of tension and frustration. Added to this, respondents 1 - 8, 10 -13, and 25 noted that during this period the

prison gangs fight for control of the drug market within the prisons. These factors added to the high temperatures in summer and the fact that offenders are generally more frustrated over the festive period; all reportedly contribute to the increased levels of assaults among offenders.

Contrary to assaults in summer months are the reported increase in assaults in the winter months namely June and July. Respondents 1, 3 - 8, 11 - 13, 25, 26 and 32 - 35 noted during interviews that assaults in winter are mostly on account of increased frustration due to the colder weather. The respondents to the interviews' further noted that offenders tend to stay indoors more during the winter months and are less likely to go outside for air or exercise. Tensions rise among offenders as a result of the increased close confinement. While Atlas (1982) suggested that assaults are likely to increase on days of rain respondents to this study noted that assaults are less likely on days which experience rain. According respondents 1, 3 - 8, 11 - 13, 25, 26 and 32 - 35 offenders are more likely to stay in their cells and *do nothing* when it is raining. On site observations of offenders and offenders activity suggests that there is generally less movement in the prisons and, on the whole, prisons are quieter when it is raining or cold.

Table 7.38: Motivations for increased assaults during specific months of year

Motivations for increase in assault during specific months of year	Frequency	Percent of responses (N = 49)	Percent of respondents (N = 40)
Festive time	20	40.8	50.0
Season of year	8	16.3	20.0
Stress/Frustration	7	14.3	17.5
No money	5	10.2	12.5
The month of the gangs	3	6.1	7.5
No dagga	2	4.1	5.0
Few officials	2	4.1	5.0
Drugged	1	2.0	2.5
Overcrowding	1	2.0	2.5

While several respondents noted that there are fluctuations in the levels of assaults in certain months of the year, a number of respondents (1 - 3, 5, 8 and 25) went further and stated that an increase in assaults during specific months of the year could be attributed to prison gang activity. During interviews respondents 1 - 3, 5, 8 and 25 reported that as with the days of the week certain prison gangs *own or take possession of* specific months of the year. As with the days of the week the months that are owned by the gang can be referenced to the number of the month and the number of the gang. Respondents 1 - 3, 5, 8 and 25 noted that the month of June being the 6th month in the year belongs to the 26 gang and August being the 8th month of the year, belongs to the 28 gang; July belongs to the 27 gang.

In addition, respondents 1 - 3, 5, 8 and 25 noted that while the gangs own certain months of the year and days of the week they also take ownership of specific days within each month. Similar to the month of the year, the day of the month can also be referenced to the gang number. For example, while the 26 gang *owns* the 6th month (June) they also take ownership of the 26th day in each month. The 28 gang takes ownership of the 28th day of each month and the 27 gang takes the 27th day of each month. During interviews respondents 1 - 3, 5, 8 and 25 pointed out that the Big five gang owns the 25th of December. Ownership in this instance refers to the day of the month when the prison gangs will "*sort things out*". In other words they will collectively seek revenge on either other offenders or other prison gangs.

Exploring this phenomena further, respondents 3, 6, 25 and 26 to interviews who were members of the Airforce 3 gang indicated that the Airforce gang months are March (3) and April (4) in addition to September and in some instances August and October. The Airforce gang being split into two divisions (Airforce 3 and Airforce 4) reportedly own the third and fourth month preceding December in addition to the third and fourth month in a new calendar year, namely March and April. During interviews, respondents 3, 6, 25 and 26 stated that as the primary function of the Airforce gang is escape from prison, members of the Airforce gang more likely to attempt an escape from prison during the months of September, October and November or in March or April. Moreover, given the importance of numbers to the prison gangs it was suggested by respondents 3, 6, 25 and 26 that members of the Airforce

gang would be more likely to attempt an escape on the 3rd or 4th day of their month or on the 23rd or 24th of their month.

Question 110 asked respondents to indicate whether officials would be at greater risk of assault during specific months during the year. Forty eight percent of the 170 respondents stated that officials were not at greater risk of assault during specific months of the year. However, when asked in **Question 111** to indicate the specific months of the year when an assault on an official is likely to take place, 74% of the respondents indicated December and 26% indicated January.

7.4 SECTION THREE: THE DESIGN FEATURES WHICH MOTIVATE OR PROVIDE OPPORTUNITIES FOR VIOLENT BEHAVIOUR

This section of analysis presents the design features adopted in prison design which motivate and/or provide opportunities for violent behaviour among male offenders. Prison violence is evaluated from a situational perspective by identifying the specific geographic locations within prisons where there is a higher propensity for violence.

Section 4 of the questionnaire and structured interviews explored the respondents' perception of safety in their prison environment and further identified the physical locations that were perceived as safe/unsafe by the respondents. An evaluation of where the respondents felt safe/unsafe was seen as indicative of assaults from a situational perspective.

Question 65 asked respondents if they would describe the prison as safe. Table 7.39 presents respondents' perception of the prison being safe.

As presented in Table 7.39, of the 219 responses 104 (up to 48%) indicate that the respondents perceive their prison as safe. This finding supports findings presented by Edgar *et al*. (2003) who indicated that in victimization survey of 91 inmates the majority of respondents indicated that they generally felt safe in the prison environment. On the other hand, 79 (36%) of the respondents in this study perceived their prison as unsafe. Thirty four (up to 16%) did not know whether the prison was safe or not.

Table 7.39: Respondents' perception of whether prison is safe

Responses	Frequency	Percent of responses (N= 219)
Yes	104	47.5
No	79	36.1
Do not know	34	15.5
Sometimes/Maybe	2	.9
Total	219	100.0
Missing System	17	
Total	236	

While **Question 65** asked if the respondents would describe their prison as safe **Question 91** on the questionnaire asked respondents to indicate whether they perceived all parts/areas of their centre as safe. As presented in Table 7.40, the modal response (119 or 55% of the 215 responses) indicated that not all parts of the prison were safe for offenders. The respondents who indicated that certain areas of the prison were unsafe (**Question 92**) were asked in **Question 94** to explain the physical location where they felt most at risk of assault; findings cross-tabulated with the prison sample are presented in Table 7.41. Following this, respondents were asked in **Question 94b** to explain why the physical locations were not as safe as other areas; findings are presented in Table 7.42.

Table 7.40: Perception of safety for all areas of the prison

Perception of all areas within prison being safe	Frequency	Percent of responses (N = 215)
No	119	55.3
Yes	96	44.7
Total	215	100.0
Missing System	21	
Total	236	

While up to 48% of responses (104 of the 219 responses) indicated that respondents perceived their prison as safe (Table 7.39) 119 (55%) of the 215 responses to **Question 91** indicated that not all parts of the prison were considered safe by the respondents. Having established the respondents' perception that certain areas in the prison were not safe for offenders, the respondents were asked in **Question 94** to identify specific areas that were perceived as unsafe. Findings cross-tabulated to prison sample are presented in Table 7.41.

This test was undertaken in order to meet the recommendation by Toch (1994) who stated that research into prison violence must examine the location or setting of the violent behaviour. Toch (1994) argued that examining specific details in a sub-setting provides information regarding that specific setting and insight to reduce violence within that location. Examining violence within specific sub-settings reduces the theories of prison violence being generalized to all physical locations.

While researchers such as Gear and Ngubeni (2002) argue that violent acts are more likely in multiple housing cells (communal) in South Africa, findings from others such as Edgar *et al*. (2003) suggest that prisoners feel most unsafe in the shower areas, segregation units, reception areas and traveling to and from their wing or housing units. In addition to offenders feeling unsafe in these areas, Edgar *et al*. (2003) identified these areas as the most dangerous areas in the prison in terms of probability for assault. Overall, Edgar *et al*. (2003) posited that areas that encourage or allow prisoners to associate with one another present the greatest opportunity for perpetrators. Further research by Beck and Harrison (2006) noted that sexual violence is more likely to occur in a victim's cell or in a dormitory; in common areas (shower rooms or day rooms) and in program service areas such as storage rooms, hallways, cafeteria, kitchen and workshops.

Table 7.41: Areas of risk inside the prison cross-tabulated with the 4 case study prisons examined in this study

Physical location where assault most likely	Prison				Total number Of responses	Percent of responses (N = 699)	Percent of respondents (N= 155)
	Johannesburg Correctional Centre No. of respondents = 36	Pretoria Correctional Centre No. of respondents = 58	Modderbee Correctional Centre No. of respondents = 46	CMax Correctional Centre No. of respondents = 15			
Communal cells	26	39	20	0	85	12.2	54.8
Exercise yard	16	19	28	12	75	10.7	48.3
Passage in cell block	13	23	26	4	66	9.4	42.6
Dining hall	14	14	22	0	50	7.2	32.3
Passages in other places in the prison	11	15	17	2	45	6.4	29.0
Stairwells in cell block	7	15	20	0	42	6.0	27.0
Bathrooms in cells	8	17	16	0	41	5.8	26.5
Bathrooms in prison	7	14	8	10	39	5.6	25.1
Kitchen areas	11	8	13	0	32	4.6	20.6
Areas around shop	5	10	12	1	28	4.0	18.0
Stairwells in other	6	9	13	0	28	4.0	18.0
Being transported	8	7	10	0	25	3.6	16.1

Table 7.41 continued: Areas of risk inside the prison cross-tabulated with the 4 case study prisons examined in this study

Physical location where assault most likely	Prison				Total number Of responses	Percent of responses (N = 699)	Percent of respondents (N= 155)
	Johannesburg Correctional Centre No. of respondents = 36	Pretoria Correctional Centre No. of respondents = 58	Modderbee Correctional Centre No. of respondents = 46	CMax Correctional Centre No. of respondents = 15			
Laundry areas	4	4	12	0	20	2.9	12.9
Work placement	6	5	9	0	20	2.9	12.9
Waiting to see service provider	5	8	7	0	20	2.9	12.9
Single cells	5	7	6	1	19	2.7	12.3
Receiving visits	5	4	10	0	19	2.7	12.3
Correctional program	4	5	6	0	15	2.1	9.7
Library	4	3	7	0	14	2.0	9.0
Other	6	2	3	1	12	1.7	7.7
Everywhere	1	3	0	0	4	0.6	2.6

As presented in Table 7.41 of the 699 multiple responses from 155 respondents the modal response from up to 55% of the respondents indicated that the area perceived as most dangerous and the area where an assault is more likely to take place is in communal cells. However, while this was the modal response overall, the response does not apply to those respondents from CMax as they are accommodated in single cells only.

While responses in this study indicate a perceived greater risk of assault in communal cells, respondents 1 - 8 and 36 during interviews stated that there are certain areas within the

confines of communal cells that pose greater risk of assault than others. The key factor that governs the area of risk in communal cells is related to the bed configuration. The number and location of beds in communal cells determines the offenders' sleeping location, and offender sleeping location is controlled by the prison gangs. During observations and interviews most notably with prison gang members (respondents 1 - 3, 5, 6, 8, and 25), it was indicated that the physical location of where an offender sleeps can be indicative of his hierarchical position in a cell and more importantly his possible gang affiliation.

Two basic designs for communal cells are present in South Africa's prisons; either square or rectangular. When communal cells are rectangular there are two lines of bunk beds flanking each wall of the cell. When asked during interviews, respondents 1- 3, 5, 6, 8, and 25 stated that the beds furthest away from the door entering the cell are occupied by 28 gang members. Interviews with gang members (respondents 2, 3, 5, 6, 8, and 25) later revealed that 28 gang members occupy beds from the eighth bed from the entrance door. Moreover, the more senior ranking 28 gang members occupy the furthest beds from the door (10 and 11 in number) while the soldiers occupy the eighth and ninth beds in order to protect senior members from any *attack*. The 26 gang members occupy the bunk beds from the 6th bed from the door; the Big Fives occupy the fifth beds; the Airforce 4 the fourth beds and the Airforce 3's occupy the third beds. Non-gang members (*franse*) usually occupy the beds nearest the entrance door. In other words, beds in communal cells are technically, albeit unofficially, numbered by offenders and are occupied by specific offenders depending on the position of the bed away from the door. Appendix 7 presents a drawing of the internal configuration of a communal cell at Modderbee K unit; the drawing of the communal cell was drawn and presented by respondent 1 to the interviews. The bed configuration and numbering of beds in relation to prison gang positioning is presented on the drawing.

Respondents 1 - 3, 5, 6, 8, and 25 stated during interviews that over and above the positions in communal cells, gangs and gang members take positions in the cells in relation to the cells alignment with the sun. In other words, the two more prominent prison gangs namely the 26 and 28 function in relation to sunrise and sunset. In terms of their physical position in cells, the prison gang members will locate themselves within cells in relation to sunrise and sunset.

The first important position of the sun is sun rising or *son op* defined as *Langa* which on compass bearings from true North is on the right (East). The second is sun set or *son af* defined as *Nyanga* which according to compass positioning is on the left from true North (West). The 26 gang only function during son op which is determined from sun rise until midday and the 28 gang functions from midday until sun rise; midday reflects the time for the change in power. Rules of the gang stipulate that the two gangs never interfere with the other's work and never cross into the other's allocated time frame.

With this in mind, two concepts exist regarding the positioning of gang members in a communal cell. Firstly, during interviews respondents 2, 3, 5, 6, 8, and 25 indicated that with the importance of the sun being at the core of the 26 and 28's working, the gang members will occupy beds according to where the sun rises and sets, either on the right (East) or left side of a cell (West). Where beds flank walls that are in North or South positions gang members will occupy beds on the left or right of the cell; right representing the East which belongs to the 26 gang and left representing the West which belongs to the 28 gang.

While respondents 2, 3, 5, 6, 8, and 25 stated that gang members are located in communal cells in relation to East and West, they also added that where geographical positioning limits this application gang's position themselves on the left or right of a cell depending on their gang affiliation, irrespective of the position of the sun. They argued that all cells are guided under the same principles irrespective of their actual position in relation to the sun. Respondents 2, 3, 5, 6, 8, and 25 further indicated that gang members always take the left or right position to be referenced from the entry point to the cell.

In terms of the position of other prison gangs in communal cells, respondents 1, 2, 3, 5, 6, 8, and 25 indicated that certain prison gangs align themselves with other gangs. This alignment is calculated in relation to the number of the gang. For example, by virtue of the fact that 4 is half of 8 the Airforce 4 are reportedly affiliated to the 28 gang and as such the Airforce 4 also sleep on the same *side* as the 28's namely on the West or left of the cell. Moreover, by virtue of 3 being half of 6, the Airforce 3 align with the 26 gang and take position within the cell on the same *side* of the cell as the 26, namely the East or right of the cell.

While the position of beds is important in terms of occupancy, occupancy *in* the bed also reflects hierarchy or position in terms of gang affiliation. Respondents 1 - 3, 5, 6, 8, and 25 and security officials at Modderbee Correctional Centre, Pretoria Correctional Centre and Pollsmoor stated that gang members of the 28 gang who are ranked as the men (also described as *Ndotas*, husbands or members of the blood, gold or red line) sleep on the bottom bunk while the wyfies or members of the private, silver or white line sleep on the top bunk. Where bunk beds comprise of three beds, the top two bunk beds can accommodate 2 wyfies. The gang members (*Ndotas*) accommodating the bottom bunk can in theory defend their wyfies from predators. Observations of sleeping arrangements in communal cells indicated that the bottom bunks have blankets (*mokoo's*) hung from the top bunks of beds for the purpose of privacy. It was interesting to observe that mokoo's on beds in communal cells are more prevalent in the beds furthest away from the cell doors i.e., those occupied by 28 gang members.

According to respondents 1 - 3, 5, 8, and 25, irrespective of cell shape (square or rectangular), the rules of position with reference to the sun or left and right, and occupancy depending on bed number, applies in all communal cells in all male prisons in South Africa. Respondents 1 - 3, 5, 8, and 25 to the interviews, had all been previously incarcerated in other prisons in South Africa and they all stated that the rule applied in all the cells, in all the prisons they experienced.

While respondents indicated that on the whole communal cells are more dangerous and assaults between offenders are more prevalent (Table 7.41), respondents 1 - 9, 11 - 13 and 36 indicated that areas located furthest away from the door or in the middle of the cell are the most dangerous areas within communal cells. Respondents 1 and 2 stated that newly admitted offenders are often warned not to go to the area of the cell furthest away from the door and respondent 1 stated that new offenders who go to that area will *get themselves into trouble.*

During interviews respondents 1 - 9, 11 - 13, 25, 26 and 36 indicated that dining and kitchen areas are colloquially interrelated and as such respondents in this study may have referred to

the dining and kitchen areas as the same. Merging the responses that indicate dining and kitchen areas as dangerous, results from 84 responses (12% of responses and 54% of the respondents) point to the kitchen/dining area as a risk area for assault.

Over and above communal cells and kitchen areas (Kitchen areas + dining halls), 48% of the respondents indicated that the exercise yard was the third area where an assault is more likely to take place. In line with the control exhibited by gangs in communal cells through location possession, observations indicated that gang members also manipulate the design of the exercise yard for the gang function.

During on-site observations in each of the case study prisons, it was noted that specific groups of offenders were positioned in specific areas in the yard. In most instances the groups of offenders were pointed out by officials to be prison gang members. According to two security officials at Modderbee Correctional Centre, one security official at Pollsmoor, during observations, and during interviews with respondents 1, 2, 3, 5, 8, and 25, it was noted that gang members are positioned in specific locations in the yard and, in keeping with the theories for positioning in communal cells, gang members stand in predetermined locations in relation to the position of the sun.

According to respondents 1, 2, 3, 5, 8, and 25, two perceptions exist regarding the position of prison gangs in exercise yards. Firstly, respondents 1, 2, 3, 5, 8, and 25 to interviews stated that the 26 gang will be located on the East or right of the yard, where the sun rises (son op) and the 28 gang members will be located on the West or left of the yard, where the sun goes down (son af). Big Five gang members are generally located in the centre of the yard. In other words, the first perception suggests that the position of gang members in the yard is in relation to the position of the sun. During observations it was noted that this concept was adopted by offenders using the exercise yard at Modderbee Correctional Centre.

The second perception posited by respondents 1, 2, 3, 5, 8, and 25 is that the location of gang members in the exercise yards is made with reference to the entry point into the yard. Applying this theory the 26 gang members will generally be located on the right and the 28

on the left of the yard on entering. Moreover, while members of the respective gangs will be flanking the wall of the determined side of the yard, the higher ranking gang members of each gang will be positioned in their respective corners of the yard furthest away from the door. According to one security official at Pollsmoor Correctional Centre, this concept is adopted by offenders using the exercise yards at Pollsmoor Correctional Centre.

In terms of assault, exercise yards provide opportunity for and support incidents of assault by virtue of the fact they are mostly flat and unobservable. Unless observation towers are positioned on the perimeter or centrally inside the exercise yards, observation is limited. In addition, generally there are high levels of activity in the yards with a high number of offenders gathered. Security officials at Johannesburg Correctional Centre, Modderbee Correctional Centre, CMax, Pretoria Central and Pollsmoor noted that their safety is compromised while patrolling the yards due to the high offender-to- official ratio.

While communal cells, dining halls and exercise yards were indicated as the physical locations where assaults are most likely, passages in cell units were indicated by up to 43% of the respondents as high risk areas (Table 7.41). During interviews, respondents 1 - 13, 25 - 27 and 36 - 46 commented that assaults are most likely to occur in passages in cell blocks in the early morning immediately after unlocking. According to respondents 1 – 13, 25 - 27 and 36 - 46, assaults are likely to take place in passages due to the high levels of movement, high volume levels and few officials. Moreover, respondents 1 - 13, 25 - 27 and 36 - 46 stated that assaults are more likely in the morning as it is the time (sun op) for the 26 gang and the 26 gang members are more likely to carry out revenge attacks during the morning. This supports findings presented in Tables 7.31, 7.32, 7.34, 7.35 and 7.36.

On the whole, as observed at Modderbee Correctional Centre, Pretoria Correctional Centre, CMax and Pollsmoor passages in cell housing units are long, dark, narrow and double loaded. The exception to this was at Johannesburg Correctional Centre, where the cell housing unit passages are external passages. While all the cell unit passages are external at Johannesburg Correctional Centre, the ground floor communal cell passages extend directly onto the court yard. The upper level cell units do not have a roof and are single loaded

passages with cells located on one side of the passage. This configuration gives the passages an "open" appearance giving the passages the impression of being wider. However, on site observations made of housing units of the four case study prisons showed that where the passages are internal and double loaded, the width of the cell unit passages do not support unrestricted two way movement of offenders. The passages are too narrow and with the high numbers of offenders using the passages at any one time movement is hazardous. Moreover, the levels of overcrowding and the amount of movement combined with the high levels of noise results in a situation of chaos. Due to the length of internal passages and the fact that the passages are often flanked on either side (double loaded) by cells, there is, at best, a limited amount of natural light filtering into the passages. Where windows are present in passages the windows look into communal cells and more often than not offenders block the windows with blankets or paper. While there is limited natural light, the amount of artificial lighting is often insufficient. Combining the darkness in the passages with the number of offenders moving in the passage at any one time implies ample opportunity for an assault to take place unobserved.

Respondents generally indicated passages in cell blocks as high risk areas, with 29% of the respondents to **Question 94** also suggesting that assaults are likely to take place in passages in other parts of the prison (Table 7.41). During on-site observations of the four case study prisons, it was noted that officials are stationed at specific posts in and around the prison but random, routine checks of offenders movement along passages are not the norm. Moreover, it was noted during on-site observations in each of the case studies (with exception of CMax) that offenders can move about the prison, particularly their own housing unit, with a certain sense of freedom. Offenders travel to the shop, to classes, to the doctors or social workers and to other parts of the prison. Although offenders should be escorted by an official when moving out of their housing unit it was observed that official escorts are not always the case. The consequence of this is that a large number of offenders move around the prison at will while officials tend to be stationed in one position resulting in numerous opportunities for assault between offenders to take place.

As noted during on-site observations, while officials are positioned at each end of an internal passage, in a housing unit passages are not always designed to follow a straight line. Passages in prison flow and curve with the shape of the prison and as at Johannesburg Correctional Centre, the central passages are designed in a spiral. In these instances officials are not positioned at a passage junction or at each change in direction. Offenders are aware of the blind spots and the opportunity they provide for assaults to take place. During interviews respondents 36 – 46 noted that at Johannesburg Correctional Centre the central spirals are unobservable by officials. As a result the spirals are perceived by offenders to be the most dangerous area in the prison and the place where assaults between offenders are most likely to occur.

In conjunction with passages, 42 responses (60% of responses) presented in Table 7.41 indicate that stairwells in cell units provide opportunity for assaults. Three of the case study prisons (Pretoria Correctional Centre, Modderbee Correctional Centre and Johannesburg Correctional Centre) have housing units that encompassed stairwells; CMax does not incorporate staircases into the housing units for offenders use. During interviews, respondents 1 – 9, 11 – 13, 25 - 27 and 37 – 46 indicated that enclosed stairwells are dangerous as perpetrators can position themselves in areas which cannot be observed and can attack a victim from both the front and back. Where staircases are open, perpetrators can throw objects at a victim from above as well as attack a victim from in front and behind. Moreover, where staircases are open, victims can be thrown from staircases or pushed down a staircase.

On-site observations made during this study indicate that on the whole staircases (either open or enclosed) provide dark unobservable areas in which assaults can occur. The entrances to stairwells should be open and constructed of material that encourages observation such as Plexiglas. The entrance to a building should not comprise of stairwells as offenders tend to loiter at the base of stairwells. Where entrances to housing units comprise stairwells, offenders can seal off and take control of the housing unit. During interviews, respondents 1 - 9, 11 - 13 and 25 - 27 commented that offenders are intimidated and threatened from entering and exiting buildings that encompass stairwells. Respondents 1 - 9, 11 - 13 and 25 -

27 noted that other offenders, most notably gang members, can position themselves at the foot of the stairwell and half way up the stair case and as such trap potential victims.

All staircases should be well lit and wide enough for people traveling in two directions to pass easily. While open staircases and stairwells are most often regarded as dangerous, spiral stairs should also be avoided; on the whole stairs that changed direction and incorporate landings are seen to provide opportunities for assault. During interviews, respondents 1 - 9, 11 - 13, 25 - 27 and 37 - 46 indicated that open staircases should be enclosed by wire mesh or Plexiglas and where possible should not change direction or incorporate landings. The number of landings between stairs should be limited as landings reportedly provide opportunities for assaults and provide an area where victims can be assaulted and then thrown down stairs. The same principles apply for all staircases and/or stairwells in the prison environment.

As presented in Table 7.41, up to 27% of the respondents to **Question 94** gave indication that bathrooms in communal cells provide opportunity for assaults to take place. Moreover, 25% of the respondents pointed out that bathrooms located elsewhere in the prison also provided opportunity for assaults.

In terms of communal cell bathrooms, respondents 1 - 9, 11 - 13, 25 - 27 and 32 - 46 revealed that both assault and sexual assault are likely in the communal cell bathrooms and more likely when offenders (victims) are in the shower or when washing their face. During interviews, respondents 1 - 9, 11 - 13, 25 - 27 and 32 - 46 noted that assaults in communal cell bathrooms will take place when offenders have soap on their face and/or after lock up. These respondents also stated that offender protocol surrounding the use of bathrooms can in itself be the motive for assaults. Respondents 1 - 9, 11 - 13, 25 - 27 and 32 - 46 indicated that offenders in communal cells have cell conduct rules which extend to conduct in the cell bathrooms. Due the number of offenders housed in a communal cell and the limited bathroom facilities available, offenders in most communal cells organize access to the bathroom on a strict rota or queuing system. Reportedly, offenders who break the conduct rules or spend too long in the bathroom are more at risk of being assaulted. Respondents1 -

9, 11 - 13, 25 - 27 and 32 - 46 noted that assaults in bathrooms around the prison were likely to occur because officials do not patrol the areas and the bathrooms are not restricted to a limited number of offenders. In addition many offenders from various sections can use the bathrooms at the same time.

Table 7.41 presents findings for the location of assault cross-tabulated with the 4 case study prisons. As presented in Table 7.41, 80% of respondents from CMax indicated that the most likely area (66% likely) for an assault to take place between offenders was in the court yard (exercise yard) or in the bathrooms/shower rooms. In CMax all offenders from one unit are gathered in the exercise yard for one hour a day while only 5 offenders should use the shower facilities at any one time. Offenders are supervised during exercise and showering at CMax. Respondents from 3 of the prison samples (Modderbee, Pretoria and Johannesburg Correctional Centres) indicated that communal cells posed the area where they were at greatest risk of assault.

Table 7.42 presents the rationale for increased risk of assault cross-tabulated with the physical locations within the prison that pose greatest threat to personal safety.

Table 7.42: Motivations for assaultive behaviour in specific prison locations

Places in centre that are assault likely	Protect belongings	Protect yourself	Gang related	Sexually related	Drug related	Economy related	Environ related	Frustration	Provocation	Totals
Communal cells	42	33	47	26	32	26	15	31	29	281
Passages in other parts	34	34	44	23	27	21	13	24	28	248
Exercise yard	34	29	41	21	25	19	13	29	28	239
Bathrooms in cells	30	29	33	19	23	20	15	25	26	220
Bathrooms in prison	26	22	28	17	21	20	14	23	23	194
Stairwells in cell b	28	26	29	16	19	19	12	18	21	188
Stairwells in other	24	22	29	15	20	18	12	20	22	182

Table 7.42 continued: Motivations for assaultive behaviour in specific prison locations

Places in centre that are assault likely	Protect belongings	Protect yourself	Gang related	Sexually related	Drug related	Economy related	Environ related	Frustration	Provocation	Totals
Areas around shop	20	22	19	14	15	13	8	14	17	142
Passages in cell blocks/units	19	20	20	12	13	14	10	16	17	141
Library	18	17	16	9	12	11	10	16	15	124
Work placement	18	17	18	9	11	13	10	13	15	124
Correctional program	16	16	15	12	11	14	10	13	15	122
Waiting to see service	14	16	12	10	9	10	7	11	14	103
Being transported	12	13	12	8	8	11	6	10	11	91
Kitchen areas	12	12	10	6	7	7	5	10	12	81
Single cells	12	12	9	6	6	8	5	7	10	75
Receiving visits	9	11	8	6	5	8	4	7	9	67
Laundry areas	7	8	7	4	4	4	3	6	6	49
Other	7	8	5	2	3	4	4	5	4	42
everywhere			1			1		1	1	4
TOTALS	382	337	402	235	271	261	176	299	323	2686

As presented in Table 7.42, when the area for assault is cross-tabulated with the motivations for assault, the modal response for perceived risk of assault in communal cells, passages in the prison, bathrooms in cells and exercise yards is as a result of gang activity. Coinciding with these findings, respondents note that assault in communal cells, passages in the prison and exercise yard would come about as having to protect themselves and their belongings. The factors associated with assault taking place in single cells were noted as protection of yourself and belongings.

7.5 SECTION FOUR: EFFECTS OF PRISON DESIGN AND MATERIAL CHOICE ON PRISON VIOLENCE

This section presents the effects of prison design and material choice on prison violence. The data examines the extent to which prison design and construction material choice in prison design impacts on prison violence.

Section three of the questionnaire examines prison facilities and prison programs. **Question 48** asked respondents to indicate the facilities in the cell or on the cell block that are most likely to be damaged or in need of repair. **Question 48** was posed as an open-ended question and divided into two areas. **Question 48a** asked respondents to identify the items damaged and **Question 48b** asked respondents to explain the reasons the items were prone to damage. Findings for **Question 48** are presented in Table 7.43. The findings are of particular interest when the items that are damaged could be adapted as weapons or motivate frustration among offenders that in turn bring about assaultive behaviour.

Table 7.43: Prison facilities most likely to be damaged or in need of repair

Facilities most likely to be damaged	Prison				Total No of responses	Percentage of respondents (N = 190)
	Johannesburg Centre No of respondents = 42	Pretoria Centre No of respondents = 73	Modderbee Centre No of respondents = 50	CMax Centre No of respondents = 25		
Toilets/Urinals	18	41	26	23	108	56.8
Windows	13	19	26	0	58	30.5
Showers	17	11	19	1	48	25.2
Lights	8	16	11	9	44	23.2
Taps	9	15	4	5	33	17.4
Basins	1	13	8	10	32	16.8
Doors	1	7	10	2	20	10.5
Plugs	6	7	4	0	17	8.9
Blocked drains (in t	2	9	4	0	15	7.9
Lockers	6	2	7	0	15	7.9
TV	8	1	5	0	14	7.4
Sheets/Blankets	2	5	6	0	13	6.8
Electric wiring	5	5	2	0	12	6.3

Table 7.43 continued: Prison facilities most likely to be damaged or in need of repair

Facilities most likely to be damaged	Prison				Total No of responses	Percentage of respondents (N = 190)
	Johannesburg Centre No of respondents = 42	Pretoria Centre No of respondents = 73	Modderbee Centre No of respondents = 50	CMax Centre No of respondents = 25		
Recreational/Sport	3	1	4	0	8	4.2
Public phones	3	3	0	0	6	3.2
Telephone	4	1	0	0	5	2.6
Brooms	0	1	3	1	5	2.6
Beds	1	0	3	1	5	2.6
Clothes	0	0	3	0	3	1.6
Speakers/Intercom	0	2	0	1	3	1.6
Paint	0	2	0	0	2	1.1
Mattresses	0	2	0	0	2	1.1
Fire equipment	0	2	0	0	2	1.1
cells set on fire	0	1	0	0	1	0.5
Furniture	0	1	0	0	1	0.5

Of the 190 respondents who indicated 472 multiple responses presented in Table 7.43, up to 57% stated that toilets/urinals in cells were most likely to be damaged or in need of repair. Additional comments by 13 respondents in response to **Question 48b** stated that toilets are damaged regularly due to overuse. Two respondents indicated that offenders stand on them while smuggling drugs through bathroom windows. Ten respondents commented that offenders push the flush button too often and too vigorously or remove the toilets' internal fittings to use as weapons. Three respondents stated food is flushed down the toilet and four commented the toilets get blocked when toiletry supplies are insufficient and offenders flush newspapers down the toilet. One respondent commented that offenders turn the water off in toilets in order to hide contraband and knives inside the toilets. Subsequently, they are often unable to reconnect the water once the contraband is removed.

Up to 31% of respondents point out that second to toilets, windows in cells are the next item most likely to be damaged or in need of repair. For the most part, windows are incorporated

into buildings for the purpose of light and ventilation but windows in the prison context have a multitude of uses and as a result windows in prison are regularly broken. Comments by respondents to the questionnaire indicate that windows are broken through constant use (one respondent); offenders beat on the glass to get officials' attention especially at night (five respondents) and throw items up to the windows to get offenders attention during the day (five respondents). Moreover, glass is continually broken as a result of sports being played on the exercise yard (five respondents). Where respondents noted overuse of windows as a cause for damage, overuse related to the fact that offenders often use the window elements for other activities such as for drying washing. As observed, wet sheets and clothing are tied to the bars on the windows and left to dry.

It was reported through additional comments on the questionnaire that offenders remove and use the glass in windows for the manufacture of weapons (six respondents), hair cutters (one respondent), to make mirrors and for glass for pictures (two respondents). Additional comments provided by seven respondents on the questionnaire, reported the prison gang's use of glass from windows in the manufacture of weapons. In this instance, shaves of glass are used to stab other offenders. During interviews, respondents 1 and 5 indicated that the glass from windows is often ground into powder and placed in another's food as a form of poison. In addition to the removal and use of glass for various items the windows' closing and opening devises being metal are often used in the manufacture of weapons. During interviews, respondents 1 - 3, 5, 7, 8, 11 - 13 and 26 reported that offenders place batteries along window ledges after soaking the batteries in water. Due to the effects of the sun, the battery acid leaks out and destroys the base of the window bars making the bars loose. Respondents 1 - 3, 5, 7, 8, 11 - 13 and 26 stated that offenders remove the bars and make weapons.

As observed during on-site observations, offenders create catchers (shreds of cloths knotted together) onto which drugs and weapons are lowered through windows to other parts of the prison. Offenders throw catchers through windows to other offenders in other cells. In order to carry this out offenders have to stand on toilets or window sills or support themselves by

hanging on to the window bars. All this contributes to overuse, wear and tear and resultant damage

Respondents noted that showers (25% of respondents), lights (23% of respondents), taps (17% of respondents) and basins (up to 17% of respondents) were most likely to be damaged or in need of repair. During interviews, respondents 1 - 3, 5, 7, 8, 11 - 13 and 26 indicated that showers and basins are damaged through overuse and because of blockages and as a result of offenders hitting the shower heads to promote the flow of hot water. In addition, respondents 1 - 3, 5, 7, 8, 11 - 13 and 26 noted that taps are repeatedly damaged through overuse and also as offenders wrap wet clothing and sheets around the tap heads to wring out water; this loosens the tap fittings and over time they break. In terms of damage to the fittings, respondents 1 - 3, 5, 7, 8, 11 - 13 and 26 indicated that offenders bypass the lights in order to obtain additional electricity. Respondents 1 - 3, 5, 7, 8, 11 - 13 and 26 suggested that the powder coating in fluorescent tubes is poisonous. Offenders reportedly remove the light bulbs, grind the glass and powder coating down to a powder and place it in other offender's food to act as poison. Respondents 1 - 3, 5, 7, 8, 11 - 13 and 26 noted that offenders connect the lights to their locker door; when officials open lockers to search for contraband the lights trip and officials cannot see inside the lockers. According to reports, lockers are often damaged (up to 8% of respondents) as a result of offenders breaking into lockers to steal items.

Respondents 1 - 3, 5, 7, 8, 11 - 13 and 26 reported that building components and other miscellaneous items are used for the manufacture of weapons. Broom handles, soap, components of windows, doors and beds as well as the locks used on lockers are all used as weapons or for the manufacture of weapons. In addition, offenders manufacture items from sheets and clothing for the transportation of contraband, or for use as weapons. For example, sheets are torn into strips and tied together to transport items through windows to other cells (catchers); offenders place razor blades in bars of soap and throw them at other offender's faces as they pass each other or from windows onto offenders' heads as they pass below. Offenders reportedly place padlocks into socks or attach them onto belts to use to beat other offenders.

Question 49 asked respondents to indicate whether the facilities in the cell were adequate. Of the 213 responses, 152 (71%) responses pointed out that the facilities in the cells were not adequate. **Question 50** asked respondents to indicate the facilities that they would like to see incorporated into their cells. Findings are presented in Table 7.44.

Table 7.44: Facilities recommended to be incorporated into cells

Facilities recommended to be incorporated into cells	Responses	Percent of responses (N = 354)	Percent of respondents (N = 168)
TV/Radio/Computer/DVD	66	18.6	39.3
Recreational facilities/Games	46	13.0	27.4
Educational/Reading matters	33	9.3	19.6
Toilets	25	7.1	14.9
Furniture	22	6.2	13.1
Lockers	20	5.6	11.9%
Plug sockets	19	5.4	11.3
Showers	18	5.1	10.7
Basins	10	2.8	6.0
Bedding	10	2.8	6.0
Kettle	10	2.8	6.0
Emergency buttons/Intercom	10	2.8	6.0
Hot water	10	2.8	6.0
Heaters/Air conditioners	8	2.3	4.8
Urinals	8	2.3	4.8
Lights/Light switches	8	2.3	4.8
Clothing	6	1.7	3.6
Cleaning materials	5	1.4	3.0
Iron/Electric shaver/Mirror/Hair clippers	5	1.4	3.0
Doors	4	1.1	2.4

Table 7.44 continued: Facilities recommended to be incorporated into cells

Facilities recommended to be incorporated into cells	Responses	Percent of responses (N = 354)	Percent of respondents (N = 168)
Washing lines/Washing equipment	3	0.8	1.8
Taps	2	0.6	1.2
Fire preventing equipment	2	0.6	1.2
Better/More food	2	0.6	1.2
Cutlery/Crockery	1	0.3	0.6
Windows	1	0.3	0.6

As results presented in Table 7.44 indicate, from the 168 respondents who presented 354 multiple responses, the modal response from 39% of the respondents to **Question 50** indicate additional televisions sets, additional radios, DVD players and/or computers made available. Furthermore, 27% of respondents indicated additional recreation games; up to 20% of the respondents suggested additional reading matter or educational facilities. These finding suggest that respondents would prefer more recreational items to be made available rather than additional physical amenities.

Questions 18 – 37 in section 2 were directed to those respondents who at the time of survey were living in communal cells while **Questions 38 – 43** were directed at respondents living in single cells. Despite clearly defining the two categories, a number of respondents who were allocated to single housing completed the communal cell section. Despite the misunderstanding all the responses were seen as relevant as the respondents might have experienced being housed in both types of housing.

Question 19 asked respondents, '*how many people currently share a cell with you?'* Of the 136 respondents, 58 or up to 43% of the respondents indicated sharing a communal cell with between 31 - 40 others while 29 (21% of respondents) indicated sharing a cell with 42 - 50 others. Twenty three (up to 17%) of the respondents indicated that they share a cell with

between 0 - 20 other offenders and 10 (7%) suggested 21 - 30 others were living in their cell. At the extreme end of the scale, 2 respondents (up to 2%) suggested they share a communal cell with between 91 - 100 others.

Respondents 1, 2, 4, 6, 7, 11 - 13, and 36 posited that one of the main causes of frustration with regard to living in communal cells was due to fluctuations in the number of offenders housed in the cell. When asked in **Question 20** whether the number of offenders housed in a communal cell fluctuates or remained constant, 107 or up to 78% of the 138 respondents indicated that the number changes regularly. Thirty one (up to 23%) respondents suggested the figure remains constant. These results are important in terms of territoriality, environment control and comfort.

Respondents 1, 2, 4, 6, 7, 11 - 13, and 36 stated that admitting new offenders into an *established* cell breaks the harmony, pattern and cell rules; it causes confusion and stress. In explaining the term, *established*, respondents pointed to a cell that has had the same residents for a long period of time. Reportedly, when a cell has accommodated the same offenders for a long period the cell works in harmony. The offenders create an environment within the cell that reduces stress and frustration. In order to instill a level of control, offenders living in communal cells establish cell rules and often nominate a cell committee to regulate the cell rules. Cell rules such as no smoking cells, drug free cells or non-gang cells are fiercely guarded and the rules are strictly adhered to. Offenders who break cell rules are punished by others in the cell.

While cell rules are enforced in communal cells, respondents indicated that newly admitted offenders do not know the rules or disregard cell rules which increases stress, causes frustration and can result in fights and assaults. During interviews for this study, respondents 1, 2, 4, 5 - 8, 11 - 13, and 36 indicated that assaults in communal cells are often as a result of frustrations caused by lack of beds. The assaults that take place are reportedly most often between newly admitted offenders and older offenders. Older offenders by virtue of experience assume they have the right to beds while young offenders want to show dominance and expect a bed. This is a common occurrence in cells that are overcrowded and

as a result of overcrowding, newly admitted offenders are required to sleep on the floor or in the bathroom areas.

According to respondents 1, 2, 4, 6, 7, 11 - 13, and 36, certain offenders are awarded designated roles within the cell such as cell cleaner or cell monitor. Reportedly, cell cleaners are *responsible* for the cell. Security officials at Modderbee, Johannesburg and Pretoria Correctional Centres stated that cell cleaners must report any physical problems associated with the cell. Moreover, if fighting or infractions take place in a communal cell, officials are more likely to question cell cleaners first to establish the cause, and perpetrators, of the infraction.

Given that frustrations can promote violence among offenders, **Question 26** asked the respondents if they found it frustrating living in a communal cell. Of 183 responses, 106 or up to 58% of respondents found it frustrating living in a communal cell while 70 (38%) did not. Table 7.45 presents the cross tabulation for levels of frustrations with regard to communal living and ethnicity. Table 7.46 presents the Chi Square test for frustration and Ethnicity.

Table 7.45: Cross tabulation of frustrations of communal living and ethnicity

Frustration living in a communal cell	Ethnicity			Total No. of responses = 172
	Black (African) No. of respondents = 138	Coloured No. of respondents = 14	White (European) No of respondents = 20	
Yes	74	10	18	102
No	64	4	2	70

Table 7.46: Chi-Square test for frustration and Ethnicity

Chi-Square Tests			
	Value	df	Asymp. Sig. (2-sided) (P)
Pearson Chi-Square	10.506(a)	2	.005
N of Valid Cases	172		

As presented in Table 7.46 results from the Chi-Square results indicate a 99% or more probability of a significant relationship between ethnicity and frustration as a result of living in a communal cell (Chi-Square = 10.51; df = 2, p = 0.005). As indicated in Table 7.45, 90% of the White respondents experienced frustration living in a communal cell, whereas 53% of the Black respondents reportedly experienced frustration.

Question 27 asked respondents to identify the specific factors in communal cells that impact on frustration. Analysis of the responses that addressed issues regarding safety as a motivation of frustration is presented in Tables 7.47 - 7.50

Table 7.47: Frustrations associated with protection of personal belongings

Levels of frustration	Frequency	Percent of responses (N = 135)
Very Low frustration	33	24.4
Low Frustration	10	7.4
Medium	17	12.5
High Frustration	16	11.9
Very High Frustration	59	43.7
Total	135	100.0
System	101	
Total	236	

As presented in Table 7.47, the modal response (75 or 56%) from 135 responses indicated that high and very high frustration is caused by protecting personal belongings. During interviews, respondents 1, 4 - 8, 9, 11 – 13 and 36 indicated that frustration rooted in protecting personal belongings was a result of the limited number of lockers in the communal cells. Respondents 1, 4 - 9, 11 - 13 and 36 stated that frustrations were reduced when offenders were allocated lockers and their personal belongings were considered safe. Respondents 1, 4 - 9, 11 - 13 and 36 posited that offenders are generally afraid of further charges and so avoid stealing from others. Respondent 4 to the interviews noted that because

his cell was non-smoking, belongings did not get stolen; presumably items were stolen to sell for money to buy cigarettes.

Table 7.48: Frustration as a result of personal safety

Levels of frustration	Frequency	Percent of responses (N = 132)
Very Low frustration	34	25.8
Low Frustration	11	8.3
Medium	14	10.6
High Frustration	19	14.4
Very High Frustration	54	40.9
Total	132	100.0
System	104	
Total	236	

Of the 132 responses presented in Table 7.48, the modal responses (73 responses or 55% of the responses) suggest that the sample experienced high and very high frustration associated with risks to personal safety while 45 or 34% of the responses indicated low and very low frustration.

Additional comments indicated on the questionnaire by 15 respondents, and during interviews with respondents 1, 4 - 9, 11 – 13 and 36 noted that frustration came about as a result of fear for personal safety from other offenders, most notably gang members. Risk posed by officials was noted by five respondents on the questionnaire. Respondents 1, 4 - 9, 11 - 13 and 36 stated that once offenders are locked in their cells, officials are very reluctant to open communal cells, particularly at night. Respondents 1, 4 - 9, 11 - 13 and 36 noted that this practice is very dangerous particularly when offenders are sick. Respondents 1, 4 - 9, 11 - 13 and 36 also noted risks to personal health in terms of infectious diseases, lack of medical care and as a result of infestation of cockroaches, lice, bed bugs and rats.

Table 7.49: Frustration as a result of the risk to others' safety

Levels of frustrations	Frequency	Percent of responses (N = 129)
Very Low frustration	29	22.4
Low Frustration	10	7.8
Medium	21	16.3
High Frustration	18	13.9
Very High Frustration	51	39.5
Total	129	100.0
Missing System	107	
Total	236	

Of the 129 responses the modal response of 69 or 53% noted high and very high frustration associated with the risk of safety to others (Table 7.49). Respondents noted that while younger and older offenders are at particular risk of assault, they as respondents would not get involved in a dispute for fear of reprisal.

One respondent to the questionnaire at Johannesburg Correctional Centre noted the following "*always I am scared to involve myself in an argument 'cause some prisoners can use a weapon e.g., a spoon, broom sticks or locks inside socks"……"normally prisoners looking young are treated by sodomisers and it really scares me a lot and I don't even know how to protect as gangsters will also target me"*

Another respondent to the questionnaire at Johannesburg Correctional Centre wrote the following comment: "*you can't protect another inmate as, if you try, you get yourself in trouble"*

Table 7.50: Frustration associated with lack of security provided by officials

Levels of frustration	Frequency	Percent of responses (N = 129)
Very Low frustration	35	27.1
Low Frustration	9	7.0
Medium	18	13.9
High Frustration	10	7.8
Very High Frustration	57	44.2
Total	129	100.0
Missing System	107	
Total	236	

Findings presented in Table 7.50 suggest that of the 129 responses the modal responses (67 or up to 52%) pointed to high and very high frustration associated with the lack of security provided by officials. Of the respondents who indicated high and very high frustration, 26 respondents noted that there were generally too few officials on duty at any given time particularly at night, stating that, due to the shortage of officials, when there is a problem in a communal cell officials refuse to unlock cells (five respondents). As one respondent from Pretoria Correctional Centre commented: "*during the night when someone is sick we gonna call them or scream until your voice is gone.*"

In **Question 36,** respondents were asked whether they would prefer to remain in a communal cell or be moved to a single cell. Findings are presented in Table 7.51. The modal response (92 or 50%) for the 183 responses indicated preference to be moved to a single cell. **Question 37** asked the respondents to indicate the motive behind their housing preference. The rationale for 98 of the responses wanting to be moved to a single cell was presented as privacy (6%), noise (4%) and for the purpose of studying (3%). No respondent indicated safety, threat of safety or fear as a reason for wanting to be moved to a single cell.

Table 7.51: Respondents' preference of cell type (communal cell respondents)

Responses	Frequency	Percent of responses (N = 183)
Remain in the communal cell	91	49.7
Be moved to a single cell	92	50.3
Total	183	100.0
System	53	
Total	236	

During interviews, respondents 1 - 9, 11 - 13 and 36 (housed in communal cells) indicated that being moved to a single cell is viewed as additional punishment. Single cells are referred to as the *bomb* or the *one ones* and while 92 or 50% of the respondents indicated preference to being moved to a single cell, respondents 1 - 9, 11 - 13 and 36 stated that being moved to a single cell was regarded as a brutal form of living. While these findings represent the responses from communal cell occupants, the findings were not reflected when the same question was posed to the sample who were occupied in single cell accommodation.

Due to the nature of security imposed for maximum security offenders, a number of maximum security offenders are housed permanently in single cells. Despite being referred to as single cell accommodation, these can in some cases house up to 4 offenders except in CMax where all sentenced offenders are housed individually in single cells. When asked in **Question 40** to indicate the number of people sharing the single cell, up to 50% of the 121 respondents who answered **Question 40** indicated being housed alone, while 4% indicated sharing a single cell with three other offenders.

Question 38 asked the respondents who were accommodated in single cells to identify the length of time they had lived in a single cell. Of the 120 respondents who answered **Question 38**, up to 31% of the respondents had been accommodated in a single cell for

between one and two years. When asked in **Question 39** to explain why they were housed in a single cell, the modal response of 34% from 108 respondents pointed to reasons of security.

When single cell occupants were asked in **Question 41** to indicate whether they would prefer to remain in a single cell or be removed to a communal cell, the modal response of 81 or up to 82% of the 99 responses indicated preference for single cell accommodation. Table 7.52 presents Ethnicity cross-tabulated with preference to housing type for single cell occupants. The Chi – Square test for Ethnicity and housing type preference is presented in Table 7.53.

Table 7.52: Cross tabulation of Ethnicity and preference to housing type (Single cell respondents)

Preference to stay in the single cell or be moved to a communal	Ethnicity			Total No. of responses = 95
	Black (African) No. of respondents = 76	Coloured No. of respondents = 5	White (European) No. of respondents = 14	
Stay in single cell	61	3	13	77
Be moved to a communal cell	15	2	1	18

Table 7.53: Chi-Square test for Ethnicity and housing preference

Chi-Square Tests			
	Value	df	Asymp. Sig. (2-sided) (P)
Pearson Chi-Square	2.74(a)	2	0.2536
N of Valid Cases	95		

As presented in Table 7.53 results from the Chi-Square results indicate that the probability value (p) is larger than 0.05, which indicates that there is not a significant relationship between ethnicity and housing preference (Chi-Square = 2.74; df = 2, p = 0.254). As presented in Table 7.52 when the findings for accommodation preference was cross-tabulated to ethnicity, preference for single cell accommodation was found to be prevalent in each of the Ethnic categories analyzed. As presented in Table 7.52, it was found

that 80% of black respondents, up to 93% of white respondents and 60% of Coloured respondents indicated preference for single cell accommodation.

Question 42 asked respondents to explain their answer. Of the 139 multiple responses from 92 respondents, the modal response (38% of the respondents) stated preference to remain in a single cell for the purposes of safety (Table 7.54). Thirty seven percent of respondents indicated studies while others indicated the grounds for wanting to remain in a single cell was influenced by privacy (up to 22%) and comfort and less noise (up to 22%).

Table 7.54: Grounds for preference for single cell accommodation

Reasons for remaining in a single cell	Responses	Percent of responses (N = 139)	Percent of respondents (N = 92)
Safety	35	25.2	38.0
Studies	34	24.5	37.0
Privacy	20	14.4	21.7
comfort/No noise	20	14.4	21.7
Like being with people	10	7.2	10.9
Less frustrating	7	5.0	7.6
Health reasons	6	4.3	6.5
Access to facilities	3	2.2	3.3
Religion	3	2.2	3.3
No privacy in single cell	1	0.7	1.1

Given that offenders have limited access to outdoor exercise, the respondents (both communal and single cell occupants) were asked in **Question 54** to indicate the circumstances that would prevent them from going onto the exercise yard during the day. Table 7.55 presents the findings from 187 respondents.

Table 7.55: Factors that influence respondents to remain in their cell

Reasons of staying in cell	Responses	Percent of responses (N = 275)	Percent of respondents (N = 187)
Studying related	87	31.6	46.6
Assault related	54	19.6	29.0
Personal issues (sickness etc)	49	17.8	26.2
Indoor recreational activities	27	9.8	14.4
Weather	17	6.2	9.1
Nothing to do outside	17	6.2	9.1%
Work related	11	4.0	5.9
Other	10	3.6	5.3
Lock up	2	0.7	1.1
Always go out	1	0.4	.5

There were 21 factors identified by 187 respondents that would prevent the respondents going onto and from using the exercise yard. For the purpose of analysis, the 21 factors have been merged into ten categories as presented in Table 7.55. As indicated in Table 7.55, of the 275 multiple responses from 187 respondents, 29% of respondents indicated assault related issues such as fear of assault, avoiding problems and personal safety as factors that would encourage them to remain in their cells rather than go outside for exercise.

7.6 SECTION FIVE: RESPONDENTS' PERCEPTION OF SAFETY IN PRISON

Section 7 of the questionnaire and structured interviews explored the respondents' perception of how their prison could be improved and made safer. Only one open-ended question, namely **Question 112** was asked and analysed for this section. Respondents were encouraged to make comments with regard to safety in prisons and further note any improvements that could be made.

Within the 559 multiple responses presented from 171 respondents, 52 areas were identified for improved safety in the prison. The 52 factors were classified into three specific areas of concern, namely:

- Issues regarding officials
- Prison building faculties and matters regarding physical security
- Matters regarding work placements or schooling and issues involving other offenders such as security of offenders, housing of offenders and gangs.

The 52 areas within each of these categories cross-tabulated with the prison sample presented in Table 7.56.

Table 7.56: Factors to improve the safety of prisons cross-tabulated with prison sample

Factors to improve safety in prisons		Prison				Total No of responses	Percentage of respondents (N = 171)
		Johannesburg Centre No of respondents = 36	Pretoria Centre No. of respondents = 69	Modderbee Centre No of respondents = 43	CMax Centre No. of respondents = 23		
Issues regarding officials	More officials	18	28	15	0	61	35.6
	Improve the skills of officials	4	9	5	12	30	17.5
	More security checks	9	6	11	2	28	16.3
	More patrolling	3	11	3	0	17	9.9
	Must stop abusing their powers	6	6	3	1	16	9.4
	Remove female officials	0	12	4	0	16	9.3
	Train officials better	0	7	5	2	14	8.2
	Less corruption	5	1	6	1	13	7.6
	Deal with complaints	0	3	0	4	7	4.0
	Improve relationship between staff and offenders	3	1	2	0	6	3.5

Table 7.56 continued: Factors to improve the safety of prisons cross-tabulated with prison sample

Factors to improve safety in prisons		Prison				Total No of responses	Percentage of respondents (N = 171)
		Johannesburg Centre No of respondents = 36	Pretoria Centre No. of respondents = 69	Modderbee Centre No of respondents = 43	CMax Centre No. of respondents = 23		
	Equal treatment of offenders by officials	2	3	1	0	6	3.5
	Officials must enforce rules	1	2	2	0	5	2.9
	No bribery for officials	1	2	1	0	4	2.3
	Treat offenders better	0	1	2	0	3	1.8
	No student officials	0	0	0	2	2	1.2
	No racist officials	0	1	0	0	1	0.6
	No gangster official	0	1	0	0	1	0.6
Building facilities and physical security	Use electrical devices	6	17	5	0	28	16.4
	Improve facilities	10	0	2	1	13	7.6
	Change the design of	2	3	1	1	7	4.0
	Improve fire fighting equipment	0	4	0	0	4	2.3
	Stronger facilities	0	0	0	2	2	1.2
	Improve the actual structure	2	0	0	0	2	1.2
	Provide intercom in cells	0	2	0	0	2	1.2
	Issues related to housing/design	0	2	0	0	2	1.2
Work placements, education and other offenders	Improve education	11	20	7	10	48	28.1
	Reduce overcrowding	4	10	10	2	26	15.2
	Bring back the death	6	12	4	2	24	14.0
	Remove gangsters	6	8	5	0	19	11.1

Table 7.56 continued: Factors to improve the safety of prisons cross-tabulated with prison sample

Factors to improve safety in prisons		Prison				Total No of responses	Percentage of respondents (N = 171)
		Johannesburg Centre No of respondents = 36	Pretoria Centre No. of respondents = 69	Modderbee Centre No of respondents = 43	CMax Centre No. of respondents = 23		
	Allow more exercise	1	2	5	9	17	9.9
	Teach offenders to respect authorities	2	10	2	1	15	8.8
	Improve rehabilitation	3	8	2	1	14	8.2
	Improve incentives	0	8	4	2	14	8.2
	Segregate offenders	0	6	5	2	13	7.6
	Minimize movements	3	5	3	0	11	6.4
	Allow more time for shopping	0	6	3	0	9	5.3
	Improve toiletries/ cleaning materials	3	2	2	2	9	5.3
	Allow more phone calls	0	2	5	1	8	4.7
	Change the clothing	1	6	0	1	8	4.7
	Transfer unruly prisoners	0	2	2	2	6	3.5
	Improve food	2	1	1	1	5	2.9
	More sport equipment	3	1	0	1	5	2.9
	Increase movement	0	4	0	0	4	2.3
	More social workers/ psychologists	2	0	0	2	4	2.3
	Keep offenders busy with work	1	0	0	1	2	1.2
	Less time lock up	0	1	1	0	2	1.2
	More social/skill/workers	1	0	0	0	1	0.6

Table 7.56 continued: Factors to improve the safety of prisons cross-tabulated with prison sample

Factors to improve safety in prisons		Prison				Total No of responses	Percentage of respondents (N = 171)
		Johannesburg Centre No of respondents = 36	Pretoria Centre No. of respondents = 69	Modderbee Centre No of respondents = 43	CMax Centre No. of respondents = 23		
	More recreational activities	1	0	0	0	1	0.6
	Reduce smuggling	0	1	0	0	1	0.6
	Make the centre cleaner	0	1	0	0	1	0.6
	Improve health care	0	1	0	0	1	0.6
	Allow more visits	0	1	0	0	1	0.6

As presented in Table 7.56 the modal response overall to improve prison safety noted by up to 36% of the respondents was to employ more officials into the prisons.

To substantiate this finding, analysis of the responses to **Questions 86 – 90** on respondents' perceptions of the role of officials in promoting safety showed that, of the 221 responses to **Question 86** up to 82% of the respondents indicated that they would approach officials for help if they felt threatened. **Question 87** asked the respondents to indicate whether they would approach officials for help if an assault took place between other offenders. Of the 222 responses posed by respondents, up to 84% of the respondents indicated that they would call officials to intervene in an assault between other offenders.

Further support of the finding presented in Table 7.56 is shown in responses to **Question 88** on whether respondents felt safer in the presence of officials. Of the 221 responses, 82% of the respondents indicated feeling safer in the presence of officials. Moreover, in response to **Question 89**, 77% of the 216 responses indicated that the respondents believed that more officials should be present in the prisons. **Question 90** asked the respondents to indicate the

physical locations where more officials should be positioned. Table 7.57 presents the findings.

Table 7.57: Locations where additional officials required

Locations where more officials required	Responses	Percent of responses (N = 246)	Percent of respondents (N = 148)
At the shop	88	35.8	59.5
Dining area	57	23.2	38.5
Hospitals/Clinics/Schools	22	8.9	14.9
Exercise yard	22	8.9	14.9
By the phones	17	6.9	11.5
Offices	10	4.1	6.8
At the gates	9	3.7	6.1
Other passages/Spiral	7	2.8	4.7
Patrolling corridors	3	1.2	2.0
In the bathrooms/Showers	4	1.6	2.7
Cell passages	3	1.2	2.0
In the units/In the section	2	0.8	1.4%
In the cells	1	0.4	0.7
Whenever there are prisoners grouped	1	0.4	0.7

As presented in Table 7.57, the modal response from 246 multiple responses presented by 148 respondents pointed to a need for additional officials at or around the shop where offenders purchase additional supplies (up to 60% of the respondents). The second highest response from up to 39% of the respondents indicated a need for additional officials in the dining areas.

In order to ascertain the respondents' perception of official's risk of assault, **Question 76** asked the respondents if they had ever witnessed an assault on an official by another offender. Of the 215 responses, the modal response by 151 (70%) of the respondents stated they had not witnessed an assault on an official by another offender. However, when asked in **Question 98** whether assaults by offenders on officials were planned or unplanned, of the 161 responses, the modal response from 52% of the respondents indicated that they believed all assaults on officials were planned.

Within the category of prison building facilities, 16% of the respondents to **Question 112** indicated a need for improved or additional indirect security measures such as cameras and electric x-ray scanners in order to monitor offenders. Two respondents to the questionnaire noted that intercoms should be provided in communal cells specifically to improve security within the cells at night.

The third category presented by respondents regarding safety involved issues such as work placements or schooling and issues involving other offenders such as security of offenders, housing of offenders and gangs. The modal response in this category indicated by 28% of the respondents (Table 7.56) posited that education programs provided by the institutions for offenders need to be increased and improved.

Question 60 on the questionnaire asked the respondents to indicate their involvement in any correctional program offered in their prison. Of the 206 responses, 68% of the respondents indicated they were involved in a correctional program at the time of the survey. When asked to identify the programs in **Question 61,** of the 252 multiple responses from 163 respondents, 85 or 52% of the respondents were registered for an educational program such as adult basic education training, 46% were registered to undertake a correctional program such as anger management and up to 40% were involved in a work program or placement such as working in the kitchen or laundry. However, despite the large number of respondents enrolled on a course or program, findings for **Question 62** indicate that due to demand for the courses, up to 72% of 177 respondents had to wait to be enrolled on a course while up to 28% of 177 respondents stated they enrolled on a course easily without having to wait.

Additional comments by respondents on the questionnaire expressed concern regarding the large number of illiterate offenders in the prisons and further suggested that improving or implementing education policies in prisons would ultimately act as a method of rehabilitation; offenders would have an alternative to crime once released. References to education by respondents were made with reference to any form of course or training and were not limited to basic classroom education. Comments provided by respondents 1, 2, 4, 6, 8 and 25 during interviews indicated that for a large number of offenders early parole is the only incentive for attending courses; they noted that offenders have to complete a number of compulsory courses in order to be considered for parole. Respondents1, 2, 4, 6, 8 and 25 also stated that for many offenders the purpose of any improvement course provided in prison was regarded by offenders as meaningless. Despite this, responses to **Question 64** on the benefits of undertaking a course or program while incarcerated elicited 213 multiple responses from 164 respondents. Up 29% of the respondents indicated the benefits of being enrolled for a course or program was rehabilitation while 3% of the respondents saw no benefit to undertaking the course or program. Findings are presented in Table 7.58.

Table 7.58: Benefits of undertaking a Correctional Program

Benefits of correctional programs	Responses	Percent of responses (N = 213)	Percent of respondents (N = 164)
Enhancing yourself	56	26.2	34.1%
Rehabilitation	47	22.1	28.7
Learning new skills	26	12.2	15.9
Keep away from crime	22	10.3	13.4%
Keeps busy	15	7.0	9.1
Get parole	10	4.7	6.1%
Enhancing others	10	4.7	6.1
Communicating	7	3.3	4.3
Religious benefits	7	3.3	4.3
Provides training for job outside	5	2.3	3.0
None	5	2.3	3.0
Earning money	3	1.4	1.8

7.7 RESEARCH HYPOTHESIS REVISITED

The research hypothesis presented in Chapter One postulated that prison violence among male offenders is perpetuated through design features applied in prisons. From this generic hypothesis three sub-hypotheses were proposed namely:

- Specific geographical locations within the prison environment motivate and provide opportunities for prison violence among offenders in male prisons

- Design features and material choice adopted in the prison environment motivate prison violence among offenders in male prisons

- Design features applied in prison design motivate frustration and in turn perpetuate prison violence among offenders in male prisons

While the generic hypothesis cannot be determined, persuasive evidence in the study findings support the sub hypothesis through the process of deduction.

In order to determine association of findings to the research hypothesis, design variables and material choices that motivate prison violence are evaluated in three areas as follows:

- The geographic locations that provide opportunities for (and so motivate) acts of violence
- The design features and materials choices adopted in the prison environment that motivate violence by providing materials to be incorporated into acts of violence
- The design features that motivate acts of violence by inducing frustrations among offenders, which in turn could perpetuate acts of violence

The geographic locations that provide opportunities for (and so motivate) acts of violence

Findings in this study show that acts of violence among offenders are undertaken and promoted within specific geographic locations within the prison environment. The geographic locations that provide opportunities for, and so motivate acts of violence, were

determined firstly in relation to the prison type. The results presented in Table 7.11 show no significant relationship with threats to safety and prison type. However, findings presented in Table 7.11 indicate that the greatest threat to safety at CMax was aggressive assault although it was not indicated that the threat of aggressive assault was from other offenders. When respondents' experience of assault was associated with prison type, findings presented in Table 7.13 found an association between respondents' experience of assault and prison type. As presented in Table 7.12, fewer respondents reported incidents of assault at CMax while more offenders from Modderbee noted experience of assault.

When the geographic locations and assaults were examined with reference to housing type, findings presented in Table 7.18 indicate a 95% association with assault and housing type in prisons, with more respondents living in communal cells reporting involvement in an assault. The rationale for increased risk of assault in communal cells was attributed to increased risk to personal safety as well as greater propensity for exposure to gang activity and gang related assaults (Table 7.19). In line with this finding, manipulation of the physical environment by prison gangs, particularly in communal cells, was considered to support prison violence among offenders.

Over and above communal cells, findings in this study point out the geographic locations within the prison environment where risk of assault or actual assault, is more likely to take place. Findings suggest that assaults between offenders are more likely in exercise yards, passages in cell blocks and dining halls (Table 7.41). However, applying a Chi – Square test to the four modal responses (communal cells, exercise yards, passages in cell blocks and dining halls) to Johannesburg, Modderbee and Pretoria Correctional Centres indicates no statistical relationship between prison (type) and areas perceived as dangerous (Chi-Square=11.25; df=6; p=0.081).

Again, findings presented in Table 7.42 point to gang activity as the rationale for violence within the specific geographic locations. While findings in this study indicate that assaults between offenders are on the most part planned (Table 7.30), findings suggest that risk of assault is greater during the day for those accommodated in communal cells and particularly

in the morning (at unlocking time) (Tables 7.31, 7.32, 7.33 and 7.24). Again, the greater risk of assault attributed to this time frequency was accredited to gang activity. In line with this finding, frequencies for violence can, on the most part, be attributed to specific activities and specific locations.

The findings which point to the specific geographic locations within the prison environment that pose greater risk to acts of assault and/or actual assaults persuasively support the sub-hypothesis to this study.

The design features and materials choices adopted in the prison environment that motivate violence by providing materials to be incorporated into acts of violence

Findings indicate that the design features and construction materials incorporated into the prison environment provide opportunity for the manufacture of weapons used in assaults. While findings do not suggest that all assaults in prison are a result of gang activities, it is noted that prison assaults are perpetuated through gang activity. In determining the weapons used during assaults, results from fieldwork indicate that certain weapons are more likely to be used by certain prison gangs, and the weapons used are manufactured out of readily available materials incorporated into the prison environment. As presented in Table 7.24, materials inherent in the prison environment, such as locks (in socks and on belts), razor blades and boiling water, glass from windows and batteries, provide materials that can be used as weapons during assaults. When a Chi- Square test was carried out to determine an association between four modal responses for manufactured weapons (locks in socks, locks on belts, weapons involving a blade and soap in sock) in three of the sample prisons to this study (Johannesburg, Modderbee and Pretoria Correctional Centres), the results indicate no significant relationship between the prison type and the weapons manufactured (Chi-Square=2.61; df=6; p=0.856). This finding suggests that the design of three sample prisons referenced in this study did not have a significant bearing on the type of weapons manufactured for assaults. Findings from respondents in CMax noted the weapon most likely to be manufactured for use in an assault would be soap in sock(s).

The findings which point to the design features and material choice adopted in the prison environment that motivate violence by providing materials to be incorporated into acts of violence, persuasively support the study hypothesis.

The design features that motivate acts of violence by inducing frustrations among offenders, which in turn could perpetuate acts of violence

While findings in this study indicate the rationale for violence among offenders within specific geographic locations within the prison environment, the findings also point to the frustration causing variables within the prison environment that could perpetuate acts of violence among offenders (Section Four). The analyses of data suggest that physical variables incorporated into the fabric of the prison environment perpetuate the frustration/assault cycle. Variables such as insufficient toilets/urinals, inappropriate window design, inappropriate showers, taps and lighting, were all seen to motivate frustration, which in turn could be seen to motivate outbreaks of assault as a result of the frustrations (Section Four, Table 7.44). When a Chi- Square test was carried out to determine an association between four modal responses for prison facilities most likely to be damaged and contributing to frustration (toilets/urinals, windows, showers, lights) and three of the sample prisons (Johannesburg, Modderbee and Pretoria Correctional Centres), the results indicate no significant relationship between the prison type and the items most likely to be damaged perpetuating frustration (Chi-Square=11.26; df=6; p=0.081). This finding suggests that the design of the three sample prisons to this study did not have a significant bearing on the items most likely to be damaged (perpetuating frustration). In support of the findings, 23 (92%) of respondents from CMax indicated that toilets/urinals were the item most likely to be damaged at CMax.

The findings which point to the design features that motivate acts of violence by inducing frustrations among offenders, which in turn could perpetuate acts of violence persuasively support the sub-hypothesis to this study.

7.8 SUMMARY

Analysis of findings are presented in four sections, namely an overview of the respondents, the forms of violence that takes place in prison, the situational perspective of violence and the effects of the prison environment on prison violence. The findings presented are discussed further and associated with theoretical findings in Chapter Eight.

CHAPTER EIGHT: CONCLUSIONS AND RECOMMENDATIONS

8.1 INTRODUCTION

This Chapter presents the conclusions and recommendations to this study.

This study serves to contribute to the existing knowledge surrounding the phenomena of violence in prisons. While the prison as an environment constituted the place and life setting for the study, the meaning of prison violence within that context has been explored socially and culturally from the perspective of the users, namely male maximum security offenders. The findings here are presented from the offenders' (the users') point of view.

While this study assessed the causal relationship between prison design and prison violence in male maximum security prisons, the findings, governed by exploratory study, are on the most part contextually predictive, as the application and testing of the findings have not been substantiated through scientific design and model testing.

8.2 RATIONALE FOR THE STUDY

The rationale for this study, as presented in Chapter One, was based on the supposition that prison violence in male maximum security prisons is affected by the prison environment in terms of architecture and construction materials, and as such, prison violence (nature and levels) can be influenced by specific design variables applied in prison architecture (Flynn, 1976; Nagel, 1976; Sylvester *et al*. (1977); Atlas, 1982; Toch, 1992 and 1994; Wortley, 2002 and Edgar *et al*., 2003).

In order to establish the causal relationship between prison design and prison violence, three fields of study were evaluated, namely, prison design, prison violence and environmental psychology. While the evolution of prisons and theories for prison design form the backbone of this study, prison as a specific real life setting is established as the milieu for the application of environmental psychology theories. Prison violence is evaluated as a product of the milieu, the causal relationship between the prison setting and prison violence is examined from the stand point of environmental psychology.

The philosophies of punishment have, on the most part, been implemented through prison design, and as such prison design has evolved alongside the changes in philosophy. Reflecting the changes in the theories of punishment, prisons have evolved through three distinct stages of form and function, namely, first, second and third generation prisons. The Department of Correctional Services in South Africa has sought to address the most recent developments in prison requirements and have grasped the concept of Unit Management and third generation prisons.

In line with this adaptation the Department of Correctional Services in South Africa has conceded to provide an environment within prisons that ensures all offenders are "*free from all forms of violence*" and are not "*treated or punished in a cruel, inhuman or degrading way*" (Department of Correctional Services, 2005a:154-155). Moreover, South Africa's approach to corrections is "*based on principles of restoration or corrections, unit management, and secure, safe and humane custody and supervision*" (Department of Correctional Services, 2005a:79). In an attempt to achieve this, the Department of Correctional Services in South Africa has applied unit management theories into 36 existing correctional centres across South Africa through the initiation of the Centres of Excellence project. In addition, the construction of one correctional centre designed on the unit management principles has been completed and the construction of three new facilities is underway (Department of Correctional Services, 2010).

However, despite the momentum to improve prison facilities and enhance relationships between staff and offenders, the reported incidents of violence between offenders continues to rise (Park, 1976; Toch, 1976; JIP, 2007, 2008, 2009 and JICS, 2010; Department of Correctional Services, 2007, 2009 and 2010; Atlas, 1982).

While theoretical contribution for the design and construction of prisons has historically been motivated by the philosophies of punishment, effectiveness in the application of theories can only be fully achieved when knowledge from the perspective of its users are integrated into the application of theories regarding form and function. Therefore, the rationale of this study is to present the outcome of the application of the theories of prison form and function from

the offenders' perspective. Given that levels of violence among offenders are arguably increasing within the prisons, the obligation to enhance reform, care, health and well-being of offenders is, to an extent, not being achieved. Moreover, it can be argued that, unless greater understanding of the functionality of prisons is gained from the users' perspective particularly the offenders' viewpoint, prisons will continue to fail in providing safe environments for offenders.

8.3 SUMMARY OF MAIN FINDINGS

The findings of this study are presented in accordance with the research questions and research objectives.

8.3.1 Directives that govern prison architecture

The findings which address this research question meet the research objective posed in Chapter One, which was, to evaluate the literature relevant to the history and evolution of prisons, specifically the relationship between architectural form and function.

As presented in Chapter Two, existing literature posits that the rationale for prison as a form of punishment and the momentum for prison design as a bastion for the required functional response, are presented in three generations of prison form and function. First generation prisons, conceived from 1750 concentrated on reform theories, retribution and the morality of punishment (Evans, 1982 and Wortley, 2002). Prisoners were required to reflect on their sins; remorse brought about through reflection would lead to reform. From 1945 second generation prisons were developed. Second generation prisons focused on punishment, safe custody, deterrence and prisoners' health and safety (Johnston, 2000) and from 1960 the functioning of prisons altered from reform and retribution to security and incapacitation.

To meet with these requirements, prison design moved from large facilities of incarceration to smaller prisons. While smaller prisons with reduced capacity supported security, focus shifted toward the purpose of correctional facilities and theories on correction, control and care emerged. However, to fully implement the ideals, the form of prisons had to support the theories and as a result third generation or "New Generation" prisons were conceived.

While fostering the philosophies of control, care and correction, closer relationships between offenders and officials are fostered through design mechanisms and offenders are encouraged to view themselves as part of a functioning team (Toch, 1997).

As presented in Chapter Two, prison designs have not been static. The designs have altered over time to meet the altering demands associated with the philosophies of punishment. However, to address issues surrounding the function of punishment, the fundamental premise of separating offenders from society remains at the core of the system.

Prison accommodates offenders and separates them from general society, yet not all incarcerated offenders will remain in prison for the duration of their life. As noted by the JICS (2010 and 2011), of 114 282 sentenced offenders at 31 March 2010, 9 651 of the sentenced offenders were sentenced for life (25 years or more). Given that the majority of detainees will at some point return to society, it is imperative that those offenders who return to society return with the ability to function in an open society. It is therefore the responsibility of the correctional environment to facilitate offender improvement; at worst prisons should maintain the status quo of offenders and not make them worse, and at best facilitate offender improvement. While it is the function of prisons to facilitate offender improvement the prison environment is at the core of its function. To achieve offender improvement, the prison environment must not be seen to (or actively) condone, support or motivate delinquent behaviour. When an environment, which is mandated to support and encourage offender improvement, supports, motivates and provides opportunity for deviant behaviour among offenders, the fundamental philosophy behind the environment has, to a large extent, failed.

Despite the altering philosophies of punishment and prisons, deviant behaviour in prisons is increasing (Chapter Four). To provide environments that deter criminal behaviour and ultimately support lawful behaviour, greater understanding is required of the prison environment. It is only through understanding the prison environment through the eyes of its users that prison function can be understood, and it is only through greater understanding of the prison environment that the philosophies of punishment can be met through incarceration.

8.3.2 Environmental theories and practices

The research findings that establish the underlying principles and theories that govern environmental psychology practices address the research objective posed in Chapter One which was to evaluate the existing literary theories pertinent to environmental psychology and situation design, specifically in terms of the influence of architecture on deviant behaviour and to evaluate and present the theoretical debate on the factors that motivate violence in prisons. Moreover, findings regarding environmental psychology theories and practices address the debate on the effectiveness of architecture on human behaviour specifically prison architecture on violent behaviour.

Where Environmental Psychology, Human Ecology, and CPTED principles target the physical environment as an influence on crime, Situational Crime Prevention considers the reduction of *specific* crimes through architectural and *management* techniques to increase the actual and perceived risk to a potential offender. The potential criminal must perceive the area as a high risk area, where risk is viewed in terms of being caught. Situational Crime Prevention techniques are not generalized to all milieus. The technique targets specific crimes in specific environments (Wortley, 2002).

While credence is given to the theories of Human Ecology, Environmental Psychology, CPTED and Situational Crime Prevention techniques, this study also acknowledges and supports Atkinson *et al*. (1987) who stated that behaviour is a product of the person and the environment. Factors such as cognitive appraisals, social influence (Atkinson *et al*., 1987), culture (Pistorius, 2005) and others presented in Chapter Three are acknowledged to contribute to the rationale for aggression and acts of crime.

The underlying principles for all environment crime reduction techniques differ in technique and the point of departure for all methods of the crime/environment juxtaposition is the component of opportunity. All theories associated to environmental psychology agree that there must be an opportunity in the environment for an act of crime to take place. Moreover, the opportunity should be a motivating factor that drives the acts of delinquency. With this in

mind, the theories posit that physical factors in the environment that provide opportunity (and motivation) must be addressed.

Findings in this study support this theory by indicating that design factors and physical attributes within the prison context influence acts of aggression by providing opportunity which in turn motivate assaults between offenders. Moreover, findings in this study suggest that modifications to the physical environment in prison will ultimately reduce the opportunity for acts of violence among male offenders.

8.3.3 Forms, motivations, distribution and frequency of violence

A summary of the research findings regarding the forms of violence practiced in male prisons and the rationale for violence in male prisons address one research objective namely, to evaluate and contextualize prison violence in male prisons in South Africa in terms of forms, motivations, distribution and frequency.

In this study acts of violence are defined as acts of aggression that are "*overt behaviour involving intent to inflict noxious stimulation or to behave destructively towards another organism"* (Moyer, 1976:2). This study concentrated on aggression that leads to violent acts in the form of assault. Although the biological and psychological motives for aggression are acknowledged (Chapter Three and Four), acts of violence are examined here from the situational perspective. In that sense, behaviour is seen to be regulated within an environment by the opportunities and motivations presented through the environment (Atkinson *et al*., 1987). It is also acknowledged that prison violence can be viewed as a product of violent men and that prison violence can be seen as a result of the prison environment. Where prison violence is attributed to the prison environment, lack of security and control, inappropriate prison design and negligence by prison authorities are considered to contribute to acts of violence among offenders (Toch, 1994).

Participants in the research fieldwork indicated that perceived risk was associated with other offenders, theft of possessions, aggressive assault and risk of sexual assault. These findings

were consistent with three of the case study prisons in this study; respondents from CMax indicated aggressive assault as the greatest threat to safety.

Findings indicate that offenders' involvement in an assault is for the purpose of self-protection and to protect personal belongings. Although a higher number of respondents reported that they had not been assaulted by another offender, when the findings were associated with housing type proportionally more respondents living in communal housing reported being assaulted by another offender than those accommodate in single cells. Although findings suggest that respondents reported regularly witnessed assaults among offenders (58%), respondents believed that assaults among offenders were uncommon (51%).

Although risk of assault was associated with threats to personal safety, findings also suggest that the primary reason for assaults among offenders was associated with prison gangs, protection of belongings and for personal protection. However, when associated with housing type, the findings indicate that the cause of assaults differ depending on the respondents' housing type. Those in communal cells noted the most common reasons for assaults as protection of belongings while those in single cells cited prison gangs.

A theoretical assessment of violence as presented in Chapter Four, point to the motives for violence, the classifications of violent acts and the stages in typical acts of aggression. On acts of violence, Flynn (1976) posited the motives as a product of hustling, homosexual conflict, racism or as a result of political tension. Flynn (1976) further stated that violence among offenders was a result of the nature of the closed environment, a product of individual disturbances, retaliation and the function of prison gangs. Park (1976) and Wortley (2002) suggest that prison violence is a result of retaliation, settling a conflict, ensuring payment of debt, enhancing status, reliving boredom and to obtain some material object. Bowker (1980 and 1982) cited status upliftment, increasing self-image and social standing, reducing victimization potential and economic gain as the motives for violent acts among offenders. On the other hand, Edgar *et al*. (2003) associate power relations in the form of will power, political power, economic power and official power as the motive for violence.

While review of literature (Chapter Four) suggests that violence between offenders can be expressive or instrumental (Bowker, 1985 cited by Wortley, 2002: 81) and is enshrouded in (a) developmental immaturity, impulsiveness and egocentricity and (b) reactions to low self-esteem (Toch, 1997), findings in this study indicate that most violent assaults between offenders are more likely to be planned and instrumental. As presented in Chapter Three in terms of planned acts of violence the planning involves a target, an opportunity and evaluation of risk (and reward).

Unlike existing theories, economic related issues as a stand-alone motive for assault was not a prominent response for the motive for prison assaults in this study. However, the prominent response of gang related activities includes drug dealing, the supply of goods, and dealing in money, all of which involves the exchange of money. In addition, sexually related issues as a motive for assaults are on the most part entrenched in prison gang activities. Where assaults were motivated by sexually related issues, purchasing partners, obtaining partners and protecting partners were regarded as motives.

In line with findings indicating a higher propensity for planned assaults, other findings also indicate that members of prison gangs are more likely to be involved in altercation than non-gang members. In keeping with previous research which posits the theories of image, status and power as rationale for assaultive behaviour, findings here suggest that prison gangs are more likely to be involved in an assault than other offenders and assaults by members of prison gangs are for the purpose of maintaining gang image, power issues and gang function.

Research findings here support the supposition by Gear and Ngubeni (2002) regarding age and increased victimization of offenders. Findings in this study further posit that young, weak, vulnerable, recently incarcerated and remand detainees are particularly susceptible to assault and sexual assault.

Continual violence toward offenders by gang members often forces submission by young, newly incarcerated offenders to the gang culture, perpetuating the cycle of violence. Recruitment into a gang of young, vulnerable and newly admitted offenders is regarded as a

form of protection from other offenders and other prison gangs. However, where wyfies are not forcibly coerced into the position, the concept of *consensual rape* is significant. Newly admitted offenders are often coerced into the wyfie position by being given a choice; either become a wyfie to an individual gang member or submit to being raped (often gang raped) by other gang members; often up to as many as forty. The new offender is forced to become the wyfie of one gang member rather than face the alternative. This is often referred to by officials as consensual rape. The repercussions of reporting this type of assault are hugely problematic and as a result offenders are coerced into being submissive and have to accept the position. Interestingly, findings in this study indicate that age is seen by a greater number of younger offenders rather than older offenders, as the variable most likely to impact on victimization potential.

Findings in this study suggest that assaultive behaviour can be patterned in terms of frequency to specific times of the day, days of the week and months of the year. As findings in Chapter Seven indicate, frequency of assault in terms of day, month and year can in some instances be associated with prison gang mores. However, due to the sensitivity of the subject, this study did not explore this concept in great depth.

Findings in this study indicate an increase of assault during the morning (6am – 12 am), on weekends (Saturday and Sunday) and during November, December and January. When associated with accommodation, findings indicate that respondents accommodated in communal cells reported feeling safer during the day while respondents in single cells reported feeling safer at night. An increase in assault and frequency of assaults was associated with specific activities and as such it was reported that assaults would increase during the morning, during (or just following) unlocking and take place in the passages of cell blocks or in the dining hall area. Again, these findings were associated with prison gang activities.

Greater risk of assault was indicated to be on Saturdays and Sundays as a result of prison visits, and increased assaults (or risk of assault) were associated with December and

November as a result of the festive season, fewer officials, gang activity and a decrease in work placements.

8.3.4 Design features and construction materials that motivate violent behaviour

This section of summary presents findings for the design features and construction materials adopted in prison architecture that motivate and provide opportunities for violent behaviour which in turn jeopardize offender and staff safety. The findings address the research objective to identify where and how prison design and construction material choice in prison impacts on prison violence.

The findings suggest that, on the whole, prison is perceived as safe by offenders. However, respondents indicated that certain areas within the prison are not regarded as safe. The areas defined as unsafe are those areas where there is a perceived or actual increase in threat of assault.

Analysis of the location of assaults supports Toch (1994) who stated that assessment of prison violence must be contextualized to the location of the violence. Findings in this study indicate that acts of aggression are locationally specific within the prison setting.

While theories on the effects of housing type and assaultive behaviour are presented in Chapter Four, findings in this study support the view that perception of risk of assault, and actual assault, is more likely in communal housing. Atlas (1982) citing Altman (1977) suggests that assaults are more frequent in communal living as the environment does not allow for individual control and a sense of territoriality. An increased sense of territoriality arguably gives a sense of control and, as Atlas (1982) suggests, psychologically assists to combat the effects of imprisonment. However, findings in this study indicate that offenders in communal cells create control over space in communal cells and as such create and have a perception of territoriality. As noted in Chapter Seven, prison gangs in South Africa's prison assert dominance over specific areas of communal cells and as such specific locations within communal cells pose a greater risk of assault than others.

Atlas (1982:342) stated that over and above housing units "*showers, baths and dayrooms*" followed by "*corridors, stairwells and lobbies*" presented areas of risk for assault. Edgar *et al*. (2003) identified shower areas, segregation units, reception areas and traveling to and from their wing or housing units as locations which pose greater risk of assault. Beck and Harrison (2006) noted that sexual violence is more likely to occur in a victim's cell or in a dormitory; in common areas (shower rooms or day rooms) and in program service areas such as storage rooms, hallways, cafeteria, kitchen and workshops. Results from these studies suggest that communal cells, showers and mixed use areas were unanimously determined as high risk areas for assault.

Although findings in this study indicate that up to 48% of the respondents regarded their prison as safe, yet 55% of the respondents indicated that not all parts of the prison was regarded as safe. The modal responses regarding the areas or locations described by respondents as unsafe included communal cells, exercise yards and passages in cell blocks and dining halls. A greater propensity for both assault and sexual assault was noted to take place in bathrooms in communal cells. With the exception of bathrooms in communal cells, these areas are locations with relatively high surveillance measures. Where high degrees of surveillance are not provided by prison security, then surveillance is present through increased levels of observation by other offenders. Findings indicate that in all areas noted, acts of assault are perpetuated by prison gang activity. For gang related assaults, the assault must be observed (by offenders or officials) and the perpetrator of the assault must be caught in possession of the weapon. Prison gang rules state that an assault is only effective when it has been observed, as the act enhances the gangs dominance.

As presented in Chapter Seven, over and above control of the physical environment in communal cells, territorial control of specific areas exhibited by prison gangs are present on the exercise yards, passageways, dining halls and stairwells. Again, these physical areas are those which present opportunities for specific gang activity, most notably assaultive behaviour. In other words, findings in this study indicate that physical design elements within male maximum security prisons in South Africa support, provide opportunities for, and so motivate assaultive behaviour.

Finings that associate motivations for assault with locations of assault indicate that perceived risk of assault in communal cells, passages in the prison, bathrooms in cells and exercise yards is as a result of gang activity. Coinciding with these findings, respondents noted that assault in communal cells, passages in the prison and exercise yard would come about as having to protect themselves and their belongings. Chapter Seven reports findings for the territorial behaviour exerted by prison gangs in locations such as communal cells.

In this study opportunities in the environment that motivate assault were examined from the perspective of physical location for assault and materials present in the built environment that could be used during an assault. Materials present in the built environment that contribute to assault were those construction materials used in the fabric of the prison environment that were readily available to be used in assaults. Findings suggest that while fists and hands were the modal response for weapons in an assault, construction materials such as glass obtained from windows, blades manufactured from steel, ironmongery, bathroom fittings and window elements, and bricks or stones were the prominent weapons manufactured from construction materials. Weapons manufactured from readily available and issued materials in prison included locks or soap in socks, locks attached to belts, broom handles, razor blades and boiling water. In addition, design elements in the prison assist in the manufacture of weapons, for example batteries placed on window ledges melt through heat; the battery acid once released can be used as poison. Florescent light bulbs are also removed, ground into powder and used as poison.

Findings presented in Chapter Seven point out the locations for increased risk and actual assaults, as well as the construction materials present in the built environment that are applied during assaults. Furthermore, consideration is given to factors within the prison environment that perpetuate assaults from a frustration-inducing stand point.

Given that the prison environment is a physical environment created to assist in the improvement of offender behaviour it is interesting to note that the physical environment in terms of design and facilities perpetuates frustrations among offenders. Such frustrations can be viewed as a motivation for assaultive behaviour.

Findings in this study indicate that the design factors and lack of facilities inherent in prisons induce frustrations and increase the risk of assault through the manifestation of frustrations. Findings regarding facilities in this study are contextualized as the physical amenities within the fabric of the physical environment and recreational facilities.

Frustrations experienced through physical amenities involve physical items such as toilets, washing facilities, inadequate laundry facilities, lack of hot water supply, insufficient lockers, and limited number of plug sockets within communal cells. Findings in this study suggest that these physical facilities are insufficient in number and due to overuse are more often than not, broken. Due to the fact that the physical amenities noted are regarded as essential to the well-being of offenders and given that they are a major source of frustration experienced by offenders, further consideration needs to be given to the supply of the facilities.

Contextualized to the prison environment, supply should be viewed in terms of quantity and material choice. Due to restrictions inherent in the prison environment offenders adopt a multiple use policy for everyday physical items. For example, basins and basin taps are used to obtain water, for everyday personal hygiene, as a fixture to assist in laundry and as disposal unit for unwanted food.

Findings in this study indicate that while offenders are ever fearful of their risk of assaultive behaviour, they also are fearful of the risk to their personal safety as a result of the built environment. Offenders reported that the building facilities do not enhance feelings of safety, and risk of safety is present in the lack of safety facilities available within the built environment. Findings suggest that consideration should be given to additional surveillance cameras throughout the prison and specifically within communal cells. Due to the reluctance of officials to enter communal cells, particularly at night, intercom systems need to be installed in communal cells. Findings indicate that by installing intercom systems into communal cells offenders would feel safer and less frustrated as offenders could communicate with officials at night without increasing risk to officials. Moreover, to enhance security for officials and offenders consideration needs to be given to design factors

that could be incorporated into communal cells that would allow officials to enter cells with the least amount of risk.

An example of a design feature that could be incorporated into a communal cell to minimize risk and enhance security is presented in Appendix 7. Appendix7 presents an internal communal cell configuration, drawn by respondent 1 to the interviews and was physically viewed during on-site observations by the researcher. The communal cell in K unit at Modderbee Correctional Centre accommodated 80 offenders (double bunk beds). The cell configuration presented by Appendix 7 is a typical example of communal cells South Africa's male prisons. Alternative designs (as observed by the researcher) include communal cells with bathrooms at the furthest point from the entry point into the cell, and bathrooms in communal cells acting as the entry point into the cell (Johannesburg Correctional Centre).

As presented in Appendix 7, the red line incorporated into the cell indicates a proposed floor to ceiling *wall* comprising of bars. Introducing this "wall" which essentially creates a sally port, would allow security officials to enter the communal cell with reduced risk to their safety. This would allow officials access into the cell, improve communication between offenders and officials, and allow officials a greater flexibility for inspection of communal cells particularly at night. In addition, the design would address safety concerns and frustrations of offenders who reported the fear of isolation from officials once locked in their cell as a factor that perpetuates frustrations.

While this proposal is suggested for cells that present similar configurations as that presented in Appendix 7, on-site observations at the four case studies in this study suggest that *sally ports* can and should be introduced into communal cells irrespective of internal configuration.

While frustrations are perpetuated through insufficient supply of physical amenities, offenders reported that due to the insufficient supply and high demand for available programs, many of the offenders are unoccupied for the majority of the day. Findings in this study indicate that more consideration needs to be attributed to recreational facilitates

incorporated into prisons in an attempt to reduce frustration among offenders. Findings indicate that in order to reduce frustrations among offenders additional televisions, radios and computers; field sports, board games and reading mater should be available to offenders. Adding to this findings in this study indicate that offenders perception of their safety is tied into a lack of constructive activities available in the prison environment. Responses by offenders (presented in Chapter Seven) indicate that facilities need to be incorporated into prison designs that support educational activities. Offenders see the participation in educational programs constructive in terms of enhancing their prospects for employment once released from prison, and also as an avenue to be active during the day.

Findings point out the perceptions of offenders that would improve physical conditions in prisons and enhance safety. As presented in Chapter Seven, findings indicate that offenders have a heightened fear regarding the risk and occurrence of assaults in prison. Coinciding with these findings is the continual request from offenders to consider and implement measures to improve the safety and well-being of the offenders. In order to meet with these requests and in an attempt to reduce risks to safety, findings here suggest that indirect and direct security be improved. Offenders regard improved physical security as the primary factor that would reduce assaultive behaviour in prisons; officials regard improvement to security as increasing the number of security officials. While findings point to improved levels of indirect surveillance (cameras and intercoms) offenders need physical human contact through increased prison officials in order to feel safe and reassured. In terms of the locations that need additional security, findings in this study posit that offenders would like additional officials around the prison shops, the dining halls, hospitals and in the exercise yards.

While theory (presented in Chapter Four) suggests that prisons are perceived as violent places inhabited by violent men, not all men in male prisons are involved in assaultive or dangerous activities while incarcerated, nor are all places within a prison perceived as dangerous. Findings indicate that while respondents to this study understood the meaning of their incarceration and acknowledged the difficulties involved in mass incarceration, they want to be safe while serving their punishment. They want an environment that is conducive

to rehabilitation and they want an environment that is not threatening to their physical and psychological well-being.

8.3.5 The application of situational crime prevention strategies for situational prison control

Literature in Chapter Three offers the theories surrounding situational crime prevention strategies. Moreover, the literature presented the theories and techniques which address measures to reduce opportunities for crime. The classification of opportunity-reducing techniques was presented in Chapter Three from Clarke (1997:18) citing Clarke and Homel (1997), Cornish and Clarke (2003) and from Clarke (2008:184) citing Clarke and Eck (2003). Opportunity-reducing techniques within the prison environment can be developed by positioning the research findings presented in Chapter Seven within the twenty five categories proposed by Cornish and Clarke (2003) and from Clarke (2008:184) citing Clarke and Eck (2003).

The findings presented in Table 8.1 propose twenty five opportunity-reduction techniques for the prison environment (the macro environment or setting). However, given that findings in Chapter Seven detailed data regarding assaults in specific settings within the prison environment, consideration has been given here to crime reduction techniques that can be attributed to specific (micro) environments within the prison setting. This evaluation is developed from theories presented by Wortley (2002) that consider precipitation and opportunity factors to address crime reduction techniques (Tables 3.4 and 3.5). Where Wortley (2002) presented theories of precipitation and opportunity from the prison setting (macro setting), findings presented in Table 8.2 and Table 8.3 show how precipitation and opportunity-reduction techniques can be applied to specific environments (micro settings) such as communal cells.

Table 8.1: Twenty Five opportunity-reduction techniques in the prison environment

Increase the effort	**Increase the risks**	**Reduce rewards**	**Reduce provocations**	**Removing excuses**
Target hardening	***Extend guardianship***	***Conceal Targets***	***Reduce frustrations and stress***	***Rule setting***
Vandal proofing of windows around the prison. Fix and secure all beds to the floor Avoid narrow corridors and break up long corridors with the intermittent positioning of sally ports Increase the levels of artificial and, where possible, natural lighting in passages	Increase the number of officials present at night Increase the patrolling of officials within the prison at night Officials to undertake more random patrolling at night	Promote the use of "prison money"	Avoid overcrowding in all communal areas such as dining halls and cells Provide lockable lockers for private and personal items and avoid the use of padlocks Increase the amount and distribution of toiletries Increase the availability of recreational activities and facilities Improve the quality and quantity of prison food Prohibit the use of radios in cells to between 09h00 – 21h00 Implement intercom systems and emergency panic buttons around the prison	Ensure guards are trained Ensure the enforcement of rules and consequences for rule breaking No student guards to be placed in prison before graduation or "passing out" Implementation of housing unit committee and line management for complaints lodged by housing unit committee

Table 8.1 continued: Twenty Five opportunity-reduction techniques in the prison environment

Increase the effort	Increase the risks	Reduce rewards	Reduce provocations	Removing excuses
Access control	***Assist natural surveillance***	***Target removal***	***Avoid disputes***	***Post instructions***
Access control to be monitored through either offender fingerprint recognition or electronic identification cards. The implementation of a fingerprint recognition system allows for offender identification and control of offender movement throughout the prison. The system can be configured to restrict offender access to specific locations While the system can be self-regulating, the system (recognitions pads) requires monitoring by security personnel to prevent misuse Where fingerprint recognition systems cannot be implemented due to cost constraints, prisons should adopt electronic identification cards for all offenders. The system allows for monitoring of all offender movement and can be configured to restrict offender access into specific locations. The cards can be swiped by either an official or an offender (monitored by an official). The swipe pad will indicate the identification of the offender and any restrictions on access The cards need to be manufactured from	No blind spots in prison. Where there are blind spots (from natural surveillance), CCTV cameras to be installed Remove bathrooms located randomly around the prison and only locate them close to official posts or offices	Segregate prison gang members Implement first time offenders' orientation programs. Programs to include introduction to rules of prison, consequences for partaking in unruly behaviour and prison gang behaviour and manipulation tactics	Reduce the concentration of offenders gathering to collect food Promote the use of "prison money" Provide lockable lockers in cells with either ID card or fingerprint recognition. Prohibit the use of padlocks in prisons	Prison rules to be posted around all areas of the prison Prison rule posters must include and present the penalties for transgression of rules

Table 8.1 continued: Twenty Five opportunity-reduction techniques in the prison environment

Increase the effort	Increase the risks	Reduce rewards	Reduce provocations	Removing excuses
flexible materials such as laminated card rather than rigid material Implement fingerprint recognition system or issue electronic identification cards for officials. This will allow officials' movement around the prison to be monitored and restricted and can assist in limiting officials from being involved in illegal activity				
Screen exits All staff to be searched prior to entering the prison and on leaving the prison premises Incorporate screening machine for searching offenders and officials at entry and exits points	***Reduce Anonymity*** Fingerprint recognition or electronic identification cards access control to monitor offender and official movement around the prison Avoid overcrowding in housing units and cells	***Identifying property*** All offenders items to be marked and identifiable with indelible ink All items from specific areas within the prison must be marked and made identifiable to that location. For example, all kitchen and dining utensils from a specific unit must be made identifiable with that unit	***Reduce emotional arousal*** Restrictions on number and type of television programs	***Stimulating conscience*** Posting of posters of prison rules and the consequences for transgression Encourage motivational speakers to talk to the offenders Encourage self-worth of offenders. For example, involve offenders with animal rehabilitation or training such as training dogs for the blind and deaf
Deflect offenders More education programs More structured sports activities More recreational facilities Apply competitions between offenders and rewards for compliant behaviour. Rewards can include inclusion of large flat screen TV in	***Utilize place managers*** Training in "risk awareness" to be extended to all prison staff including nurses, religious members, education facilitators and cell and prison cleaners	***Disrupt markets*** Implementing the use of "prison money" within the prison environment will discourage contraband being purchased by prisoners and smuggled into the prison	***Neutralize peer pressure*** Avoid placing newly admitted first time offenders in housing units and cells that have a high concentration of prison gangs	***Assist compliance*** Replace the money used in prisons with "prison money". The money can be "bought" inside the prison using normal currency but cannot be exchanged for normal currency except on release. This will render all the money in prison to be limited for use within the prison. Therefore, purchasing of contraband and bribery should be

Table 8.1 continued: Twenty Five opportunity-reduction techniques in the prison environment

Increase the effort	Increase the risks	Reduce rewards	Reduce provocations	Removing excuses
communal cells for a specified period of time, or, additional telephone privileges				reduced All shops within the prison to be replaced with secure anti-vandal vending machines. The vending machines should only stock cold food and drinks in soft packaging. Ensure all the items are purchasable only with "prison money"
Control tools/weapons Replace all stainless steel kitchen and eating utensils with toughened silicon utensils All dining utensils, including mugs and dining trays to be returned to a specified collection point before offenders return to their cells No tins or cans of food or drink to be available or sold within the prison Ensure all offenders working as grounds men are searched for illegal substances such as marijuana prior to re-entering the prison following work detail All glass in windows to be replaced with toughened shatterproof glass Remove all padlock throughout the prison and replace padlocks with either combination locks or locks that require fingerprint or ID and pin code recognition	***Strengthen formal surveillance*** Replace all perimeter fencing around prison with electric fencing Install CCTV cameras in all passages in the prison Install CCTV cameras in all communal cells Install CCTV cameras in all dining areas Random searching of cells Random drug testing of offenders and officials	***Deny Benefits*** Implementing access control to lockers through fingerprint recognition or electronic identification cards and pin numbers Adopting a non-transferable prison economy through "prison money" (see *facilitating compliance*) will limit the power of normal currency within the prison environment. Moreover, by implementing a prison economy the purchasing power of offenders within the prison and to the outside will be reduced	***Discourage imitation*** Replace or repair all damaged items	***Control drugs and alcohol*** Implement regular and sporadic testing for drug and alcohol use

Template modeled after Cornish and Clarke (2003) and Clarke (2008:184) citing Clarke and Eck (2003)

Table 8.2: Precipitation control strategies in communal cells

Controlling prompts	Controlling pressures	Reducing permissibility	Reducing provocations
Controlling triggers Allow mementos Incorporate additional Televisions	***Reducing inappropriate conformity*** Segregate newly admitted offenders from gang members Accommodate those offenders participating in education programs in specific communal cells Attempt to accommodate offenders from same cultural backgrounds (or foreign backgrounds) in same cells	***Rule setting*** Rules of prison, rules of housing unit and rules of cells must be posted and explained to offenders Uniformity and consistency of rules within communal cells and housing units Uniformity and consistency of consequences for rule breaking	***Reducing frustrations*** Ensure guards patrol the housing units at night and are seen to patrol the housing units Incorporate intercoms in cells and introduce and maintain firefighting equipment in cells Ensure cleaning provisions and personal hygiene items are available to the offenders and provided to the offenders timeously All offenders to have access to laundry facilities and not to wash and dry items such as bedding and clothing in cells Ensure each housing unit has telephones. Ensure phones are in working order and all offenders have access to phones in housing unit Additional clothing and shoes to be made available to the offenders by the prison system. Newly admitted offenders should be given new uniforms and new shoes.
Providing reminders Posting of prison rules Incorporation of CCTV cameras Increase random guard patrols and more interaction between guards and cell cleaners during patrols	***Reducing inappropriate obedience*** Rotate cell cleaners in communal cells every two weeks Ensure that each communal cell has a minimum of two cell cleaners at any given time	***Clarifying responsibility*** Offenders be made aware of line management within the prison – from communal cells to prison management structure Offenders be made aware of grievance policy structure Cell committee given responsibility to identify rule breakers and collectively make formal request to remove and relocate unruly offenders	***Reducing crowding*** Each offender to be allocated an individual bed. All communal cells to have capacity for one bed per offender Avoid the incorporation of three and four tier bunk beds – limit to two tier bunk beds only No offenders to sleep on floor under bunk beds and no offenders to sleep in bathrooms or passages in cells At least walking space must be maintained between each bed and no beds should be joined together

Table 8.2 continued: Precipitation control strategies in communal cells

Controlling prompts	Controlling pressures	Reducing permissibility	Reducing provocations
Reducing inappropriate imitation Segregation of specific gang members to specific housing units and to specific cells	***Encouraging compliance*** Encourage the development of communal cell committees within each housing unit. Ensure grievances presented by the communal cells committee in each housing unit are heard weekly and issues are addressed.	***Clarifying consequences*** Cell committee to ensure all offenders are aware of cell and housing unit rules and that breach of rules will result in consistent and uniform consequences such as transfer to another cell and housing unit	***Respecting territory*** All offenders to be allocated a lockable locker within the cell in which they are housed Waist high barriers to be installed between toilets in communal cell bathrooms Standalone "open" showers to be incorporated into communal cells.
Setting positive expectations Encourage positive behaviour in cells through positive rewards. For example, weekly competitions for cell cleanliness and lack of transgressions in communal cells within housing units might result in the reward of a large flat screen TV to watch sport programs for one week in the "winning cell" or those offenders to have additional telephone privileges, extra cleaning items or toiletries, new items of clothing or new bedding	***Reducing anonymity*** Cell counts each day must not be made by number count; each offender must be recognized and acknowledged to be accommodated in the allocated cell Offenders from specific housing units must be identifiable. For example, offenders from each housing unit must be given a means of identification, such as a colored badge that can be sewn onto their uniform.	***Personalizing victims*** Limit and reduce guard transfers within housing units. Train guards to identify potential victims Enforce policies to ensure guards are not involved with or members of prison gangs	***Controlling environment irritants*** Incorporate more electrical sockets in communal cells. One socket for two offenders All window glass to be replaced when damaged All windows that are designed to open should not be sealed closed and all windows in housing unit passages be kept free from obstructions All sanitary appliances in cells must be maintained, for example, all toilets must flush

Template modeled after Wortley (2002:58)

Table 8.3: Opportunity reducing strategies in communal cells

Increasing perceived effort	Increasing perceived risks	Reducing anticipated rewards	Increasing anticipated punishments
Target hardening Replace old toilets with enclosed toilet systems that cannot be "opened" and used to store contraband. Install barriers (waist height) between toilets Install showers (rather than baths with shower heads) in communal cell bathrooms surrounded with Plexiglas Ensure all bars incorporated into window design extend into the wall to prevent removal of bars Ensure frames of beds are fixed to the floor and beds cannot be moved by offenders	***Entry-exit screening*** Ensure all offenders are searched prior to lock up Ensure all guards are searched prior to entering and exiting the housing units Undertake regular and sporadic searches in communal cells (do not limit searches to times of unrest or threats of unrest) Undertake searches of all hygiene and cleaning materials to be delivered to communal cells	***Target removal*** Avoid placing newly sentenced offenders in communal cells with prison gang members Segregate the various prison gang members in separate cells or housing units Accommodate those offenders undertaking education classes in same communal cells	***Increasing costs*** Not replacing bedding or items of clothing damaged to make "catchers" Not considering a cell to be included in the housing unit competitions (see setting positive expectations Table 8.2) when offenders in a cell are involved in altercations or overt gang activity
Access control All offenders should be escorted by an official when going into another housing unit Access control to communal cells to be monitored through fingerprint recognition or electronic identification cards. All the recognition pads need to be manufactured from anti-vandal proof material and positioned on the outside of all communal cells. The fingerprint recognition reader and the card reader should be configured to identify all offenders, should be monitored by officials and must be configured to alert officials when access is denied or misuse has taken place All offenders allocated to a communal cell must be identified and accounted for	***Formal surveillance*** Incorporate CCTV cameras in housing unit passages and in communal cells Incorporate vandal-proof intercoms into the cells Undertake regular and sporadic patrols of housing unit passages	***Identifying property*** All offender property should be marked with indelible ink or permanent marker by prison officials before the offender is housed	***Removing privileges*** Loss of televisions in cells, stopping all work details, stopping education programs and preventing offenders from participating in recreation and sports activities

Table 8.3 continued: Opportunity reducing strategies in communal cells

Increasing perceived effort	Increasing perceived risks	Reducing anticipated rewards	Increasing anticipated punishments
before lock up. This can be achieved through fingerprint recognition or scanning of electronic identification cards prior to lock up. Offender access control through offender recognition prior to lock up will prevent unauthorized exchanges of offenders between communal cells			
Deflecting offenders Incorporate more education, sports and recreational activities. Accommodate those offenders undertaking education classes in same communal cells, for motivational purposes Segregate specific gang members into specific cells and ensure that cell release of gang members does not coincide with cell release of non-gang or other gang members	***Surveillance by employees*** Applicable in communal cells when the communal cells are located in hospital wings. Here the hospital staff contributes to the surveillance of offenders. It is the "unofficial" duty of hospital staff (such as nurses) to observe and monitor those offenders who might get involved in unruly behaviour	***Reducing temptation*** All money to be used inside the prison should be "token" money purchased by offenders from the specific prison. This avoids offenders having to carry cash on their person.	***Increasing social condemnation*** Cells that are to be excluded from unit competitions (see *setting positive expectations* Table 8.2 and *Increasing costs*) need to be exposed to the housing unit. The offenders that perpetuated exclusion and the reason for exclusion need to be exposed to all offenders in their cell and to the housing unit
Controlling facilitators Remove the need for padlocks in communal cells. Provide lockers with "combination lock" access, locks with ID card recognition and pin code access (like ATM machine access), or, fingerprint recognition access. Where this is not possible, place all lockers in designated areas monitored by prison officials where the officials can monitor and control access to the lockers Replace all stainless steel kitchen and eating utensils with toughened silicon appliances (that cannot be molded or melted to form weapons) and replace all stainless steel mugs with plastic mugs	***Natural surveillance*** Increase natural surveillance of communal cells by prohibiting the blocking of windows in communal cells and internal passages Prohibit the practice of blankets and sheets being placed around the lower bed on bunk beds (Mokoo's) Attempt to prohibit the practice of prison gangs developing "territory" in communal cells.	***Denying benefits*** As noted under "access control", all offenders should either be subject to fingerprint recognition systems or carry an electronic identification card. Implementing these systems will reduce the unauthorized and unregulated interchanging of offenders between cells	***Making an example*** All offenders involved in an altercation (and ultimately punished) should be "named and shamed" within their housing unit. Notices detailing the altercation and subsequent resultant punishment should be posted within the housing unit for other offenders to see. Likewise, those cells which have excelled and received recognition for maintaining order need to be made public within the housing unit

Table 8.3 continued: Opportunity reducing strategies in communal cells

Increasing perceived effort	Increasing perceived risks	Reducing anticipated rewards	Increasing anticipated punishments
Prohibit cooking in communal cells; only permit cold food and beverages to be consumed Replace all glass in communal cell windows to toughened shatterproof Plexiglas Vandal-proof all light fixtures and ensure offenders cannot access light fittings or use light fittings as additional electrical sources			

Template modeled after Wortley (2002:66)

8.4 RECOMMENDATIONS FOR FURTHER STUDIES

The following recommendations are presented for further studies:

Further study should extend the propositions presented in this study to female correctional centres. While understanding of female correctional centres is developing, limited work has been undertaken which examines the situational perspectives of assault in female prisons in the South African context. In that vein, a similar study should be undertaken in centres that accommodate juvenile offenders.

It is recommended that similar research should be carried out on the nature of assault experienced by remand detainees.

While this study and other work has extended the understanding of the behaviours, mores and cultures of prison gangs in South Africa, there is limited work that presents the cultures and mores of the Airforce Three, Airforce Four and Big Five prison gangs. As indicated in this study, the primary function of the Airforce Three and Airforce Four prison gangs is to escape. Further study should therefore examine patterns of escape in terms of frequency and methods of assault applied during escape.

8.5 CONCLUSIONS

This study examines the contribution that variables in prison design and choice of construction materials motivate, and promote opportunities for, prison violence among male maximum security offenders. The findings of this study present the rationale for prison violence as well as the factors within the prison environment that perpetuate assaults among male prisoners in South Africa's prisons.

Prison designs in South Africa have been motivated by the principles and philosophies of punishment that have emerged internationally. While the international concepts for prison form and function continue to drive prison practices in South Africa, little research has been undertaken to measure the effectiveness of the concepts in the South African context. This study therefore presents findings regarding the application of prison design philosophies and concepts, and it has achieved this through the eyes of the users, namely the offenders. While this study has focused on the association of acts of assault and design features in the built environment, the findings of this study are not positioned in architectural determinism. Evaluations of acts of assault in this study have to a great extent explored the incidents from a wider social context. Through an evaluation of the social context of assault in prison, the risk of (and actual) incidents of assault have been grounded in terms of rationale, geographic location and frequencies. Given that the findings to this study indicate that specific locations provide opportunity, and motivate acts of violence, and given that the directives that govern prison design are issues regarding offender safety, the physical design of prisons should consider the application and consequence of prison design from the users' perspective. It is only when philosophical theories and application of prison design are combined that effective prison design, specific to the South African context can be considered.

Similar to findings of prison violence by Atlas (1982), results in this study cannot state that application of a specific prison design would deem a prison "safer" than any other. However, unlike the findings of Atlas (1982), findings in this study indicate that assaults in South Africa's prisons can be associated to specific physical locations and frequencies. It has been determined in this study that prison gang activities are seen to perpetuate prison assaults and coinciding with that premise, findings in this study indicate that prison gangs manipulate the

prison environment to support their activities. This on the most part includes manipulation of the physical environment as well as the social environment. Through determining this it can be stated that there is, to an extent, a negative behavioural outcome being motivated through prison design.

Given the increasing numbers of offenders entering the prison system in South Africa it can be determined that unless prisons serve to facilitate offender improvement, rehabilitation will not be achieved and at worst recidivism will increase. The result of this ultimately affects society and as such is a societal problem. Therefore, while society has dictated removal of offenders from general society through incarceration, society must be aware of the consequences of ineffective punishment. Moreover, given that the majority of those incarcerated return to society, warehousing offenders in institutions that facilitate delinquent behaviour does not serve to enhance or improve the offenders or society.

While prison programs and prison management practices serve to facilitate offender improvement, the prison environment has much contribution to make as an all-encompassing closed environment. Where prisons fail to facilitate improvement and in turn promote unlawful behaviour, prisons are arguably failing. In order to address this, corrections on the most part have continued to develop philosophies of punishment and most importantly the philosophies surrounding incarceration. In line with that prison designs continue to evolve. However, the challenges of corrections to correct cannot simply be addressed through the design and construction of new prison facilities. While great support and reliance is awarded to new prison designs and construction, new prison facilities do not dissolve the problems inherent in existing prison facilities. Newly constructed prisons do not accommodate only those recently sentenced, nor do they accommodate only those offenders who have short sentences and less violent offenders. Where offenders are transferred to new facilities they can export existing prison mores and cultures. Without greater understanding of the cultures inherent in existing prisons the problems will at best be maintained and at worst escalate. Findings in this study serve to address this issue.

Unless a greater understanding is awarded to the existing prison cultures, behaviours and use from the perspective of the users (offenders), the design principles of new prisons will remain entrenched in theory and philosophical concepts. Findings from this study place the use of prisons and the true application of prison design philosophies, from the perspective of the offenders, at the fore for consideration in the design and construction of prisons in the future.

The findings contribute to the understanding of the application of prison design and construction from the perspective of the prison users (offenders). Moreover, the findings in this study contribute to existing knowledge by presenting the situational perspective of prison violence from the South African Context.

REFERENCES

Advisory Council on the Penal System. (1968). *The Regime for Long-Term Prisoners in Conditions of Maximum Security Report of the Advisory Council on the Penal System*. HMSO. London.

Ahmed, B. (1973). *Maltreatment and Torture of Prisoners in South Africa: Report of the Special Committee on Apartheid.* Unit on Apartheid. Department of Political and Security Council Affairs. United Nations. New York.

Anastasi, A. (1982). *Psychological Testing.* Macmillan Publishing Co., Inc. New York.

Aquinas (II), St. T. (1990). The Summa Theologica (Vol. 2). Treatise on Habits. In M. J. Adler (Ed.), Father Laurence Shapcote (Trans.), *THE GREAT BOOKS of the Western World.* 2nd Ed. (Vol. 18, pp. 1-205). Chicago: Encyclopaedia Britannica, INC. (Original work published 1225-1274)

Atkinson, R. L.; Atkinson, R. C.; Smith, E. E. and Hilgard, E. R. (1987). *Introduction to Psychology, Ninth edition.* Harcourt Brace Jovanovich, Publishers. Orlando, Florida. USA

Atlas, R. I. (1982) *Violence in Prison: Architectural Determinism*. Unpublished Ph.D. Florida State University. USA

Babbie, E. (2004). *The Practice of Social Research* (10th edition) Thomas Wadsworth. USA.

Bailey, E. (2000). Building for growth. In L. Fairweather and S, McConville (Ed.), *Prison Architecture Policy, Design and Experience*. Architectural Press. Oxford.

Barker, R. G. (1968). *Ecological Psychology, Concepts and methods for studying the environment of human behaviour*. Stanford University Press. Stanford. California.

Beck, A. J. and Harrison, P. M. (2006). Sexual Violence Reported by Correctional Authorities, 2005. Bureau of Justice Statistics Status Report. Office of Justice Programs. U.S. Department of Justice.

Bentham, J. (1787). *PANOPTICON or the INSPECTION HOUSE containing the Idea of a New Principle of Construction applicable to any Sort of Establishment, in which Persons of any Description are to be kept under Inspection. And in Particular to Penitentiary Houses, Prisons, Houses of Industry, Work-Houses, Poor-Houses, Manufactories, Mad-Houses, Hospitals and Schools.* With a plan of management adapted to the Principle. In a series of Letters, Written in the Year 1787, from Crecheff in White Russia, to a friend in England. By Jeremy Bentham of Lincoln's INN, ESQ. DUBLIN: Thomas Byrne M.DCC.XCI.

Bernault, F. (2003). The Politics of Enclosure in Colonial and Post-Colonial Africa. In F. Bernault (Ed.). *A History of Prison and Confinement in Africa.* Social History of Africa. Allen Issacman and Jean Allman, Series Editors. Heinemann. Portsmouth. NH.

Boggs, S. L. (1964). *The Ecology of Crime in St Louis: A reconceptualization of Crime Rates and Patterns*. Washington University, Ph.D., Sociology general.

Bottoms, A. E., Hay. W. and Sparks, J. R. (1995). Situational and Social Approaches to the Prevention of Disorder in Long-Term Prisons. In T. J. Flanagan (Ed..). *Long-Term Imprisonment, Policy, Science, and Correctional Practice.* Sage Publications. California.

Bowker, L. H (1980). *Prison Victimization*. Elsevier. New York.

Bowker, L. H. (1982). Victimizers and Victims in American Correctional Institutions. In H. Toch and R. Johnson (Eds.). *The Pains of Imprisonment*. Sage Publications. California.

Brantingham, P., Brantingham, P. (1984). *Patterns in Crime*. Macmillan Publishing Company. New York.

Brantingham, P., and Brantingham, P. (2008). Crime Pattern Theory. In R. Wortley and L. Mazerolle (Eds.). *Environmental Criminology and Crime Analysis*. Willan Publishing, Culmcott House, Mill Street, Uffculme, Collompton, Devon, UK. pp: 78 – 91.

Breytenbach, B. (1984). *The True Confessions of an Albino Terrorist*. Faber and Faber Limited. London

Burford, E. J. and Shulman, S. (1992). *Of Bridles and Burnings The Punishment of Women.* St. Martin's Press. New York.

Burgh, L. (2008). Discussion Document of offender Rape. Seminar on Sexual Offences in Correctional Centres, Department of Correctional Services, Pretoria, South Africa June 30, 2008.

Butler, M. (2008). WHAT ARE YOU LOOKING AT? Prisoner Confrontations and the Search for Respect. *British Journal of Criminology* (2008) 48, 858 – 873.

Calhoun, J. B. (1962). Population Density and social pathology. *Scientific American* 206: 139-148

California Department of Corrections and Rehabilitation, (2005). Inmate incidents in institutions, Calendar Year 2004. Offender Information Services Estimates and Statistical Analysis Section. Data Analysis Unit. Sacramento, California. October 2005. Reference number: BEH-1. [online] Available at: http://www.cdcr.ca.gov/Reports_Research/Offender_Information_Services_Branch/Annual/BEH1/BEH1d2004.pdf

Churchill, W. S. (1956). *A History of the English-Speaking peoples* (5th ed., 5th Impression, Vol 2). Printed in Great Britain by The Camelot Press LTD, Southampton.

Clarke, R. (1997). *Situational crime prevention: successful case studies*. 2nd Ed. Guilderland, N.Y.: Harrow and Heston.

Clarke, R. V. (2008) Situational crime prevention. In R. Wortley and L. Mazerolle (Eds.). *Environmental Criminology and Crime Analysis*. Willan Publishing, Culmcott House, Mill Street, Uffculme, Collompton, Devon, UK. pp: 178 - 192.

Cohen, A. K. (1976) Prison Violence: A Sociological Perspective. In A. K. Cohen; G. F. Cole and R. G. Bailey (Eds.), *Prison Violence.* University of Connecticut. Lexington Books. Lexington, Massachusetts. Toronto.

Collins, W. C. (2004). *Supermax Prisons and the Constitution Liability Concerns in the Extended Control Unit.* U.S. Department of Justice National Institute of Corrections. Washington, DC.

Colquhoun, I. (2004). *Designing out crime: creating safe and sustainable communities. Architectural press.* Oxford.

Conrad, J. P. (1976). The Beast Behind the Wall. In A. K. Cohen; G. F. Cole and R. G. Bailey (Eds.), *Prison Violence.* University of Connecticut. Lexington Books. Lexington, Massachusetts. Toronto.

Cook, A. (1974). *South Africa: the imprisoned society*. International Defence and Aid Fund. London.

Cornish, D. B., and Clarke, R. V. (2003). Opportunities, Precipitators and Criminal Decisions: A reply to Wortley's Critique of Situational Crime Prevention. Crime Prevention series, Vol. 16 (2003), pp. 41-96.

Cornish, D. B., and Clarke, R. V. (2008). The rational choice perspective. In R. Wortley and L. Mazerolle (Eds.). *Environmental Criminology and Crime Analysis*. Willan Publishing, Culmcott House, Mill Street, Uffculme, Collompton, Devon, UK. pp: 21 - 44

Correctional Services Act No.8 of 1959 Statutes of the Republic of South Africa – Prisons and Reformatories. (Assented to 20 March, 1959) (Date of Commencement: 1 September, 1959)

Correctional Services Act No. 111 of 1998. *Government Gazette* No. 19522 dated 27 November 1998. Available at: http://www.dcs.gov.za/Publications/Legislation.aspx

Correctional Matters Amendment Act No. 5 of 2011. Government Gazette. Vol. 551, No. 34315 dated 25 May 2011. Available at: http://www.dcs.gov.za/Publications/Legislation.aspx

Corsini, R. J. (2002). *The Dictionary of Psychology.* Brunner-Routledge. New York.

Creswell, J. W. (2009). *Research Design Qualitative, Quantitative, and Mixed Methods Approaches* (3rd Edition). SAGE Publications, Inc. USA.

Criminal Law (Sexual Offences and Related Matters) Amendment Act No. 32, 2007. . *Government Gazette* No. 30599 dated 14 December 2007.

Department of Correctional Services. (2005a). *WHITE PAPER on Corrections in South Africa.* [Handout] 12 May 2007. Department of Correctional Services, Head office, Pretoria. Available at: http://www.dcs.gov.za/Publications/Legislation.aspx

Department of Correctional Services. (2005b). Annual Report: 1 April 2004 to 31 March 2005. Pretoria: Government Printer. Available at: http://www.dcs.gov.za/Publications/AnnualReports.aspx

Department of Correctional Services. (2006). Annual Report: 1 April 2005 to 31 March 2006. Pretoria: Government Printer. Available at: http://www.dcs.gov.za/Publications/AnnualReports.aspx

Department of Correctional Services. (2007a). *Approved accommodation versus offender population and occupancy levels per Correctional Centre per Region*. [Handout] 12 May 2007. Department of Correctional Services, Head office, Pretoria.

Department of Correctional Services. (2007b). Annual Report: 1 April 2006 to 31 March 2007. Pretoria: Government Printer. Available at: http://www.dcs.gov.za/Publications/AnnualReports.aspx

Department of Correctional services (2007c). *Overview Modderbee Correctional Centre*. Monthly Management report as from 1 January 2007 to 17 July 2007. [Handout] Obtained from Modderbee Correctional Centre.

Department of Correctional Services. (2008a). Annual Report: 1 April 2007 to 31 March 2008. Pretoria: Government Printer. Available at: http://www.dcs.gov.za/Publications/AnnualReports.aspx

Department of Correctional Services. (2008b). *OVERCROWDING*. Monthly Management report . Modderbee Correctional Centre. March 2008. [Handout] Obtained from Modderbee Correctional Centre.

Department of Correctional Services. (2008c). *Monthly Feedback Report: Status on Unit Management (2008/01/16).* [Handout] Obtained from Modderbee Correctional Centre.

Department of Correctional Services. (2008d). *OVERCROWDING*. Monthly Management report . Johannesburg Management Area. March 2008. [Handout] Obtained from Johannesburg Management Area.

Department of Correctional Services. (2008e). *Discussion Document of offender Rape*. Seminar on Sexual Offences in Correctional Centres, Department of Correctional Services, Pretoria, South Africa June 30, 2008.

Department of Correctional Services. (2008f). Weekly Statistics for Johannesburg Management Area. For date 22/04/2008. [Handout] Obtained from Johannesburg Management Area.

Department of Correctional Services. (2010). Annual Report: 1April 2009 to 31 May 2010. Pretoria: Government Printer. Available at: http://www.dcs.gov.za/Publications/AnnualReports.aspx

Department of Correctional Services. (2011). Annual Report: 1 April 2010 to 31 March 2011. Pretoria: Government Printer. Available at: http://www.dcs.gov.za/Publications/AnnualReports.aspx

Department of Correctional Services. (2012a). Annual Report: 1 April 2011 to 31 March 2012. Pretoria: Government Printer. Available at: http://www.dcs.gov.za/Publications/AnnualReports.aspx

Department of Correctional Services. (2012). *Annual Performance Plan 2012/2013*. Pretoria: Government Printer. Available at: http://www.dcs.gov.za/Publications/StrategicPlans.aspx

Department of Correctional Services. (n.d.a). Strategic Plan for 2006/7 – 2010/11. Department of Correctional service. Republic of South Africa. Available at: http://www.dcs.gov.za/Publications/StrategicPlans.aspx

Department of Correctional Services (n.d.b). *Unit Management Training Workshop Source Documents*. The Unit Management Task Team. [Handout] 12 May 2007. Department of Correctional Services, Head office, Pretoria.

Department of Correctional Services. (n.d.c). Department of Correctional Services: Norm Guidelines for prison facilities. [Handout] Obtained from Department of Correctional Services, Head office, Pretoria.

Department of Correctional Services. (n.d.d). Communications and H R Development. *Johannesburg Management Area, shaping tomorrow by Developing Today.* Presentation to students (from Johannesburg Centre HR). [Handout] Obtained from Johannesburg Management Area.

Department of Correctional Services. (n.d.f). *Pretoria Central Correctional Centre. Overview of Operations*. [Handout] Obtained from Pretoria Correctional Centre.

Department of Correctional Services. (n.d.g). Operational Manual: Pretoria CMax. [Handout] Obtained from Pretoria Correctional Centre.

Department of Correctional Services. (n.d.h). Statistical Information. Available at: http://www.dcs.gov.za/AboutUs/StatisticalInformation.aspx

Dillingham, S. D. and Montgomery, *Jr*. R. H. (1985). Prison Riots: A Corrections' Nightmare Since 1774. In M. Braswell, S. Dillingham and R. Montgomery *jr*. (Eds.). *Prison Violence in America*. Criminal Justice Studies. Anderson Publishing Co. Cincinnati, Ohio. USA

Dixon, H. (1850). *John Howard and The Prison World of Europe* (2nd Ed.). Jackson and Walford. London. Held at University of Cambridge; Institute of Criminology; Radzinowicz Library :Wakefield room,

Du Cane, E. F. (1885). *The Punishment and Prevention of Crime.* Macmillan and Co. London. Held at University of Cambridge; Institute of Criminology: Radzinowicz Library :Wakefield room.

Dumond, R. W. (2008). *Emotional Impact of Prisoner Sexual Violence.* Seminar on Sexual Offences in Correctional Centres, Department of Correctional Services, Pretoria, South Africa June 30, 2008.

Dunbar, I. (1985). *A Sense of Direction*. Home Office. London.

Dunbar, I. and Fairweather, L. (2000). English Prison Design. In L. Fairweather and S. McConville (Eds.). *Prison Architecture Policy, Design and Experience*. Architectural Press.

Edgar, K. and O'Donnell, I. (1998). Assault in Prison: The 'victim's' contribution. *British Journal of Criminology* 38: 635-650.

Edgar, K., O'Donnell, I. and Martin, C. (2003). *Prison Violence. The Dynamics of Conflict, Fear and Power*. Willan Publishing. Devon, England.

Ellis, D. (1984). *Crowding and Prison Violence. Integration of Research and Theory*. CRIMINAL JUSTICE AND BEHVAIOR, Vol. 11 No. 3, September 1984 pp. 277-308. American Association of Correctional Psychologists.

Evans, R. (1982). *The fabrication of virtue, English prison architecture, 1750-1840.* Cambridge University Press, Cambridge. Great Britain.

Fairweather, L. (1994). Prison Design in the Twentieth Century. In I. Spens (Ed.), *Architecture of Incarceration.* Academy Editions. Great Britain.

Farringdon, K. (1996). *History of Punishment and Torture*. Octopus Publishing Group Limited. London.

Farrington, D. P. and Nuttall, C. P. (1985). Prison Size, Overcrowding, Prison Violence and Recidivism. In M. Braswell, S. Dillingham and R. Montgomery *jr.* (Eds.). *Prison Violence in America*. Criminal Justice Studies. Anderson Publishing Co. Cincinnati, Ohio. USA

Felson, M. (2008). Routine activity approach. In R. Wortley and L. Mazerolle (Eds.). *Environmental Criminology and Crime Analysis*. Willan Publishing, Culmcott House, Mill Street, Uffculme, Collompton, Devon, UK. pp: 70 - 76

Fellner, J. (2000). *Out of Sight: Super-Maximum Security Confinement in the United States.* Human Rights Watch. United States. February 2000, Vol. 12, No. 1 (G).

Fitzpatrick, J. (1790). *Thoughts on Penitentiaries*. Printed by H. Fitzpatrick, No. 2, Ormond-Quay. Held at University of Cambridge, Institute of Criminology; Radzinowicz Library: Wakefield Room.

Flynn, E. E. (1976). The Ecology of Prison Violence. In A. K. Cohen; G. F. Cole and R. G. Bailey (Eds.), *Prison Violence.* University of Connecticut. Lexington Books. Lexington, Massachusetts. Toronto.

Foucault, M. (1977). *Discipline and punish: the birth of the prison*. London.

Fraenkel, J. R. and Wallen, N. E. (1996). How to Design and Evaluate Research in Education (3rd Edition). McGraw-Hill, Inc. USA.

Frohman, J. G., Hanes, L. F., Kohn, I. R., McKay, J. W., Olson, L., Pesce, E. J., W, P. C., Welke, L. (1977). Crime Prevention Through Environmental Design. Nations Cities.

Gear, S. and Ngubeni, K. (2002). *Daai Ding: Sex, Sexual Violence and Coercion in Mens Prisons*. Centre for the Study of Violence and Reconciliation. South Africa.

Gear, S. (2005). Rules of engagement: Structuring sex and damage in men's prisons and beyond. *Culture, Health & Sexuality*, May 2005; 7 (3): 195-208

Gear, S. (2008). *Sexual violence in South Africa men's correctional centres: key issues*. Centre for the Study of Violence and Reconciliation. South Africa. Seminar on Sexual

Offences in Correctional Centres, Department of Correctional Services, Pretoria, South Africa June 30, 2008.

Gladstone Committee (1895). *Report on Prisons*. Presented to the House of Parliament by Command of her Majesty. Her Majesty's Stationary Office. Eyre and Spottiswoode. London.

Goffman, E. (1961). *Asylums*. Essays on the social situation of mental patients and other inmates. Penguin Books.

Greenfield, L. A. (1995). *Prison sentences and time served for violence*. Bureau of Justice Statistics. Office of Justice Programs. U.S. Department of Justice.

Griffiths, A. (1884). The Chronicles of Newgate. London. Chapman and Hall (Limited). Held in Rare books Room, Cambridge University Library.

Guerino, P.; Harrison, P. M. and Sabol, W. J. (2011). *Prisoners in 2010*. Bureau of Justice Statistics. Office of Justice Programs. U.S. Department of Justice. NCJ 236096, December 2011.

Harlow, C. W. (1999). *Prior Abuse Reported by Inmates and Probationers*. Bureau of Justice Statistics Selected Findings. Office of Justice Programs. U.S. Department of Justice.

Heron, E.C. (2004). *Vandalism in a South African Township: An exploratory study of criminal damage to the built environment in Manenberg, Western Cape*. Master of Philosophy Thesis. Cape Town. University of Cape Town.

Heron, E.C. (2009). External image of cell housing unit wings Medium A, Johannesburg Management Area.

Hobbes, T. (1990). The Leviathan or, matter, form, and power of a commonwealth ecclesiastical and civil. In M. J. Adler, N. Fuller (Eds.), *THE GREAT BOOKS of the Western World.* 2nd Ed. (Vol. 21 pp. 39-283). Chicago: Encyclopaedia Britannica, INC. (Original work published 1651).

Home Office. (1959) *Penal Practice in a Changing Society Aspects of Future Development (England and Wales).* Presented to Parliament by the Secretary of State for the Home Department. Cmnd. 645. HMSO. Her Majesty's Stationary Office. London.

Home Office. (1984). *Managing the Long-Term Prison System The Report of the Control Review Committee.* Control Review Committee. Her Majesty's Stationary Office. London.

Home Office. (1985). *New Directions in Prison Design*. Report of the Home Office Study of New Generation Prisons in the USA. Her Majesty's Stationery Office. London.

Howard, J. (1777). *The State of the Prisons in England and Wales with preliminary observations and an account of some foreign prisons.* Warrington. Printed by William Eyres, and sold by T. Cadell in the Strand, and N. Conant in Fleet Street, London. MDCCLXXVII. Held at the University of Cambridge Rare Books collection.

Howard, J. (1792). *Prisons and Lazarettos Volume One The State of the Prisons in England and Wales*. Reprinted (1973) from 4th Ed (1792). Patterson Smith Publishing Cooperation. Montclair, New Jersey.

Ignatieff, M. (1978). *A just measure of pain: The Penitentiary in the Industrial Revolution, 1750-1850*. Pantheon Books, New York.

Ittleson, W. H., Proshansky, H. M., Rivlin, L. G. and Winkel, G. H. (1974). *An Introduction to Environmental Psychology*. Holt, Rinehart and Winston, Inc. USA.

International Defence and Aid Fund (1967). *South Africa Prisons and the Red Cross Investigation.* An Examination by International Defence & Aid Fund with prisoners Testimony. London

Jacobs, J. B. (1976). Prison violence and formal organization. In A. K. Cohen; G. F. Cole and R. G. Bailey (Eds.), *Prison Violence.* University of Connecticut. Lexington Books. Lexington, Massachusetts. Toronto.

Jali Commission. (2006). *Commission of inquiry into alleged incidents of corruption, maladministration, violence or intimidation in the Department of Correctional Services*. (2006). Available at: http://www.info.gov.za/otherdocs/2006/jali/

Jeffery, C. R. (1971). *Crime Prevention Through Environmental Design*. Sage Publications Inc. USA.

Jeffery, C. R. (1977). *Crime Prevention Through Environmental Design*. Sage Publications Inc. USA.

Johnston, N. B. (2000). *Forms of Constraint A History of Prison Architecture*. University of Illinois Press. Urbana and Chicago.

Judicial Inspectorate of Prisons, office of the Inspecting Judge. (2004). Annual Report for the period 1 April 2003 to 31 March 2004. Offenders and Prisons, pp. 19-24. Available at: http://judicialinsp.dcs.gov.za/Annualreports/annualreport.asp

Judicial Inspectorate of Prisons, office of the Inspecting Judge. (2006). Annual Report for the period 1 April 2005 to 31 March 2006. Available at: http://judicialinsp.dcs.gov.za/Annualreports/annualreport.asp

Judicial Inspectorate of Prisons, office of the Inspecting Judge. (2008a). Annual Report for the period 1 April 2007 to 31 March 2008. Available at: http://judicialinsp.dcs.gov.za/Annualreports/annualreport.asp

Judicial Inspectorate of Prisons, office of the Inspecting Judge. (2008b). *offender Rape Seminar*. Seminar on Sexual Offences in Correctional Centres, Department of Correctional Services, Pretoria, South Africa June 30, 2008.

Judicial Inspectorate of Prisons, office of the Inspecting Judge. (2009). Annual Report for the period 1 April 2008 to 31 March 2009. Available at: http://judicialinsp.dcs.gov.za/Annualreports/annualreport.asp

Judicial Inspectorate for Correctional Services, office of the Inspecting Judge. (2010). Annual Report for the period 1 April 2009 to 31 March 2010. Available at: http://judicialinsp.dcs.gov.za/Annualreports/annualreport.asp

Judicial Inspectorate for Correctional Services, office of the Inspecting Judge. (2011). Annual Report for the period 1 April 2010 to 31 March 2011. Treatment of inmates and conditions in Correctional Centres. Available at: http://judicialinsp.dcs.gov.za/Annualreports/annualreport.asp

Judicial Inspectorate for Correctional Services office of the Inspecting Judge. (2012). Annual Report for the period 1 April 2011 to 31 March 2012. Treatment of inmates and conditions in Correctional Centres. Available at: http://judicialinsp.dcs.gov.za/Annualreports/annualreport.asp

Jupp, V. (1989) *Methods Of Criminological Research*. Unwin Hyman, London.

King, R. D. and McDermott, K. (1995). *The State of our prisons*. Oxford: Oxford University Press.

Langley, B. (1724). *An Accurate Description of Newgate with the Rights, Privileges, Allowances, Fees, Dues, and Customs thereof.* Written for the *Publick* Good. By B.L of Twickenham. Printed for T. Warner at the Black Boy in Pater-Noster-Row. LONDON. Held at the University of Cambridge Rare Books collection.

Leedy, P. D. and Ormrod, J. E. (2005). *Practical Research Planning and Design* (8th Edition). PEARSON, Merrill Prentice Hall. Ohio, USA

Louw, A. (2001) *Prison Privatisation in South Africa Issues, Challenges and Opportunities*. Monograph No. 64 (September)

Luyt, W. F. M. (1999) *Unit Management in Prisons*. Pretoria: UNISA.

Markus, T. A. (1994). Can History be a Guide to the Design of Prisons. In I. Spens (Ed.), *Architecture of Incarceration.* Academy Editions. Great Britain.

Martinson, R. (1974). "What Works? – Questions and Answers about Prison Reform". In R. Matthews (Ed.), *Imprisonment*. Dartmouth Publishing Company Limited. England. Pp: 143-177.

McConville, S. (1981). *A history of English prison administration Volume I 1750-1877.* Routledge & Kegan Paul Ltd. London, Boston and Henley.

McLaughlin, E., Muncie, J. (2001). *The Sage Dictionary of Criminology*. Sage Publications. London.

McGowen, R. (1995). The Well-Ordered Prison: England, 1780-1865. In: N. Morris and D. J. Rothman (Eds.), 1995 The Oxford History of the prison: the practice of punishment in Western society. New York: Oxford University Press. Ch. 3.

Megargee, E. I. (1976). Population Density and Disruptive Behaviour in a Prison Setting. In A. K. Cohen; G. F. Cole and R. G. Bailey (Eds.), *Prison Violence.* University of Connecticut. Lexington Books. Lexington, Massachusetts. Toronto.

Montesquieu, C. (1990). The Spirit Of Laws. In M. J. Adler (Ed.), T. Nugent (Trans.) J. V. Prichard (Rev.), *THE GREAT BOOKS of the Western World* 2nd Ed. (Vol. 35, pp. 1-322). Chicago: Encyclopaedia Britannica, INC. (Original work published 1580)

Morris, N. (2000). Prisons in the USA: supermax – the bad and the mad. In L. Fairweather and S. McConville (Eds.). *Prison Architecture Policy, Design and Experience.* Architectural Press. Oxford. England.

Mountbatten, Earl of Burma. (1966) Report of the Inquiry into Prison Escapes and Security. Presented to the Secretary of State for the Home Department by command of Her Majesty the Queen. Cmnd. 3175. HMSO. Her Majesty's Stationary Office.

Moyer, K. E. (1976). Biological substrates of violence. In A. K. Cohen; G. F. Cole and R. G. Bailey (Eds.), *Prison Violence.* University of Connecticut. Lexington Books. Lexington, Massachusetts. Toronto.

Mumola, C. J. (2006). *Suicide and Homicide in state prisons and local jails*. Washington, DC: US Department of Justice.

Muntingh, L. (2006). *A GUIDE TO THE RIGHTS OF INMATES AS DESCRIBED IN THE CORRECTIONAL SERVICES ACT AND REGULATIONS.* Civil Society Reform Initiative, Community Law Centre, 2006 (revised 2010). University of Western Cape.

Muntingh, L. (2009). *Reducing prison violence: Implications from the literature for South Africa*. CSPRI research report No. 17. Community Law Centre.

Nacci, P. L., Teitelbaum, H. E., and Prather, J. (1977). Population Density and inmate misconduct rates in the federal prison system. *Federal Probation*, 41, 26-31.

Nagel, W. G. (1976). Prison Architecture and Prison Violence. In A. K. Cohen; G. F. Cole and R. G. Bailey (Eds.), *Prison Violence.* University of Connecticut. Lexington Books. Lexington, Massachusetts. Toronto.

Nash, J. (1992). *Dictionary of Crime*. Headline book publishing PLC. London.

National Clearing House for Criminal Justice Planning and Architecture. (1971). *Guidelines for the planning and design of regional and community correctional centres for adults.* Urbana. University of Illinois. USA

Newman, O. (1972). *Defensible Space, people and design in the violent city.* Architectural Press. London.

Newman, O. (1976). *Design guidelines for creating defensible space.* National Institute of Law Enforcement and Criminal Justice, Law enforcement Assistance Administration. United States Department of Justice.

Newman, G. (1978). *The Punishment Response*. J. B. Lippincott Company. Harper & Row Publishers, Inc: New York.

Newman, G. and Marongiu, P. (1997). Situational crime prevention and the Utilitarian theories of Jeremy Bentham. In G. Newman, R. V. Clarke and S. G. Shoham (Ed.), *Rational Choice and Situational Crime Prevention theoretical foundations.* Dartmouth Publishing Company Limited. Ashgate. Dartmouth. UK

O' Donnell, I. and Edgar, K. (1996). *Victimization in Prisons*. Research Findings No. 37. Home Office Research and Statistical Directorate.

Park, J. W. L. (1976). The organization of prison violence. In A. K. Cohen; G. F. Cole and R. G. Bailey (Eds.), *Prison Violence.* University of Connecticut. Lexington Books. Lexington, Massachusetts. Toronto.

Park, R.E. Burgess, E. W. and McKenzie, R. D. (1925). *The City*. University of Chicago Press. Chicago

Parker Lewis, H. (2006). *God's Gangsters? The history, language, rituals, secrets and myths of South Africa's prison gangs*. Ihilihili press. Cape Town

Paulus, P. B. (1988). Prison Overcrowding: A Psychological Perspective. Springer-Verlag. New York.

Pendry, E. D. (1974). *Elizabethan Prisons and Prison Scenes*. Vol. 1. Salzburg studies in English Literature. Elizabethan & Renaissance studies; 17. Salzburg: Institut fur Englische Sprache und Literatur, Universitat Salzburg, 1974.

Peters, E. M. (1995). Prison before the Prison. In N. Morris and D. Rothman (Ed.), *The Oxford History of the Prison, The Practice of Punishment in Western Society*. Oxford University Press. New York

Pistorius, M. (2005). *Profiling serial killers and other crimes in South Africa*. Penguin Books. South Africa.

Poyner, B. (1983). *Design against crime, beyond defensible space*. Butterworths. University Press. Cambridge.

Pugh, R. B. (1968). Imprisonment in medieval England. Cambridge University Press. Cambridge. Great Britain.

Ressler, R. K. and Shachtman, T. (1992). *Whoever Fights Monsters*. Simon and Schuster Ltd. Great Britain.

Riveland, C. (1999). *Supermax Prisons: Overview and General Considerations.* National Institute of Corrections. U.S. Department of Justice.

Roth, L. H. (1987). Treating Violent Persons in Prisons, Jails, and Security Hospitals. In L. H Roth (Ed). *Clinical Treatment of the Violent Person*. Guilford Press. New York.

Rothman, D. J. (1971). *The Discovery of the Asylum*. Little, Brown and Company (Canada) Limited. USA.

Rousseau, J. J. (1990). A Discourse On The Origin Of Inequality. In M. J. Adler (Ed.), G. D. H. Cole (Trans.). *THE GREAT BOOKS of the Western World.* 2nd Ed. (Vol. 35, pp. 323-366. Chicago: Encyclopedia Britannica, INC. (Original work published 1755)

Roux, J. P. (1982). The incidents of prison violence and strategies for dealing with violent offenders. In J. Van Der Westhuizen (Ed.). *Crimes of Violence in South Africa*. University of South Africa. Pretoria.

Scharf, P. (1994). Empty Bars: Violence and the Crisis of Meaning in Prison. In M. C. Braswell; R. H. Montgomery, Jr. and L. X. Lombardo (Eds.). *Prison Violence in America,* Second Edition. Anderson Publishing Co. Cincinnati. USA

Shaw, C.R. and McKay, H.D. (1942). *Juvenile Delinquency and Urban Areas*. The University of Chicago Press, Chicago and London.

Smith, D. E. (1982). Crowding and Confinement. In H. Toch and R. Johnson (Eds.). *The Pains of Imprisonment*. Sage Publications. California.

Society for the Improvement of Prison Discipline and for the Reformation of Juvenile offenders (S.I.P.D). (1820). *Report of the Committee of the Society of Improvement of prison Discipline and for the reformation of Juvenile offenders 1820 with Appendix.* Printed by T Bensley. London. Held at University of Cambridge, Institute of Criminology; Radzinowics library: Wakefield room.

South African Police Service. (2012). Crime statistics: April 2010 – March 2011, Per Category. Available at: http://www.saps.gov.za/statistics/reports/crimestats/2011/categories.htm.

Spierenburg, P. C. (1991). *The prison experience: disciplinary institutions and their inmates in early modern Europe / Pieter Spierenburg.* New Brunswick, N.J.; London: Rutgers University Press.

Steinberg, J. (2004). *The Number*. Johannesburg: Jonathan Ball Publishers.

Steinberg, J. (2005). *Prison overcrowding and the Constitutional Right to Adequate Accommodation in South Africa*. Paper commissioned by the Centre for the Study of Violence and Reconciliation, January 2005.

Stow, J. (1598). *A Suruey of London. Containing the Original, Antiquity, increase, moderne estate, and description of that Citie, written in the year 1598. by John Stow Citizen of London. Also and Apologie (or defense) against the opinion of some men, concerning that Citie, the greatnesse thereof. With an appendix, containing in Latine Libellum de situ & nobilitate Londini: Written by William Fitzstephen, in the raign of Henry the second*. Imprinted by John Wolfe, Printer to the honorable Citie of London: And are to be sold at his shop within the Popes head Alley in Lombard Street. 1599. Held at the Cambridge University Library rare books collection.

Sutherland, E. H. (1939). *Principles of Criminology*. 3rd Ed. J. B. Lippincott Company. USA.

Sykes, G. M. (1958). *The Society of Captives. A study of a Maximum Security Prison*. Princeton University Press. USA.

Sylvester, S. F., Reed, J. H. and Nelson, D. O. (1977). *Prison Homicide*. Spectrum Publications, INC. Jamaica.

The Constitution of the Republic of South Africa, 1996. Act 108 of 1996. Johannesburg: Typeface Media.

Toch, H. (1976). A Psychological View of Prison Violence. In A. K. Cohen; G. F. Cole and R. G. Bailey (Eds.), *Prison Violence.* University of Connecticut. Lexington Books. Lexington, Massachusetts. Toronto.

Toch, H. (1992). *Violent men an inquiry into the psychology of violence*. Rev. Ed. American Psychological Association. Washington, DC.

Toch, H. (1994). Social Climate and Prison Violence. In M. C. Braswell; R. H. Montgomery, Jr. and L. X. Lombardo (Eds.). *Prison Violence in America*, Second Edition. Anderson Publishing Co. Cincinnati. USA

Toch, H. (1997). *Corrections A Humanistic Approach*. Harrow and Heston. Guilderland, New York.

Travis III, L. F. Schwartz, M. D. and Clear. T. R. (1984). *Corrections an issues approach.* 2nd Ed. Criminal Justice Studies. Anderson Publishing Co.

Turpin, J. and Kurtz, R. (1997). *The Web of violence: from interpersonal to global*. Urbana: University of Illinois Press.

United States Bureau of Prisons (1949). *Handbook of correctional institution design and construction; a source book for planning and construction of institutions ranging in type from the small jail and short term detention facilities for juvenile delinquents to the maximum security type of institution.* Washington.

U.S. Department of Justice (1991). *Survey of State Prison Inmates, 1991*. Bureau of Justice Statistics. U.S. Department of Justice. Office of Justice Program.

U.S. Department of Justice. (1994). *Profiles of Inmates in the United States and in England and Wales, 1991*. Bureau of Justice Statistics Special Report. Office of Justice Programs. U.S. Department of Justice.

U.S. Department of Justice (2003). *Prevalence of Imprisonment in the U.S. Population, 1974-2001*. Bureau of Justice Statistics Special Report. Office of Justice Programs. U.S. Department of Justice.

U.S. Dept of State Geographer. (2011a). *Modderbee Correctional Centre*. Satellite image. Available at: Google Earth (26º 10’ 32.92”S, 28º 24’09.20”E Elevation 1617m). U.S. Dept of State Geographer © 2012 Google © 2012 Maplink/Tele Atlas. Data SIO, NOAA, US. Navy, NGA, GEBCO. Image © 2012 Geoeye ©2012 AfricGis PTY, LTD.

U.S. Dept of State Geographer. (2011b). *Pretoria Central Correctional Centre*. Satellite image. Available at: Google Earth (25º 45’ 45.91”S, 28º 10’40.78”E Elevation 1365m). U.S. Dept of State Geographer © 2012 Google © 2012 Maplink/Tele Atlas. Data SIO, NOAA, US. Navy, NGA, GEBCO. Image © 2012 Geoeye ©2012 AfricGis PTY, LTD.

U.S. Dept of State Geographer. (2011c). *CMax*. Satellite image. Available at: Google Earth (24º 45' 51.99"S, 28º 10'39.99"E Elevation 1380m). U.S. Dept of State Geographer © 2012 Google © 2012 Maplink/Tele Atlas. Data SIO, NOAA, US. Navy, NGA, GEBCO. Image © 2012 Geoeye ©2012 AfricGis PTY, LTD.

United Nations International Bill of Human Rights (2005). *Human Rights and Prisons. A compilation of International Human Rights Instruments concerning the Administration of Justice.* Office of the United Nations High Commissioner for Human Rights. United Nations New York and Geneva, 2005.

Van Zyl Smit, D. (1992). *South African Prison Law ad Practice*. Butterworths Publishers (Pty) Ltd. Durban. South Africa.

Van Zyl Smit, D. (2001). South Africa. In Dirk van Zyl Smit and Frieder Dunkel (Eds.) In *Imprisonment Today and Tomorrow*. *International Perspectives on Prisoners' Rights and Prison Conditions.* 2nd Ed. (pp. 589-609). Kluwer Law International. The Hague, The Netherlands.

Viano, E. (1975*). Criminal Justice Research*. Lexington Books, Hants. England.

Viljoen, H., Van Staden, F., Grieve, K. and Van Deventer, V. (1987). *Environmental Psychology: An Introduction*. Department of Psychology, University of South Africa. Lexicon Publishers. Johannesburg. South Africa.

Volavka, J. (1995). *Neurobiology of violence*. 1st Ed. Washing, DC: American Psychiatric Press.

Webb, S. J. and Webb, B. (1922). *English Prisons under Local Government*. Longmans, Green and Co. London.

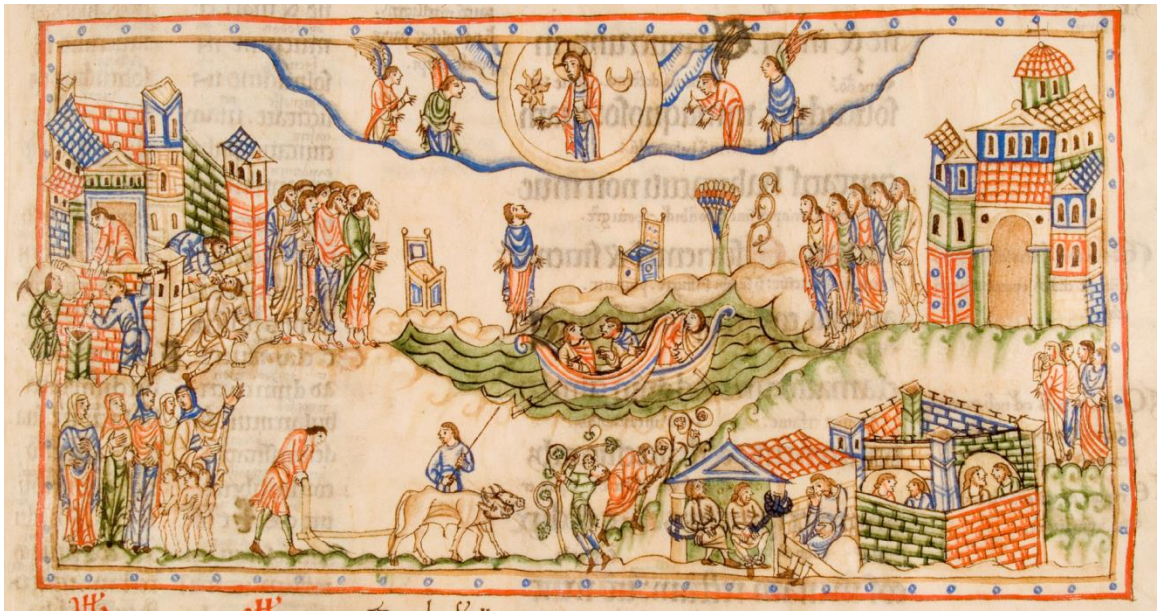
Wilson, M. (1934). *The Crime of Punishment*. The Life and Letters Series No. 64. Jonathan Cape LTD. Toronto.pp.199-202.

Wortley, R. (2002). *Situational Prison Control Crime prevention in Correctional Institutions*. Cambridge University Press. United Kingdom.

Yin, R. K. (2009). *Case Study Research Design and Methods* (4th edition). SAGE Publications, Inc. California, USA.

APPENDIX 1: ILLUMINATIONS OF PUNISHMENT AS PRESENTED ON THE PSALTER





APPENDIX 2: INTERVIEW SCHEDULE

1. What is your ethnicity?
2. What is your home language?
3. How old are you?
4. What is your religion?
5. How long have you been in this institution?
6. What were you sentenced for?
7. What is your security classification?
8. How long do you still have to serve?
9. Have you been incarcerated before at this institution?
10. Have you been incarcerated before at another institution (if yes go to 11 if no go to 13)?
11. If yes, which ones (list most recent first)?
12. Was it for the same offence (as current offence)?
13. If no, what have you previously been incarcerated for?
14. Did you commit any crimes before you were 21 years old?
15. Did you serve a sentence as a youth offender or juvenile (yes/no)?
16. Which one?
17. Are you currently married?
18. Do you have any children?
19. Do you come from this area?
20. Where have you lived while serving a sentence – communal and/or single cells?
21. Which section in this centre are you currently held?
22. How long have you been in this section?
23. Which other sections have you been held (in this prison)?
24. Do you currently stay in a single or communal cell?

Communal cell respondents

25. How many cells are on your block including your own?
26. How long have you been in your current cell?
27. How many people share a cell with you?
28. Would you say this number is fairly consistent or does it change regularly?
29. What have been the most number of offenders that have been in your cell with you ?
30. Would you describe your cell as currently overcrowded?
31. Do all of the people in your cell have a bed?
32. If not what do they sleep on?
33. Who many of the following do you have (list of facilities)?
34. Do you find it frustrating living in a communal cell?
35. In the following list can you indicate on a scale of 1-5 (1 being low) the most frustrating things about living in a communal cell: overcrowding, noise, lack of privacy, lack of choice (tv or radio) cleanliness of cell, protecting personal belongings, personal safety, lack of security provided by officials, damage to facilities, access to facilities, privacy, adequate supply of provisions, others smoking or taking drugs,
36. other (please specify)
37. Do you use the bathroom alone or are others using the bathroom at the same time as you?
38. On average how many other people use the bathroom in your cell at the same time?
39. Do other people using the bathroom in your cell have a system or a rota in place?
40. Would you describe this as frustrating?
41. Do you eat your meals in your cell?
42. Do you collect your meals or are they brought to you?
43. Would you describe your cell as clean?
44. Do offenders look after the cell?
45. Do officials enter the cell regularly?
46. When are officials most likely to enter your cell?
47. What are the most common drugs in this prison?
48. Do many people in your cell take drugs?

49. Would you like to be moved to a single cell or would you prefer to stay in a communal cell?
50. Please explain answer 49

Single cell respondents

51. How long have you spent in a single cell?
52. Why are you housed in a single cell?
53. How many people share a cell with you?
54. Would you prefer to stay in a single cell or to be moved to a communal cell?
55. Why?

Facilities programs

56. Do you find other offenders damage facilities in your cell or section?
57. Would you say the facilities are damaged on purpose or by accident?
58. If deliberate, why?
59. When something is broken in your cell or block who is responsible for getting it fixed?
60. When something is broken does it get fixed quickly?
61. What items in your cell are most likely to be damaged?
62. Which facilities in your section or cell block are most likely to be damaged?
63. Do you think there are enough facilities in your cell?

Exercise yard

64. Do you have specific times that you are required to go onto the exercise yard?
65. Where do you spend most of your day – inside or outside your cell?
66. What would make you stay inside your cell when you could go outside (onto the yard)?
67. Where are you when you are not in your cell or on the exercise yard?
68. What do you do on the exercise yard?
69. Are there facilities on the exercise yard?
70. If yes – which ones?
71. Do you make use of other facilities in the prison (e.g., library, exercise equipment)?
72. If yes – which ones?
73. Are the facilities and equipment in adequate condition?
74. Are there sufficient facilities for all the offenders to use?

Programs

75. Are you currently on a correctional program, developmental program or work program?
76. If yes, which one are you on?
77. Did you get onto the program easily?
78. Is this a group program?
79. Does being on this program allow you to go outside of the prison building?
80. How many days of the week are you involved with this program?
81. What are the benefits of being on the program?

Safety

82. Do you generally feel safe in this prison?
83. If no what is your greatest risk/threat (indicate and explain where, when and why)?
84. Have you ever been involved in any form of assault in this prison (by other offenders or on to other offenders)?

85. If yes, what was the injury that was brought about as a result of the assault?
86. What was the reason for your involvement in the assault?
87. In your opinion was the issue resolved by the fight?
88. Have you ever witnessed a fight between offenders in this prison?
89. If yes – please specify why (you think) the fight broke out?
90. In your opinion why do you think assaults take place (by offenders in this prison)?
91. When assaults take place (between offenders) what is most likely to be used (give examples of weapons)?
92. When weapons are used do you think the majority of weapons used are made or brought into the facility?
93. Have you ever been involved in any form of assault on a centre official?
94. Have you ever witnessed any form of assault on an official by another offender?
95. In your opinion when an assault occurs on an official (by an offender) is the offender more likely to use a weapon?
96. If yes which type of weapon is more likely to be used?
97. If a weapon is not used what is the most likely method that an official would be assaulted?
98. Do you think there are a large number of gangs in this prison?
99. If yes which gangs exist in this prison?
100. Which are the most dominant gangs in this prison in terms of numbers of gang members?
101. In order of prominence which are the gangs that are more likely to be involved in assaultive behaviour (sexual or otherwise)
102. Do you think that gang members are more likely to be involved in an assault than non-gang members (yes = 102, no = 103)?
103. If yes why?
104. If not why?
105. Do you think gang members have specific forms of assault that they carry out that non- gang members do not?
106. If yes what are they?
107. Have you ever belonged to a prison gang (in this or at any other prison)?
108. If yes which prison gang(s) have you belonged to?
109. Where you forced to join the gang?
110. If you were forced how long where you in prison before you were forced to join?
111. Can you describe the action that was taken to force you to join the gang?
112. Do you think some people are more likely to be victims of assault than others?
113. If yes, what would make a person more susceptible to being a victim of assault?
114. Would you ever talk to an official of you felt threatened in other inmate in any way?
115. If no – why not?
116. Do you generally feel safer when there are officials present?
117. Do you feel there should be more officials present?
118. If yes, when and where (and why) do you feel there should be more officials?
119. if you were involved in a fight/assault and you needed help do you think you could get help from officials?
120. If you were involved in an assault would you call for help from officials?
121. If no why not?

Area of assault

122. Do you feel safe in all parts in this prison?
123. If no, where in the centre do you feel/think is most unsafe (area + comments)?
124. Do you think certain cell blocks/cells are more dangerous than others?
125. If yes which ones and why?
126. Do you think there are certain places in this prison where an assault between offenders is more likely to occur?

127. Where are the places (identify place and type of assault – sexual and/or aggressive)?
128. Do you think there are specific places within the prison that offenders would go to commit an assault?
129. If yes, identify the places (in terms of type of assault)?
130. Why do you think offenders would go there to commit assaults?
131. Do you think most assaults between offenders are premeditated (planned) or spontaneous?
132. Do you think there are certain areas where the officials are more at risk of assault?
133. If yes, where do you think officials are more at risk of assault?

Frequency

134. What time during the day do you feel most safe?
135. Why do you feel unsafe at other times?
136. Are there specific times during the day when assaults between offenders are more likely?
137. If yes, what times are assaults between offenders more likely (morning, afternoon, night)?
138. Within these time frames, are there more specific times when assaults are more likely?
139. Would you say that the time of assaults can be linked to a specific activity?
140. If yes, what are the specific activities what time do they take place and why would an assault be more likely during these times?
141. Do you think an official is more likely to be assaulted during the day or night?
142. Why?
143. On what day during the week do you feel most safe?
144. Why do you feel unsafe on the other days?
145. Are there specific days during the week when assaults between offenders are more likely (indicate day, assault type and reason)?
146. Explain the likelihood of assault in the following scenarios; during first night of admission, during first day of admission, during first week of admission, during first month of admission, during day in exercise yard, during the first day in a cell, during the first night in a cell, during day or night in ablution areas, during day in corridor in cell block, during day in corridor in other parts of prison, when collecting meals, while being transported, during night when returning from court (after sentencing), at recreation, at work placement, on program, during visits, while waiting to see a service provider (doctor, psychologist or social worker), in library or around shop area
147. Do you think there are certain days when an official is more at risk of assault?
148. If yes, on which days?
149. Are there certain months when assaults between offenders are more likely?
150. If yes, indicate month, assault type and reason for assault?
151. Do you think an official is at more risk of assault during specific months during the year?
152. If yes, indicate month, assault type and reason for assault?
153. In our opinion what do you think could be done in this prison to make it safer (for offenders and officials)?

APPENDIX 3: SCHEDULE OF INTERVIEWS AND GROUP DISCUSSION

MODDERBEE CORRECTIONAL CENTRE SCHEDULE OF INTERVIEWS

CORRECTIONAL CENTRE	DATE OF INTERVIEW	DURATION	LOCATION OF INTERVIEW	RESPONDENT REF NUMBER	SECURITY LEVEL	OFFENCE	UNIT/CELL TYPE
MODDERBEE INTERVIEWS	16/10/2007	7 HRS	HOS OFFICE	1	MED	HOUSE BREAKING/ THEFT	K UNIT COMMUNAL
	17/10/2007	7 HRS	HOS OFFICE				
	14/11/2007	7 HRS	HOS OFFICE	2	MED	MURDER	HOSPITAL UNIT COMMUNAL
	15/11/2007	5 HRS	HOS OFFICE				
	17/11/2007	6 HRS	HOS OFFICE	3	MAX	ATTEMPTED MURDER	J UNIT COMMUNAL
	20/11/2007	6 HRS	J UNIT SECURITY OFFICE	4	MAX	MURDER	J UNIT COMMUNAL
	16/12/2007	7 HRS	HOS OFFICE	5	MED	THEFT	RECEPTION COMMUNAL
	17/01/2008	7 HRS	HOS OFFICE	6	MAX	ASSAULT	HOSPITAL COMMUNAL
	18/01/2008	7 HRS	HOS OFFICE	7	MED	NARCOTICS	D UNIT COMMUNAL
	21/01/2008	7 HRS	HOS OFFICE	8	MAX	ARMED ROBBERY	RECEPTION COMMUNAL
	22/01/2008	7 HRS	HOS OFFICE				
	23/01/2008	4 HRS	HOS OFFICE				
	29/01/2008	5 HRS	HOS OFFICE	9	MAX	KIDNAPPING AND RAPE	I UNIT COMMUNAL
	29/01/2008	4 HRS	HOS OFFICE	10	MED	NARCOTICS	E UNIT COMMUNAL

MODDERBEE CORRECTIONAL CENTRE SCHEDULE OF GROUP DISCUSSION

CORRECTIONAL CENTRE	DATE OF GROUP DISCUSSION	DURATION	LOCATION OF INTERVIEW	RESPONDENT REF NUMBER		SECURITY LEVEL	OFFENCE	UNIT/CELL TYPE
MODDERBEE GROUP DISCUSSION GROUPS/ INTERVIEWS	25/01/2008	5 HRS	HOS OFFICE	GROUP A	11	MED	THEFT	E UNIT COMMUNAL
					12	MED	THEFT	E UNIT COMMUNAL
					13	MED	THEFT	E UNIT COMMUNAL
	28/01/2008	2 HRS	PSYCHOLOGIST EVALUATION ROOM	GROUP B	10	MED	NARCOTICS	E UNIT COMMUNAL
					14	MAX	HOUSE BREKING AND THEFT	E UNIT COMMUNAL
	29/01/2009	2 HRS	LIBRARY		15	MED	NARCOTICS	E UNIT COMMUNAL
					16	MAX	MURDER	E UNIT SINGLE
					17	MED	THEFT	E UNIT COMMUNAL
					18	U/K	NARCOTICS	E UNIT COMMUNAL
					19	U/K	ROBBERY	E UNIT COMMUNAL
					20	MED	RAPE	E UNIT COMMUNAL
					21	U/K	ATTEMPTED MURDER	E UNIT COMMUNAL
					22	MED	INDECENT ASSAULT	E UNIT COMMUNAL
					23	U/K	HOUSE BREAKING	E UNIT COMMUNAL
					24	U/K	HOUSE BREAKING	E UNIT COMMUNAL

PRETORIA CORRECTIONAL CENTRE SCHEDULE OF INTERVIEWS

CORRECTIONAL CENTRE	DATE OF INTERVIEW	DURATION	LOCATION OF INTERVIEW	RESPONDENT REF NUMBER	SECURITY LEVEL	OFFENCE	UNIT/CELL TYPE
PRETORIA INTERVIEWS	16/11/2007	4 HRS	OUTSIDE COURTYARD	25	MAX	ATT. MURDER	C SECTION SINGLE
	22/11/2007	7 HRS	OUTSIDE COURTYARD	26	MED	MURDER	C SECTION SINGLE
	23/11/2007	6 HRS	INTERVIEW ROOM				
	13/02/2008	7 HRS	OUTSIDE COURTYARD	27	MED	TERRORISM OFFENCES AGAINST STATE	B SECTION SINGLE

PRETORIA CORRECTIONAL CENTRE SCHEDULE OF GROUP DISCUSSION

CORRECTIONAL CENTRE	DATE OF GROUP DISCUSSION	DURATION	LOCATION OF INTERVIEW	RESPONDENT REF NUMBER		SECURITY LEVEL	OFFENCE	UNIT/CELL TYPE
PRETORIA GROUP DISCUSSION GROUPS/ INTERVIEWS	13/03/2008	3HRS	SINGLE CELL INSIDE C SECTION	GROUP C	28	MAX	ARMED ROBBERY	C SECTION SINGLE
		3HRS			29	MAX	RAPE	C SECTION SINGLE
		3HRS			30	MAX	ATT. RAPE	C SECTION SINGLE
		3 HRS			31	MAX	ARMED ROBBERY	C SECTION SINGLE

CMAX CORRECTIONAL CENTRE SCHEDULE OF INTERVIEWS

CORRECTIONAL CENTRE	DATE OF INTERVIEW	DURATION	LOCATION OF INTERVIEW	RESPONDENT REF NUMBER	SECURITY LEVEL	OFFENCE	UNIT/CELL TYPE
C MAX INTERVIEWS	07/03/2008	3HRS	INTERVIEW ROOM	32	MAX	MURDER	A4 SINGLE
	11/03/2008	3HRS	INTERVIEW ROOM	33	MAX	MURDER	A4 SINGLE
	11/03/2008	3HRS	INTERVIEW ROOM	34	MAX	MURDER	A4 SINGLE
	12/03/2008	3HRS	INTERVIEW ROOM	35	MAX	ROBBERY	A4 SINGLE

JOHANNESBURG CORRECTIONAL CENTRE SCHEDULE OF INTERVIEWS

CORRECTIONAL CENTRE	DATE OF INTERVIEW	DURATION	LOCATION OF INTERVIEW	RESPONDENT REF NUMBER	SECURITY LEVEL	OFFENCE	UNIT/CELL TYPE
JOHANNESBURG INTERVIEWS	29/04/2008	4 HRS	OUTSIDE COURTYARD	36	MED	MURDER	F UNIT COMMUNAL

JOHANNESBURG CORRECTIONAL CENTRE SCHEDULE OF GROUP DISCUSSION

CORRECTIONAL CENTRE	DATE OF GROUP DISCUSSION	DURATION	LOCATION OF INTERVIEW	RESPONDENT REF NUMBER		SECURITY LEVEL	OFFENCE	UNIT/CELL TYPE
JOHANNESBURG DISCUSSION GROUPS/ INTERVIEWS	22/03/2008	5HRS	INTERVIEW ROOM	GROUP D	37	MAX	MURDER	C UNIT SINGLE
					38	U/K	ROBBERY	C UNIT SINGLE
					39	U/K	ROBBERY	C UNIT SINGLE
					40	MAX	MURDER	B UNIT SINGLE
					41	MAX	MURDER	B UNIT SINGLE
					42	MAX	ROBBERY	B UNIT SINGLE
					43	MAX	FRAUD	B UNIT SINGLE
					44	MAX	ARMED ROBBERY	B UNIT SINGLE
					45	MED	MURDER	B UNIT SINGLE
					46	MAX	ARMED ROBBERY	B UNIT SINGLE

APPENDIX 4: OFFENDER INTERVIEW/QUESTIONNAIRE

OFFENDER INTERVIEW/QUESTIONNAIRE

CENTRE

BIOGRAPHICAL INFORMATION

1. What is your ethnicity?

---

2. What is your home language?

---

3. How old are you?

---

4. What is your religion?

---

5. How long have you been at this institution?

---

6. What were you sentenced for?

---

7. For how long was your sentence?

---

8. How long do you have to serve?

---

9. What is your security classification?

---

10. Please list the prisons that you have been incarcerated in (the most recent first)

name of institution	**dates of incarceration**	**previous conviction**

11. Did you commit any crimes before you were 21?

yes	no

12. Did you serve a sentence as a youth offender or as a juvenile?

no	

yes	youth offender
	juvenile

13. Are you currently married?

yes	no	divorced

14. Do you have children?

no	
yes	
number	

15. Do you come from this area?

yes	no

Where do you come from?

A. ACCOMMODATION

16. Which section in the Centre are you **currently** held and for how long have you been there?

Unit number	**Cell number**	**Type of cell (communal or single)**	**Number of years in the cell**

17. Which other sections of the Centre have you been held in?

Unit	**Cell number**	**Years in that cell**

COMMUNAL CELL QUESTIONS (ONLY)

18. How many communal cells are on your unit including your own?

_____

19. How many people currently share your cell with you?

Number in cell	Indicate	Comment
1 -20		
21 - 30		
31 -40		
41 - 50		
51 - 60		
61 - 70		
71 - 80		
81 - 90		
91 - 100		
Other please specify		

20. Would you say that this number is fairly constant or does it change regularly?

Stays constant	
Changes regularly	

21. What would have been the most number of offenders that have been in your cell with you?

_____

22. Would you describe the cell as currently **overcrowded**?

Yes	No	Don't know

23. Do all of the people in your cell have a bed?

Yes	No	Don't know

24. If not what do they sleep on (blankets or mattresses on floor)?

_____

_____

25. How **many** of the following do you have in your cell

showers	
toilets	
urinals	
Wash basins	
lockers	
beds	
Television	
cleaners	
Bedside lockers	
Plug sockets	

26. Do you find it frustrating living in a communal cell?

Yes	No	Don't know

27. In the following list can you indicate on a scale of 1-5 (1 being low in frustration and 5 being high in frustration) the most frustrating things about living in a communal cell

Variable	Rating	Comments / reason why is this frustrating
Over crowdedness		
noise		
Lack of privacy (including when using the bathroom)		
Lack of choice e.g. in watching TV or listening to the radio		
Cleanliness of cell		
Cleanliness of bedding		
Protecting personal belongings		
Personal safety		

Safety of others around you		
Lack of security provided by officials		
Damage to facilities		
Access to facilities such as bathroom		
Adequate supply of goods e.g., clothing, toilet rolls, toothpaste, soap, cleaning materials etc		
Choice with regard to lighting e.g., the times the lights go out at night and come on in the morning.		
People smoking or taking drugs in the cell		

Cultural differences		
Other – please specify		

28. Do you eat meals in your cell?

yes	no

29. If **yes** do you have to collect your meals or are they brought to you

Collected from dining area	
Brought to the cell	

30. Would you describe the cell as clean?

Yes	No	Don't know

31. Do offenders in your cell generally look after the cell?

Yes	No	Don't know

32. Do officials enter the cell regularly?

Yes	No	Don't know

33. When are officials most likely to enter your cell?

When do officials enter the cells	**Indicate (Y or N)**	**Reason for entering cells**
During the day		
During the night for searching purposes		
Other – please specify		

34. Do many people in your cell take drugs?

Yes	No	Don't know

35. What are the most common drugs that offenders use in this prison?

Marijuana / dagga	
Mandrax	
Cocaine	
Heroin	
Crack	
Glue	
Crystal meths	

Tik	
Bamba (alcohol)	
Other – specify e.g., sniffing petrol or benzonite	

36. Would you like to be moved to a single cell or would you prefer to stay in the communal cell?

Remain in the communal cell	
Be moved to a single cell	

37. If you indicated that you would rather remain in a communal cell can you state why

_____

_____

_____

_____

_____

_____

_____

SINGLE CELL OCCUPANTS ONLY

38. How long have you spent in a single cell?

Duration in cell	**indicate**	**Specific time**
< 1 year		
>1 year		

< 2 years		
>2 years		
More than 3 years – please specify		

39. Why are you housed in a single cell?

40. How many people share your cell with you?

Number of people sharing cell	
Own occupant	
Self + 1 other	
Self + 2 others	
Self + 3 others	
Other number – please specify	

41. Would you prefer to stay in the single cell or to be moved to a communal cell?

Stay in single cell	
Be moved to a communal cell	

42. Why?

USE OF FACILITIES AND INVOLVEMENT ON PROGRAMS

Cells

43. Do offenders damage the facilities in your cell or in the section?

Yes	No	Don't know

44. Would you say offenders damage equipment in the cell or in the section deliberately or mostly by accident?

deliberately	By accident	Don't know

45. If deliberately why would you say that they damage the equipment?

_____

_____

_____

46. When something is broken in your cell or in your block who is responsible for reporting the damage?

_____

_____

47. When something is broken does it get fixed quickly?

Yes	No	Don't know

48. Which items/facilities in your cell and cell block are most likely to be damaged?

Items damaged	**Reason for damage**

49. Do you think there are enough facilities in your cell?

Yes	No	Don't know

50. Which facilities would you like to see more of?

Exercise yard

51. What are the times that you can go onto the exercise yard?

52. Must you go onto the exercise yard or can you stay in your cell?

Must go onto exercise yard	
Can stay in cell	

53. Do you spend a large portion of the day inside or outside of your cell?

Inside the cell	
Outside the cell	

54. What would make you stay in your cell when you could go outside?

_____

_____

_____

_____

55. When you are not in your cell or in the exercise yard where would you most likely be?

Place	**indicate**	**Comments/ reasons**
Exercise room		
On work placement		
On corrections program		
In another's cell		
In shop or other prison facility – specify		
Other please specify		

56. What do you do when in the exercise yard? (e.g., play sport, walk around, talk with others)

Activity	**Indicate**	**Comments**
Walking		
Exercise		
Talking with others		
Games e.g., cards		
Sitting around		
Other please specify		

57. Which facilities are in the exercise yard (e.g., sports equipment, chairs etc)

Facilities available	**Indicate**	**Comment**
Chairs / tables / benches		
Sports equipment		
Exercise equipment		

Other – please specify		

Facilities

58. Do you use the Centres facilities? e.g., exercise equipment, library etc.

yes	no

59. If yes which ones

Programs

60. Are you currently on a correctional program, developmental program or a work Program of some sort?

yes	no

61. Which ones are you on?

Type of program	**Yes/no**	**Specific type of program**
Developmental program		
Correctional program		
Work program		

Other (please specify)		

62. Did you get onto the program easily or did you have to wait?

Access to program	**Indicate**	**Reason**
Yes got onto program easily		
No had to wait		

63. For how many days of the week and hours of the day are you involved with this program?

No. of days on program	**indicate**	**Hours per day**
1		
2		
3		
4		
5		
6		

7		

64. What are the benefits of being on this program?

SAFETY (RATIONALE FOR ASSAULT)

65. Would you describe this prison as ***safe***?

Yes	No	Don't know

66. If **No** what do you feel is your greatest risk/threat

Perceived threat	**Indicate**	**Where**	**When**	**Why**
Other offenders				
Theft of property				
Aggressive assault				
Sexual assault				
Other – please specify				

67. Have you ever been assaulted by other offenders?

Yes	No

68. Have you ever assaulted another offender?

Yes	No

69. What are the reasons that you have been involved in a fight?

Reasons for fight	**Indicate Yes or no**	**Comment**
Protection of private belongings		
Protection of yourself		
Protecting others		
Frustration		
Provocation		
Drug related		

Gang related		
Sexually related		
Economy related		
Gambling related		
Loss of control in your everyday environment for example being moved or being on lock down		
Other – please specify		

70. Have you ever witnessed a fight between offenders in this Centre?

yes	no

71. Are fights among offenders common or uncommon?

Common occurrence	
Uncommon Occurrence	

72. Please specify the most common reasons for assaults among offenders?

Rationale	**Yes or no**	**Comment**
Protection of private belongings		
Protection of yourself		
Helping to protect others		
Provocation		
Frustration		
Drug related		
Gang related		
Sexually related		
Economy related (debts etc.)		

Loss of control their environment including being moved to another cell or a change in routine i.e., being on lockdown		
Type of conviction (e.g., rape of a minor)		
Other – please specify		

73. When an assault occurs between offenders what is the most likely to be used:

Variable	**Yes/no**	**Comment**
Fire arms		
Weapons that involve a blade such as a knife		
Hands/fists		
Tramping/kicking with feet		
Strangulation		

Locks on belts		
Locks in socks		
Bricks or stones in socks		
Soap in socks		
Batteries in socks		
Mug in sock or pillowcase		
Glass from windows		
Broom handles		
Spoons, mugs etc		
Bricks or stones		
Throwing boiling water over victim		
Spitting in cup and forcing another offender to drink it.		
Using razor blades (e.g. in toothbrushes)		
Sodemy / Rape		

Other objects - specify		
Other methods – please specify		

74.What are the most common injuries brought about by fights?

75. Have you ever been involved in any form of assault **on a Centre official?**

yes	no

76. Have you ever witnessed any form of assault on an **official**?

yes	no

77. How and where is an assault on an official more likely to be carried out?

Weapon	**Yes/no**	**Where or when would this take place) e.g., during day in corridor**
By hand or fists		
Knife/shank		
Sharpened object Such as a sharpened pen/ dart/ razor		

blade, spoon etc.		
Padlocks		
Other – please specify		

78. Do you think there are a large number of gang members in this Centre?

Yes	No	Don't know

79. In your opinion which gangs exist in this prison

80.Do you think that gang members are more likely to be involved in an assault than non gang members?

Yes	No	Don't know

81. Why ?

82. Have you ever belonged to a prison gang (in this or at another Centre)?

yes	no

83. If yes to which gang did you/do you belong to?

84. Do you think some people are more likely to be victims of assault than others?

Yes	No	Don't know

85. If yes in your opinion what would make a person become a victim of assault?

Variable	**Indicate**	**Comments**
Age of offender		
Ethnicity of person		
Appearance of offender		
Whether offender is a first time offender		
Whether offender is a gang member		
When an offender is moved from one cell to another		

Depends on where they are housed		
Other – please specify		

86. Would you ever talk to the officials if you felt threatened by another offender in any way?

yes	no

87. If you saw an assault taking place would you call for help from officials?

yes	no

88. Do you generally feel safer when officials are present?

yes	no

89. Do you feel there should be more officials present?

yes	no

90. If **yes**, when and where do you feel there should be more officials?

When should officials be present	**Where should officials be present**	**Why should officials be present**

AREA OF ASSAULT

91. Do you think all **parts/areas** of this Centre are safe?

yes	no

92. Do you think that certain units/ cells are more dangerous than others?

yes	no

93. If **yes**, which units or cells in this Centre do you feel are unsafe for the offenders?

Unit	**Why do you think they are dangerous**

94. Where in the Centre do you feel/think is most unsafe and an assault more likely?

Area	**Safe/unsafe**	**Comments/reasons**
In communal cells		
In single cell		
On exercise yard		
In dining hall/ collecting food		
In bathrooms in cells		
In bathrooms in other parts of Centre		
In passages in cell block		
In passages in other parts of Centre(specify)		
In the stairwells in the cell block		
In the stairwells in other parts of the Centre		
In the Library		

In laundry areas		
In the kitchen areas		
In areas around the shop		
While on work placement outside the Centre building but still on grounds		
Waiting in passages to see a service provider		
While being transported to and from another place		
While undertaking correctional programs or developmental programs		
While receiving visits		
Other please specify		

95. Do you think that most violent assaults between offenders are planned or are they unplanned acts?

Planned	
unplanned	

96. Do you think there are certain **areas** where **officials** are more at risk of assault?

yes	no

97. If **Yes where** are the **officials** most at risk of assault by offenders?

Area	**Indicate**	**Comments**
In holding cells		
In communal cells		
In single cells		
During unlocking		
On exercise yard		
In dining hall		
In bathrooms in cells		
In Bathrooms in other parts of Centre		

In passages in cell blocks		
In passages in other parts of Centre		
On stairwells close to the cell blocks or cells		
In or near stairwells in other parts of the prison		
In Library		
In areas around the shop		
In laundry areas		
While transporting offenders		
While supervising correctional programs or developmental programs		
In visiting areas		
Other – please specify		

98. Do you think that assaults on officials by offenders are mostly planned or unplanned?

Planned	
Unplanned	

FREQUENCY

TIME OF DAY

99. At what time during the day do you feel most **safe**?

Day	
Night	

100. Why do you feel **unsafe** during the other time?

Reason for lack of safety	**indicate**	**Comments**
Lack of officials		
Overcrowding		
Physical location		
Other please specify		

101. Are there specific **times during the day** that an assault **between offenders** is most likely to occur?

Yes	No	Don't know

102. If yes, what times are assaults **between offenders** most likely to occur?

Time of day	**Specific times**	**Why assault more likely (What is it about this time that makes assaults more likely?)**
Morning		
afternoon		
evening		
Other		

103. Do you think **an official** is more likely to be assaulted during the day or night?

During the day	
During the night	

104. Why do you think officials would be more likely to be assaulted during this period?

Reason for increase likelihood of assault	**indicate**	**Comments**
Lack of other officials		
Overcrowding		

Physical location		
Other please specify		

DAY OF WEEK

105. On what **day during the week** do you feel most safe/unsafe?

Day of week	**Indicate (safe or unsafe)**	**Why**
Monday		
Tuesday		
Wednesday		
Thursday		
Friday		
Saturday		
Sunday		

106. Do you think there are certain days when an **official** is more likely to be assaulted?

Yes	No	Don't know

107. If yes on which days would an **official** be more at risk for an assault?

Day of week	**Indicate**	**Why**

Monday		
Tuesday		
Wednesday		
Thursday		
Friday		
Saturday		
Sunday		

MONTHS OF YEAR

108. Do you feel there is more likelihood of assaults occurring during specific months of the year?

Yes	No	Don't know

109. Which months of the year do you think there would be an increase in assaults between offenders?

Month of year	**Indicate**	**Reason**
January		
February		
March		
April		
May		
June		
July		
August		
September		
October		

November		
December		

110. Do you feel there is a likelihood of an assault on **an official** occurring during specific months of the year?

Yes	No	Don't know

111. If **Yes** which months of the year do you think there would be an increase in assaults on officials by offenders?

Month of year	**Indicate**	**Reason**
January		
February		
March		
April		
May		
June		
July		
August		
September		
October		
November		
December		

OPINION ON SAFETY

112. In your opinion what do you think could be done to this Centre to make it safer?

APPENDIX 5: OFFENDER INTERVIEW AND QUESTIONNAIRE AT CMAX

OFFENDER INTERVIEW AND QUESTIONNAIRE

CENTRE: **CMAX**

BIOGRAPHICAL INFORMATION

1. What is your ethnicity?

---

2. What is your home language?

---

3. How old are you?

---

4. What is your religion?

---

5. How long have you been at this institution?

---

6. What were you sentenced for?

---

7. For how long was your sentence?

---

8. How long do you have to serve?

---

9. What is your security classification?

---

10. Please list the prisons that you have been incarcerated in (the most recent first)

name of institution	**dates of incarceration**	**previous conviction**

11. Did you commit any crimes before you were 21?

yes	no

12. Did you serve a sentence as a youth offender or as a juvenile?

no	

yes	youth offender (below 18 years of age)
	Juvenile (18 years of age – 21)

13. Are you currently married?

yes	no	divorced

14. Do you have children?

no	
yes	

number	

15. Do you come from this area?

yes	no

Where do you come from?

A. ACCOMMODATION

16. Which section in the Centre are you **currently** held and for how long have you been there?

Unit number	**Cell number**	**Type of cell (communal or single)**	**Number of years in the cell**

17. Which other sections of the Centre have you been held in?

Unit/ section or phase	**Cell number**	**Years in that cell**

18. How many cells are on your unit including your own?

---

19. Do you find it frustrating living in the type of cell you currently live in?

Yes	No	Don't know

20. In the following list can you indicate on a scale of 1-5 (1 being low in frustration and 5 being high in frustration) the most frustrating things about living in the cell you are currently in

Variable	Rating	Comments / reason why is this frustrating
noise		
Lack of privacy (including when using the bathroom for showering)		
Lack of choice e.g. in listening to the radio		
Cleanliness of cell		
Cleanliness of bedding		
Protecting personal belongings		
Worry with regard to your personal safety		
Safety of others around you		

The amount of security provided by officials		
Damage to facilities		
Food (choice and type of food provided)		
Access to facilities such as bathroom (including shower unit)		
Adequate supply of goods e.g., clothing, toilet rolls, toothpaste, soap, cleaning materials etc		
Choice with regard to lighting e.g., the times the lights go out at night and come on in the morning.		
Cultural differences between inmates and/or officials		

Other – please specify		

21. Do you eat meals in your cell?

yes	no

22. If **yes** do you have to collect your meals or are they brought to you

Collected from dining area	
Brought to the cell	

23. Do officials enter the cell regularly?

Yes	No	Don’t know

24. When are officials most likely to enter your cell?

When do officials enter the cells	**Indicate (Y or N)**	**Reason for entering cells**
During the day		
During the night for searching purposes		
Other – please specify		

25. Given the choice would you prefer to be housed in a single cell or a communal (community) cell?

Housed in communal cell	
Housed in single cell	

26. If you indicated that you would rather be housed in a communal cell can you state why

27. How long have you been housed in a single cell (in total)?

Duration in cell	**indicate**	**Specific time**
Less than 1 year		
More than 1 year		
Less than 2 years		
More than 2 years		
More than 3 years – please specify		

28. Why are you housed in a single cell?

_____

_____

29. Do you currently share your cell with others

Yes	No	Don't know

30. If yes, how many people share your cell with you?

Number of people sharing cell	
Own occupant	
Self + 1 other	
Self + 2 others	

Self + 3 others	
Other number – please specify	

USE OF FACILITIES AND INVOLVEMENT ON PROGRAMS

Cells

31. Do offenders damage the facilities in this prison?

Yes	No	Don't know

32. If **Yes** would you say offenders damage equipment in the cells or in the section/ unit or phase deliberately or mostly by accident?

deliberately	By accident	Don't know

33. If **deliberately** why would you say that they damage the equipment?

34. When something is broken in your cell or in your block who is responsible for reporting the damage?

35. When something is broken does it get fixed quickly?

Yes	No	Don't know

36. Which items/facilities in your cell and cell block, unit or phase are most likely to be damaged?

Items damaged	**Reason for damage**

37. Do you think there are enough items / facilities in your cell?

Yes	No	Don't know

38. Which items or facilities would you like to see more of?

Exercise yard

39. What are the times that you can go onto the exercise yard?

40. Must you go onto the exercise yard or can you stay in your cell?

Must go onto exercise yard	
Can stay in cell	

41. What would make you stay in your cell when you could go outside?

42. What do you do when in the exercise yard? (e.g., play sport, walk around, talk with others)

Activity	**Indicate**	**Comments**
Walking		
Exercise		
Talking with others		
Games e.g., cards		

Sitting around		
Other please specify		

43. Which facilities are in the exercise yard (e.g., sports equipment, chairs etc)

Facilities available	**Indicate**	**Comment**
Chairs / tables / benches		
Sports equipment		
Washing/laundry lines		
Exercise equipment		
Other – please specify		

Facilities

44. Do you use the Centres facilities? e.g., prison shop, exercise equipment, library etc.

yes	no

45. If yes which ones

Programs

46. Are you currently on a correctional program, developmental program, work Program (e.g., cleaner/monitor) or educational program (e.g., course from UNISA) of some sort?

yes	no

47. Which ones are you on?

Type of program	Yes/no	Specific type of program
Developmental program		
Correctional program		
Work program		
Educational program		
Other (please specify)		

48. Did you get onto the program easily or did you have to wait?

Access to program	**Indicate**	**Reason**
Yes got onto program easily		
No had to wait		

49. For how many days of the week and hours of the day are you involved with this program?

No. of days on program	**indicate**	**Hours per day**
1		
2		
3		
4		
5		
6		
7		

50. What are the benefits of being on this program?

SAFETY (RATIONALE FOR ASSAULT)

51. Would you describe this prison as ***safe***?

Yes	No	Don't know

52. If **No** what do you feel is your greatest risk/threat

Perceived threat	**Indicate**	**Where**	**When**	**Why**
Other offenders				
Theft of property				
Assault from other offenders				
Other – please specify				

53. Have you ever been assaulted by other offenders at this centre?

Yes	No

54. Have you ever assaulted another offender at this centre?

Yes	No

55. If yes, what are the reasons that you have been involved in a fight?

Reasons for fight	**Indicate Yes or no**	**Comment**
Protection of private belongings		
Protection of yourself		
Protecting others		
Frustration		
Provocation		
Drug related		
Gang related		
Sexually related		
Economy related		

Gambling related		
Loss of control in your everyday environment for example being moved or being on lock down		
Other – please specify		

56. Have you ever witnessed a fight between offenders in this Centre?

yes	no

57. Are fights among offenders common or uncommon?

Common occurrence	
Uncommon Occurrence	

58. Please specify the most common reasons for assaults among offenders in this centre?

Rationale	**Yes or no**	**Comment**
Protection of private belongings		
Protection of yourself		

Helping to protect others		
Provocation		
Frustration		
Drug related		
Gang related		
Sexually related		
Economy related (debts etc.)		
Loss of control their environment including being moved to another cell or a change in routine i.e., being on lockdown		
Type of conviction (e.g., rape of a minor)		

Other – please specify		

59. When an assault occurs in this centre between offenders what is the most likely to be used:

Variable	**Yes/no**	**Comment**
Fire arms		
Weapons that involve a blade such as a knife		
Hands/fists		
Tramping/kicking with feet		
Strangulation		
Locks on belts		
Locks in socks		

Bricks or stones in socks		
Soap in socks		
Batteries in socks		
Mug in sock or pillowcase		
Glass from windows		
Broom handles		
Spoons, mugs etc		
Bricks or stones		
Throwing boiling water over victim		
Spitting in cup and forcing another offender to drink it.		
Using razor blades (e.g. in toothbrushes)		
Sodomy / Rape		
Other objects - specify		
Other methods – please specify		

60.What are the most common injuries brought about by fights?

61. Have you ever been involved in any form of assault **on a Centre official?**

yes	no

62. Have you ever witnessed any form of assault on an **official**?

yes	no

63. How and where is an assault on an official more likely to be carried out?

Weapon	**Yes/no**	**Where or when would this take place (e.g., during day in corridor)**
By hand or fists		
Knife/shank		
Sharpened object Such as a sharpened pen/ dart/ razor blade, spoon etc.		
Other weapons e.g., Padlocks		
Other – please specify		

64. Do you think some people are more likely to be victims of assault than others?

Yes	No	Don't know

65. If yes in your opinion what would make a person become a victim of assault?

Variable	**Indicate**	**Comments**
Age of offender		
Ethnicity of person		
Appearance of offender		
Whether offender is a first time offender		
Whether offender is a gang member		
When an offender is moved from one cell to another		
Depends on where they are housed		
Other – please specify		

66. Would you ever talk to the officials if you felt threatened by another offender in any way?

yes	no

67. If you saw an assault taking place would you call for help from officials?

yes	no

68. Do you generally feel safer when officials are present?

yes	no

69. Do you feel there should be more officials present?

yes	no

70. If **yes**, when and where do you feel there should be more officials?

When should officials be present	**Where should officials be present**	**Why should officials be present**

AREA OF ASSAULT

71. Do you think all **parts/areas** of this Centre are safe?

yes	no

72. Do you think that certain units/ cells types are more dangerous than others?

yes	no

73. If **yes**, which units, cells or phases in this Centre do you feel are unsafe for offenders?

Unit	**Why do you think they are dangerous**

74. Where in the Centre do you feel/think is most unsafe and an assault more likely?

Area	**Safe/unsafe**	**Comments/reasons**
In single cell		
On exercise yard		
In communal bathrooms or shower blocks		

In passages in cell block		
In passages in other parts of Centre(specify)		
In the kitchen areas		
In areas around the shop		
Waiting in passages to see a service provider or visitor		
While being transported to and from another place		
Other please specify		

75. Do you think that most violent assaults between offenders are planned or are they unplanned acts?

Planned	
unplanned	

76. Do you think there are certain **areas** where **officials** are more at risk of assault?

yes	no

77. If **Yes where** are the **officials** most at risk of assault by offenders?

Area	Indicate	Comments
Inside the single cells		
During unlocking		
On exercise yard		
In communal bathrooms or shower blocks		
In passages in cell blocks		
In passages in other parts of Centre		
In areas around the shop		
While transporting offenders		
In visiting areas		
Other – please specify		

78. Do you think that assaults on officials by offenders are mostly planned or unplanned?

Planned	
Unplanned	

FREQUENCY

TIME OF DAY

79. At what time during the day do you feel most **safe**?

Day	
Night	

80. Why do you feel **unsafe** during the other time?

Reason for lack of safety	**indicate**	**Comments**
Lack of officials		
Inmates are unlocked and there is more movement		
Overcrowding		
Physical location		
Other please specify		

81. Are there specific **times during the day** that an assault **between offenders** is most likely to occur?

Yes	No	Don't know

82. Do you think **an official** is more likely to be assaulted during the day or night?

During the day	
During the night	

83. Why do you think officials would be more likely to be assaulted during this period?

Reason for increase likelihood of assault	**indicate**	**Comments**
Lack of other officials		
Inmates are unlocked and there is more movement		
Overcrowding		
Physical location		
Other please specify		

DAY OF WEEK

84. On what **day during the week** do you feel most safe/unsafe?

Day of week	**Indicate (safe or unsafe)**	**Why**
Monday		
Tuesday		
Wednesday		
Thursday		
Friday		
Saturday		
Sunday		

85. Do you think there are certain days when an **official** is more likely to be assaulted?

Yes	No	Don't know

86. If yes on which days would an **official** be more at risk for an assault?

Day of week	**Indicate**	**Why**
Monday		
Tuesday		
Wednesday		
Thursday		
Friday		
Saturday		
Sunday		

MONTHS OF YEAR

87. Do you feel there is more likelihood of assaults occurring during specific months of the year?

Yes	No	Don't know

88. Which months of the year do you think there would be an increase in assaults between offenders?

Month of year	**Indicate**	**Reason**
January		
February		
March		
April		
May		
June		
July		
August		
September		
October		
November		
December		

89. Do you feel there is a likelihood of an assault on **an official** occurring during specific months of the year?

Yes	No	Don't know

90. If **Yes** which months of the year do you think there would be an increase in assaults on officials by offenders?

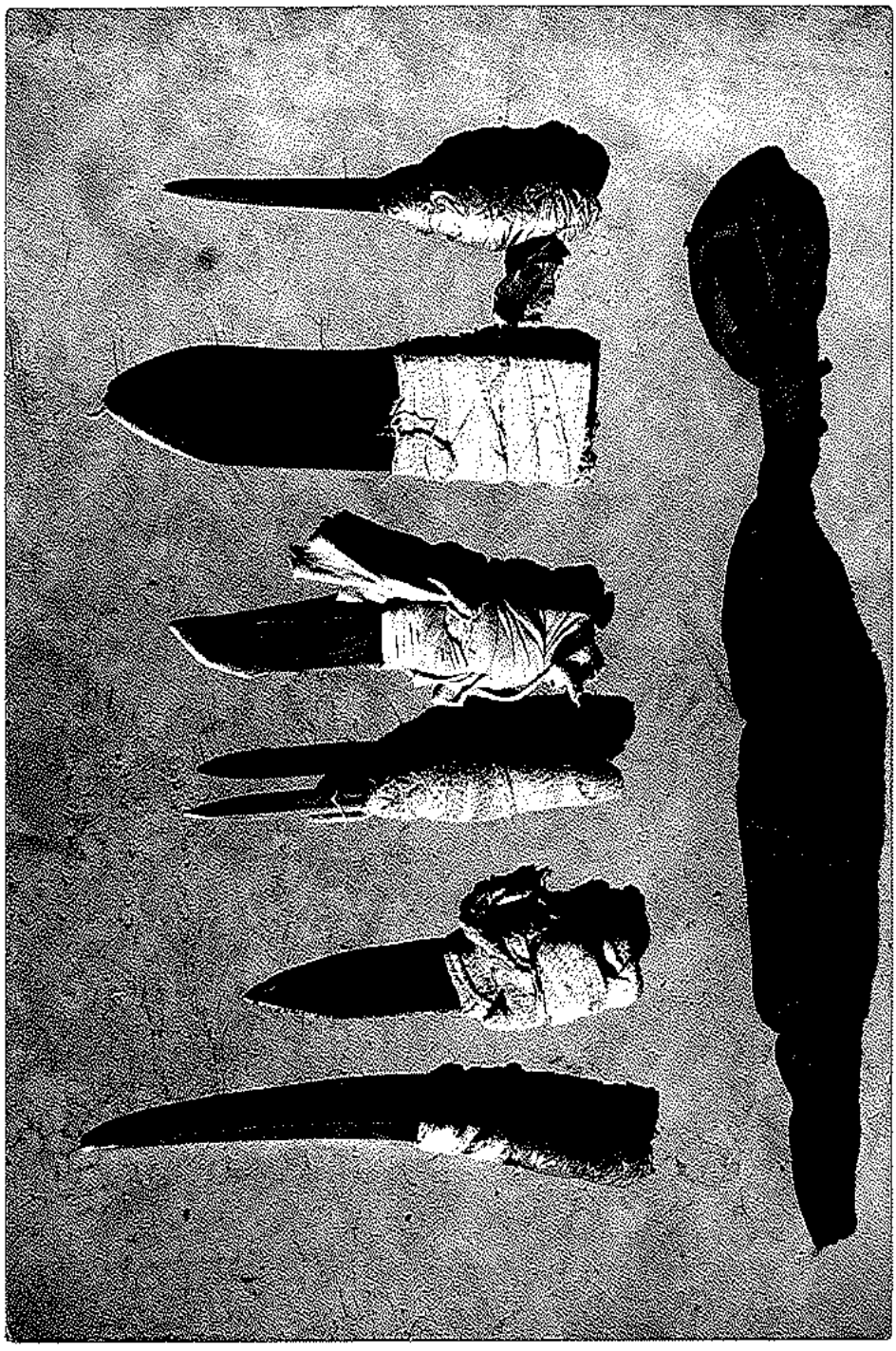
Month of year	Indicate	Reason
January		
February		
March		
April		
May		
June		
July		
August		
September		
October		
November		
December		

OPINION ON SAFETY

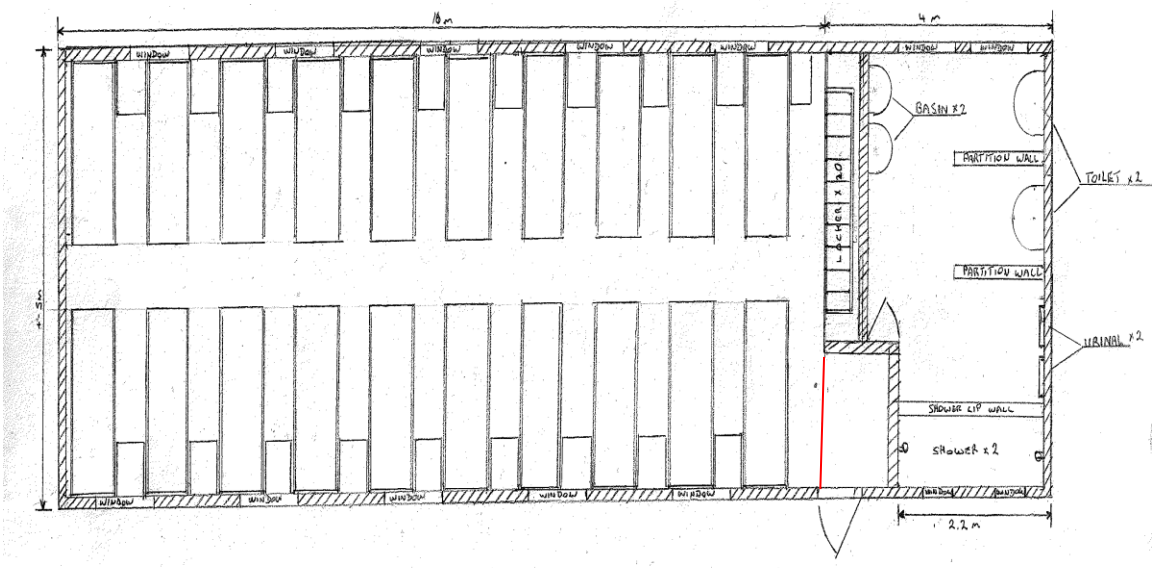
91. **This section is for your opinion on what you think could be done to this centre to improve the living conditions for you.**

You are asked to write the most frustrating aspect of living in a single cell and suggest ways of improving the centre for you and other offenders.

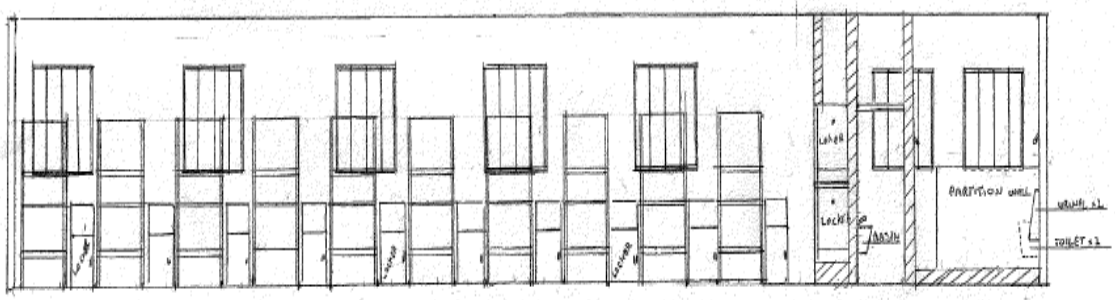
APPENDIX 6: EXAMPLES OF MANUFACTURED WEAPONS CONFISCATED AT MODDERBEE CORRECTIONAL CENTRE



APPENDIX 7: INTERNAL CONFIGURATION OF COMMUNAL CELL AT MODDERBEE CORRECTIONAL CENTRE



Plan of communal cell



Elevation detail of internal configuration in communal cell.

APPENDIX 8: IMAGES OF JOHANNESBURG CORRECTIONAL CENTRE



Appendix 8a: West gate entrance Johannesburg Management Area

(Source: Department of Correctional Services (n.d.d))



Appendix 8b: Typical communal holding cell in Medium A

(Source: Department of Correctional Services (n.d.d))



Appendix 8c: Typical communal cell in Medium B

(Source: Department of Correctional Services (n.d.d))



Appendix 8d: Sentenced offenders sleeping in the bathroom at JMA Medium B due to the problem of overcrowding
(Source: JIP (2006))



Appendix 8e: Overcrowding in a typical communal cell for sentenced offenders in Medium B
(Source: JIP (2006))



Appendix 8f: External view of cell housing wing in Medium A

(Source: Heron (2009))



Appendix 8g: External view of cell housing wing in Medium A (Source: Heron (2009))

APPENDIX 9: IMAGES FOR MODDERBEE CORRECTIONAL CENTRE



Appendix 9a: Main entrance gate to Modderbee Correctional Centre
(Source: Department of Correctional Services (2008b))



Appendix 9b: Façade of cell housing, unit D Modderbee Correctional Centre
(Source: Department of Correctional Services (2008b))



Appendix 9c: Façade of cell housing, unit K Modderbee Correctional Centre
(Source: Department of Correctional Services (2008b))



Appendix 9d: Internal passage linking housing units, Modderbee Correctional Centre
(Source: Department of Correctional Services (2007c))



Appendix 9e: Internal passage linking housing units, Modderbee Correctional Centre (Source: Department of Correctional Services (2007c))

APPENDIX 10: IMAGES FOR PRETORIA CORRECTIONAL CENTRE



Appendix 10a: Pretoria Correctional Central entrance

(Source: Department of Correctional Services (n.d.f))



Appendix 10b: Pretoria Correctional Central entrance

(Source: Department of Correctional Services (n.d.f))



Appendix 10c: Cell housing internal passage, Housing Unit G1, Pretoria Correctional Central

(Source: Department of Correctional Services (n.d.f))



Appendix 10d: Typical communal cell, Housing Unit G1, Pretoria Correctional Central

(Source: Department of Correctional Services (n.d.f))



Appendix 10e: Housing Unit G6 housing prerelease offenders in single cells, Pretoria Correctional Central

(Source: Department of Correctional Services (n.d.f))



Appendix 10f: Typical exercise yard, Pretoria Correctional Central

(Source: Department of Correctional Services (n.d.f))



Appendix 10g: Internal entrance "A". Pretoria Correctional Central

(Source: Department of Correctional Services (n.d.f))



Appendix 10h: Internal entrance gate 2 leading to central rotunda. Pretoria Correctional Central

(Source: Department of Correctional Services (n.d.f))



Appendix 10i: Offender counting procedure in A unit single cells Pretoria Correctional Central

(Source: Department of Correctional Services (n.d.f))