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Experiences of ex-offenders when reintegrating into mainstream society : the case of ex-convicts in the Ekurhuleni Region.

Chanakira, Patricia

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CHAPTER 1

1 INTRODUCTION

Various studies have shown that, upon release, many ex-prisoners are most likely to re-offend. The main reason attributed to this phenomenon has been the failure to assist their reintegration into society upon release from prison. Frank (2006, p.41) notes that "the prison environment fails to prepare inmates for a crime-free life after release. In the mainstream society, significant barriers exist for those who have served time" and offender reintegration programmes are mainly designed to addresses these challenges. This study is located within the broader field of the criminal justice system and it seeks to explore the experiences of ex-offenders when reintegrating into mainstream society in South Africa; with particular reference to experiences of ex-convicts in the Ekurhuleni region.

1.1 Background to the study

Offender reintegration is a topical and controversial issue in South Africa and around the world. Previous research shows that, "law enforcement measures have largely been punitive and reactive in the past and that efforts were mainly focused on the attainment of immediate, yet short term goals" (Muntingh, 2005, p.5). Many scholars such as Albertus (2010) and Polaschek (2012) argue that traditional approaches to dealing with crime in the past mostly favoured retribution and incarceration of offenders. In spite of this punitive approach to dealing with the problems of crime, research showed that crime was exacerbating rather than decreasing. Scholars such as Muntingh (2001) and Perry (2006) argue that over 30 years of experimentation with the punitive and retributive approach have seen prison and probation populations skyrocketing, leading to the conclusion that "deterrence has hardly had any impact on offender recidivism and in some situations, actually increased recidivism" (Public Safety Canada, 2007, p.7).

In light of the growing body of scientific evidence showing the limitations of a punitive approach to crime around the globe, many countries began to move towards a more holistic approach in dealing with offenders which mainly incorporates the need to rehabilitate and reintegrate offenders into mainstream society in a manner that reduces the likelihood of reoffending. Padayachee (2008, p. 8) notes that, "offender reintegration as opposed to retributive punishment and imprisonment is aimed at protecting both offenders and society". While offender reintegration is not to be seen as a crime prevention strategy on its own, it is

seen as part of a restorative justice approach to crime. Padayachee (2008, p. 20) notes that "the reintegration approach holds greater promise to reduce crime than a strictly punitive approach". Similarly, the Public Safety Canada, (2007, p.7) observes that "there has been evidence that some interventions can reduce recidivism." Many scholars such as Muntingh (2001) and Padayachee (2008) note that offenders who received treatment showed lower rates of recidivism when compared to offenders who received no treatment at all. According to Birgden (2004), correctional systems worldwide are largely undergoing a shift from a punitive approach towards rehabilitation of offenders. Birgden (2004, p.1) highlights that the recent paradigm shift "from a punishment to a rehabilitation approach for offenders is one of the most significant events in modern correctional policy". The move towards reintegration of offenders is seen to be progressive and beneficial with scholars such as Padayachee (2008, p.3), noting that "successful reintegration of offenders benefits society and reduces crime and victimisation." In the same vein, Albertus (2010) argues that numerous ex-convicts relapse upon release. This is mainly due to the failure to support their reintegration into society as law-abiding citizens which in turn contributes significantly to the already increasing crime rate. In light of this, effective reintegration of ex-offenders into mainstream society is seen as forming a central part of a comprehensive crime prevention strategy.

During the apartheid era in South Africa, offender reintegration "was not considered a national priority and was therefore not considered as a legitimate crime prevention intervention" strategy (Padayachee, 2008, p. 7). However, ever since the advent of democracy, concerted efforts have been made to move away from a primarily retributive approach in favor of a rehabilitative one. With the coming of democracy in 1994, the South African government made it mandatory for all offenders to undergo rehabilitation (Albertus, 2010). Provisions within the Correctional Services Act 111 of 1998 Section 45(1) as Amended in 2008 mandate sentenced offenders to be prepared for placement, release and reintegration into society by partaking in pre-release programmes (Padayachee, 2008). These pre-release programs are mainly a responsibility of the government with a myriad of other stakeholders, in the main non-governmental organisations (hereafter NGOs) playing a key role. The state in partnership with NGOs, have designed a number of programmes and interventions directed at nurturing the relationship between the offender and the victim, the community, family and society in general following the directive in the White Paper on Corrections in 2005 (Albertus, 2010). National Institute for Crime Prevention and the Reintegration of Offenders (NICRO), Khulisa and Gauteng Rehabilitation Trust (hereafter

GRT) are examples of NGOs which provide a variety of reintegration services in and outside prisons. In spite of the many reintegration programs offered by NGOs, there is a dearth in research in South Africa on ex-offender reintegration and studies are beginning to emerge indicating the need for more research into the ex-offender phenomenon (Albertus, 2010), hence, this study is an attempt to partly address this gap.

1.2 Statement of the problem and rationale for the study

Ex-offenders face several challenges during transition from prison to the community. Upon release, many ex-offenders have common needs such as accommodation, mending of family relationships and employment, among others. More often than not, ex-offenders and their families have to deal with the stigma and trauma emanating from the separation due to imprisonment. They are also likely to have criminogenic needs (risk factors) such as substance abuse and addiction problems that require treatment programmes. It is in light of this, that, this study seeks to explore the experiences of ex-offenders when reintegrating into mainstream society. An exploration of the experiences of ex-offenders' experiences when reintegrating into mainstream society is important in that it contributes to our holistic understanding of the ex-offender reintegration phenomenon, given that in previous studies, such as the research by Padayachee (2008), the voice of ex-offenders has mainly been absent. Apart from the absence of substantial research on the ex-offender phenomenon, available research, for instance, the study by Muntingh (2001) shows the ex-offender phenomenon has largely been studied from the point of view of the offender reintegration service providers and experts on the subject with very little voice given to how ex-offenders perceived reintegration programmes as well as their experiences during transition to mainstream society.

1.3 Significance of the study

The study is likely to have both practical and theoretical significance. On the practical level, insights gleaned from the study are likely to provide information which can improve ex-offender reintegration programs. The study will offer important insights which can provide guidelines on effective ways of addressing the needs of ex-offenders during rehabilitation and reintegration.

In South Africa and elsewhere, there is very little research available on offender reintegration. According to Muntingh (2001, p.3), "sound analytical research is scarce and a discussion of available programmes, especially in South Africa, is clearly lacking". Thus, the theoretical contribution of this study is that it will contribute to the body of knowledge on ex-offender reintegration, given that, "the science of effective offender rehabilitation remains a very young field: dominated theoretically and empirically by the work of a small group" of people, mainly Canadian psychologists (Polaschek, 2012, p.1).

Lastly, it is anticipated that the findings of the study may have implications for policy. Depending on the findings generated, the study might have the potential to steer serious policy considerations on reviewing of current thinking within the understudied field of ex-offender reintegration in South Africa.

1.3.1 Aim

This study seeks to explore the experiences of Ekurhuleni adult ex-offenders when reintegrating into mainstream society.

1.3.2 Objectives

- To elicit views of ex-offenders on the perceived factors which contribute to their committing of crime;
- To elicit views of ex-offenders on the offender reintegration programmes provided by various stakeholders;
- To explore the perceptions of ex-offenders regarding the challenges they experience when reintegrating into mainstream society;
- To suggest ways in which ex-offender reintegration programmes can be enhanced.

1.4 Research Questions

- What factors contribute to ex-offenders committing crime?
- What are the views of ex-offenders on the offender reintegration programmes provided to them by various stakeholders?
- What challenges do ex-offenders encounter when reintegrating into mainstream society?

- What are the views of ex-offenders about the ways in which ex-offender reintegration programmes can be enhanced?

1.5 Organization of the study

Chapter one provided an introduction to the study. Chapter two focuses on literature review. The research design and methodology is explicated in detail in chapter three while the presentation and discussion of findings is presented in chapter four. Lastly, chapter five provides a summary of the main findings together with the conclusions and recommendations emanating from the study.

CHAPTER 2

LITERATURE REVIEW

2.1 Introduction

This chapter provides a brief overview of crime, the history of South African prisons before apartheid and after the advent of democracy. It also critically discusses the historical development of prisons and punishment, and highlights the theories of crime causation; the characteristics of offenders and challenges facing ex-offenders upon release.

2.2 History of crime and prisons prior to 1994 in South Africa

South Africa's crime problem is not a recent phenomenon. According to Shaw (2002, p. 403), "levels of crime under apartheid were high, although they often remained unseen and unrecorded given their concentration among poor and black communities". The police were agents of the state and they made little or virtually no attempt to reduce crime in black areas, and police resources were confined in white towns and suburbs (Dissel, 2002).

Shaw (2002, pp. 303-400) observes that apartheid "acted as a generator of criminal victimisation and violence in South Africa through segregatory policies which resulted in massive social dislocation". Further, Shaw (200, pp.305-306) notes that "policing black areas was based on the principle of control and the suppression of political dissent, not on managing crime levels". Similarly, Dissel (2002, p. 1) argues that "apartheid prevented crime in white areas not by seeking to undercut it in black areas but largely through controlling the movement of people from one area to another". Thus according to Dissel (2002), apartheid was reinforced by criminological ideas which caused violence among black people. The system required that races should live and conduct their lives separately as far as possible (Shaw, 2002). Paradoxically, apartheid generated high levels of crime among the oppressed and "acted as a crime prevention measure for privileged white communities, by isolating them from its impact" (Dissel, 2002, p.2). According to Shaw (2002), crime was mainly concentrated in the townships but by early 1994 there was an increase in property crimes in white suburbs. Shaw (2002) further reports that reviewing crime statistics during apartheid is difficult considering that crime victimisation was under reported.

Throughout the apartheid era, "criminal behaviour and punishment were defined by the social order constructed by the apartheid government" (Albertus, 2010, p. 15). Dissel (2002) also supported that the manner in which prisoners were treated mirrored the separatist ideology of the apartheid government, whose key aim was to segregate offenders from the community. This is so because many people "were detained without trial, or were charged and sentenced for opposing apartheid from the 1960s onwards" (Dissel, 2002, p. 3). Crime increased rapidly under apartheid rule, particularly as the longer-term impact of policies such as forced removals became apparent. Evidence suggests that the increase in crime from "1960 onwards was dramatic; between that year and 1977, the homicide rate tripled, far outstripping the growth in population" (Dissel, 2002, p 5). Black inmates were kept separate from white prisoners and they suffered poor conditions and harsh treatment under the apartheid regime (Dissel, 2002). This was in contradiction of the social value of 'Ubuntu' which denotes "respect for human dignity and the dominant theme that the life of another human-being is as important as one's own was consistently violated with regard to the non-white prisoners" (Albertus, 2010).

Dissel (2002, p. 1) reports that "violating the Group Areas Act or the Prohibition of Mixed Marriages Act resulted in imprisonment". Back then there were hardly any pre-release programmes, treatment or preparation provided for prisoners (Birgden, 2004). The purpose of imprisonment was merely incapacitation, retribution and deterrence in nature in order to retain the power of the Apartheid government. Through reflecting on the sentencing approach prior to 1994, the Constitutional Court in 1995 established that punitive justice had failed to stop the increase of crime and that more inventive solutions had to be sought by Courts (Albertus, 2010).

Therefore, bearing in mind that the historical criminal justice system used a punitive and biased approach to rehabilitation, this study focuses on the changes that have been implemented to rectify these imbalances. The punitive approach to rehabilitation also yielded more crime.

2.3 Theories of crime causation

The causes of criminal activity are numerous and complex such that various theories have emerged over the years, "and continue to be explored, individually and in combination, as criminologists seek the best solutions in ultimately reducing types and levels of crime"

(Marshall, 1992, p. 15). The key theories are the rational choice theory, social disorganization theory, strain, labeling and the social learning theories. Below is an overview of these theories.

2.3.1 Rational choice theory

The rational choice perspective of criminology explained by Clarke and Cornish in 1985 postulate that "crime is purposive behavior designed to meet the offender's commonplace needs for such things as money, status, sex, excitement, and that meeting these needs involves the making of sometimes quite rudimentary decisions and choices, constrained as they are by limits of time and ability and the availability of relevant information." (Clarke, 1997, pp. 9-10) In sum, criminal offenders make decisions that appear rational to them to engage in specific criminal acts. According to Bursik (as cited in Clarke 1997, pp. 1-2), this theory adopts a "utilitarian belief that man is a reasoning actor who weighs means and ends, costs and benefits, and makes a rational choice". Thus people generally act in their self-interest and make decisions to commit crime after assessing the probable risks including being arrested and getting punished against the rewards (Clarke, 1997).

2.3.2 Social disorganization theory

According to the social disorganization theory, the physical and social surroundings of a person are predominantly responsible for the "behavioral choices that a person makes" (Akers, 2000, p. 120). This theory attributes "variation in crime and delinquency over time and among territories to the absence or breakdown of communal institutions like family, school, church and local government and communal relationships that traditionally encouraged cooperative relationships among people" (Akers, 2000, p. 120). Relationships among people in a given territory are presumed to be especially organised when there are high levels of involvement across age-levels in activities coordinated by representatives of communal institutions such as family-heads, pastors, school organizations and local officials (Bursik, 1998, pp.911-912). Further Bursik (1998, p. 9113) adds that "such organised interaction is presumed to be closely and reciprocally associated with the development of a sense of community or communal bonds among people in close geographic proximity to one another". According to Bursik (1998, p. 916), rapid growth and change are 'disorganising' or

'disintegrative' forces contributing to a breakdown in the teaching and learning of those prior 'social rules' which had inhibited crime and delinquency.

2.3.3 Strain theory

The strain or anomie theory was propounded by Robert Merton in 1938 to explain the causes of crime. According to Merton (1957), most people have similar ambitions, but different opportunities or abilities to attain them. This theory postulates that "when people fail to achieve society's expectations through approved means such as hard work and delayed gratification, they may attempt to achieve success through crime" (Merton, 1957, p. 223). According to Marsh, Melville, Morgan, Norris and Walkington (2006) inequality leads to lawlessness which is manifested in various forms of criminal activities. Moreover, this theory coincides with the social disorganization theory in that when someone lives in a disorganised community, they are likely to believe that authentic opportunities for success are unavailable. Therefore, participation in trivial crimes leads to feelings of hopelessness and strain eventually takes its course causing deviant groups and activities to appear to be acceptable substitutes (Bezuidenhout & Joubert, 2006).

While Merton's Strain theory continues to play a role in the sociological theorisation of crime today, there are gaps in this theory that have been identified by the works of modern sociologists such as Cohen cited in Aker (2000, p. 135). The first criticism of this theory puts forward the fact that there is an ample amount of delinquent behavior that is "non-utilitarian, malicious, and negativistic" (Aker, 2000, p. 89), which highlights that not all crimes are explainable using Merton's theory. Aker (2000, p. 96) further argues that though "Merton could explain crimes such as fraud and theft on the basis of innovation; he is unable to explain youth crimes that are often engaged in for social status rather than material acquisition". Furthermore, Strain/Anomie theory fails to adequately address issues such as race and gender and this theory is also unable to explain the phenomena of white collar crime (Aker, 2000). Therefore, the study intended to establish how far the strain theory is applicable to the offenders' committing of crime.

2.3.4 The labeling theory

This theory is closely linked to social-construction and symbolic-interaction analysis and is based on the theory developed by George Hebert Mead in 1934 (Akers, 2000). The labeling theory holds that "deviance is not inherent to an act, but instead focuses on the tendency of majorities to negatively label minorities or those seen as deviant from standard cultural norms" (Akers, 2004, p. 165). The theory is concerned with how the "self-identity and behavior of individuals may be determined or influenced by the terms used to describe or classify them" (Akers, 2004, p. 166). This theory is associated with the notion of a self-fulfilling prophecy and stereotyping according to Akers (2000). Marshall (1992) highlights that mass media plays a central role as it can exaggerate a minor or limited problem out of proportion to its real seriousness thus perpetuating labeling.

2.3.5 Social learning theory

This theory was proposed by Bandura in 1973 who advocates that both unlawful and conforming behaviour are learned, maintained, or altered by the same process of interaction and contact with other people (Marshall, 1992). The "difference lies in the conforming or deviant direction or balance of the social influences such as reinforcement, values and attitudes, and imitation" (Akers & Sellers 2004, p. 193). Thus some social situations will be conducive to repressing criminal behaviour and others will encourage it. That is the motive to commit crime and the skills to commit it are encouraged by the people these offenders associate with. According to Bezuidenhout and Joubert (2006), association with delinquent peers increases the likelihood of misconduct. Marsh et al (2006), behaviorists believe that any behaviour can be learned. The theory states that as people develop and interact with others, they learn through trial and error and how to behave in different ways. Depending on how and what people learn, they may or may not learn to behave in either criminal or non-criminal ways. As noted by Bezuidenhout and Joubert (2006), youths growing up in socially disorganized environments are at the greatest risk of having weakened social bonds and are more likely to commit crime, particularly when law breaking values and attitudes can be learned and reinforced by peers.

Generally the causes of crime in South Africa have been widely contested in the public realm. Most often the "problem is blamed on a 'culture of violence' which has resulted from years

of apartheid brutality, the breakdown of the family unit, lack of respect for others, the subordinate position of women and a propensity, given the country's past, to settle disputes violently" (Shaw, 2002, p. 306). Added to this is the general breakdown of the criminal justice system and poorly developed policing. Other contributing factors are significant levels of unemployment and the inherited social and economic inequalities in the society. Shaw (2002, p.59) is of the opinion that "whites steal because they no longer believe they are contributing to something they believe in after the dream of the rainbow nation has faded"- a feeling emanating from alienation from the general political processes in the country after apartheid. Shaw (2002) argues that there is a strong relationship between poverty and crime; therefore a decrease in poverty leads to a reduction of, for example, street crimes associated with poverty.

2.4 Early responses to punishment

There have been several methods, designs and philosophies used to punish and rehabilitate offenders in the U.S. Traditionally punishment was in the form of death, mutilation, branding, flogging or abandonment depending on the nature and seriousness of the offense (Perry 2006). In the late 1700's prisons emerged and served as the major means of punishment. This led to the replacement of capital and corporal punishment with the prison system (Perry, 2006).

2.4.1 The Pennsylvania System

The first prison, Philadelphia Walnut Street Jail, was established in 1787 in Pennsylvania following the Quakers' group that campaigned for more humane treatment of offenders in prisons (Reiman, 1985). According to Perry (2006), this system is also called the separatist system as it kept the inmate in total isolation assuming that this would give offenders an opportunity to think over their wrongful ways, repent and reform. This system built cells facing outside to small individual walled-in yards to maintain isolation (Perry, 2006, p. 2). Reiman (1985) adds that besides repentance, solitary confinement also served as a punishing experience since humans are social by nature. In addition, the Pennsylvania system was arguably economical as prisoners did not take time to respond to treatment and less security was required. Perry (2006) criticized the system for being expensive considering that each inmate required their own cell. Conversely, Perry (2006, p. 2) further notes that, "this

repressive regime was so austere, it was found that isolation and silence contributed to mental distress and behaviour problems". Gallo and Ruggiero (1991) also argued that the Pennsylvania system was very difficult to endure and jails quickly became overcrowded warehouses for prisoners. This defeated the idea of rehabilitation in prisons and the proven ineffectiveness of the system led to the birth of the Auburn System.

2.4.2 The Auburn System

According to Perry (2006), the Auburn system, also known as the congregate system phased out the Pennsylvania system in 1819 and this system was named after the Auburn Prison in New York. Prisons built according to this system had "inside cells that faced walkways" (Perry, 2006, p. 2). Ruggiero, Ryan and Sim (1995) note that the Auburn system combined hard labour with solitary confinement in that prisoners were isolated at night but congregated in a common room during the day. Similar to the Pennsylvania system, the Auburn system maintained the 'silence' system where they were not allowed to talk to each other but unlike the Pennsylvania system, they could eat together and work together. Prison labour was used in factories, mines, logging camps and plantations in the U.S under this system. According to Perry (2006), this system was ineffective for rehabilitation as offenders were exposed to harsh punishment and humiliation. Prisoners were exploited for free labour and tourists could freely enter and exit which emphasized the prisoner's own lack of freedom (Reiman, 1985). Heavy criticism of the Auburn system is related to the horizontally stripped uniforms for prisoners which served the purpose of easy identification. Further, the system established lock-steps, the practice of coercing inmates to march together, with their eyes down and one arm linked to the person in front of them for control purposes" (Ruggiero et al 1995, p. 17). This serves to humiliate prisoners and Ruggiero et al (1995) argues that many of the stereotypical prison images originate from this system. However, despite the degrading effect of the Auburn system, Perry (2006) notes that its foundations remain the prototype for many prisons throughout the world.

2.4.3 The Elmira Era

The public outcry over the auburn system due to its harsh punitive features called for a more therapeutic-oriented system in the mid 1800's and this led to the displacement of the former

systems of imprisonment (Reiman, 1985). The Elmira system was named after the Elmira Prison in New York. This system moved away from fixed or determinate sentences and emphasized religious and educational classes which contributed to early release depending on behaviour change (Perry, 2006). The Elmira system transformed the way `in which prisons were constructed to include classrooms and training areas to give the prison a campus-type of a look. Evidence shows that this system was more effective as offenders were treated as human beings worthy of change and research also reveals that people respond positively if they are not tortured emotionally and/or physically (Perry, 2006).

2.4.4 The Medical Model

This model came into being in the 1960 and it viewed criminals as having a physical disease which should be diagnosed by prisons and prescribe a treatment to cure the sickness (Perry, 2006). Programmes such as the pre-release, home confinement, halfway houses and work/study programmes emanated from this system. According to Reiman (1985), individual treatment focused on social and criminal history, personality and unique needs of the inmate in preparation for release. However, this model was criticised as coercive and encouraging deception as treatment was compulsory and the inmates would be released following exhibiting good behaviour such that they sometimes pretended as if they had reformed (Perry, 2006).

2.4.5 The Control Model

This model is a complete opposite of the Medical Model. According to Salinas (2009), this model was developed in Texas in the early 1960's and it brought a lot of lawsuits which led to the judicial activism in the 1970's and 1980's. In this model the prison administration is guided by stringent and inflexible control measures which are applied on prisoners. According to Salinas (2009), the control model is recognised as an effective tool used to maintain internal order within the prison environment. It is also characterised by a top-down chain of command with official directives being channelled down to the juniors (Perry, 2006). Inmates under this system are ordered to be obedient and live by the rules and regulations. If an inmate failed to follow the regimented daily routine orders, they were punished by being placed in solitary confinement with a work detail. On the other hand, Perry (2006) notes that the criticism of prisons by inmate rights groups, scholars, judges and prison

officials led to the retention of some aspects of the medical model and made participation voluntary rather than mandatory. Scholars such as Robert Martinson in 1974/5 set off a national debate that "nothing works" as prison did not reduce recidivism but he failed to give an alternative to imprisonment and the treatment programmes (Muntingh, 2001, p. 112).

The control model characterised apartheid prison system in South Africa. The prisoners' movements were strictly monitored done by the book. This helped keeping the racial groups divided.

2.4.6 The Functional Unit Management System

This system emerged alongside the Medical Model and it emphasises voluntary participation in education and training and structured activities whilst discouraging idleness (Perry, 2006). Under this system, inmates are treated with respect and dignity and the rules are less rigid. This gives the inmate the room to develop good decision making skills, to manage time and to learn to be accountable to their actions. In this system workers are permanently assigned to units and this encourages interaction between staff and inmates, permits closer monitoring of inmate activities, faster response to inmate concerns and gives better programme results (Perry, 2006). The buildings are "characterised by a podular housing style of two levels of cells surrounding an open area" (Perry, 2006, p.3). the advantage of this system according to Perry (2006) is that it is believed to be more therapeutic and less demoralising, less expensive to construct and easier to supervise (Perry, 2006).

2.5 The Recent Responses to Punishment

Due to the acceleration of the prison populations internationally, the punishment paradigm is coming under attack from a number of critics (Francis & Matthews, 1996). Muntingh (2001) identified the three existing theories of punishment that have a number of shortcomings when measured against the yardstick of offender reintegration. These theories are deterrence, incapacitation and retribution.

2.5.1 Deterrence

The deterrence theory postulates that the purpose of punishment "is to prevent repetition of crimes already committed, that is, to deter the individual from committing crime by punishing the offender" (Muntingh, 2001, p. 14). On an individual level, the deterrence theory states that an individual who has been punished before will be mindful in future and will not commit another crime whilst on a society level, this theory propounds that citizens will observe what happens to people when they commit crime and the consequences thereof and thus refrain from committing such crime (Muntingh, 2001). The theory is based on the assumption that people are prevented from committing crime by observing whilst others through experiencing it personally. Therefore, in future people will make rational decisions to avoid punishment due to its unpleasantness.

According to Muntingh (2001, p. 19), the major shortcoming of the deterrence theory is that "it assumes that people are rational and are in perfect control of their lives and emotions". They are therefore able to make useful decisions with a certain degree of precision. Another criticism suggests that empirical evidence shows that prison or even death penalty does not prevent people from committing crime. Canada based study, The Public Safety (2007) show that after 30 years of experimentation with deterrence not only have prison and probation populations skyrocketed but the weight of the proof is that deterrence has had hardly any impact on recidivism and in some situations it actually increased re-offending. Worldwide, people are imprisoned in vast numbers without any substantial reduction in crime. Muntingh (2005) also argues that threatening people with punishment does not have any significant impact on committing crime. According to Muntingh (2005), the fact that many current prisoners are in fact recidivists who have been in prison before is a clear indication that the deterrence approach is not an effective crime prevention strategy.

Deterrence is one of the main crime prevention strategies used in South Africa. In 1999 the then Minister of Safety and Security, Mr. Steve Tshwete, indicated that criminals would be treated harshly and that police officers should use all the powers available to combat crime. He said, "We are now going to deal with criminals in the same way a dog deals with a bone" (The star, Johannesburg, 1999 in Shaw, 2002, p.87). According to Shaw (2002), tough talking has an array of potential drawbacks: First, it raises expectations but provides little in terms of delivery. Service at police stations may remain poor and citizens may continue to be victimized. Promises of harsh action then ring hollow and those that convey them lose

credibility. This normally happens in situations where the causes of crime are complex and underpinned by complex social factors. Second, excessive concentration on tough policing strategies can exacerbate the problem by making the socially disadvantaged the prime attention of the police: increases in crime which are perceived as emanating from some groups, stereotyped as unlawful, induces fear in these groups, leading to possible political reactions. The most stereotyped in South Africa are illegal immigrants, especially those from other African countries. Following Tshwete's assuming of office, many illegal immigrants were arrested in Hillbrow. Third, harsh talk may be seen by the police as a signal that they can deal with criminals as they see fit. Police brutality can be motivated by these kinds of deterrent messages (Shaw, 2002).

2.5.2 Incapacitation

This theory contends that people who have committed crime should be confined to an environment where they are incapable of reoffending away from society. Kirkham and Wollan (1980) observe that the police believe in incapacitation which is evidenced by their confidence in the effectiveness of putting offenders in jail. There are numerous examples of acts of incapacitation. Castration is believed to make future rape impossible, amputation of a hand of a thief handicaps the perpetrator and death penalty is a permanent incapacitation (Kirkham & Wollan, 1980). According to Kirkham and Wollan (1980), modern incapacitation methods such as chemotherapy and psychosurgery can alter behaviour and minimize propensities to commit crime. However, there is a growing concern over the ethics of altering the individual, especially without his consent.

Muntingh (2001) argues that the major limitation of this approach is the fact that 95% of the prisoners upon release return to their original communities still experiencing the same problems which saw them committing crime in the first place. It is a well-known fact that if one incarcerates, at some other time or other, one will have to de-incarcerate (Francis & Matthews, 1996). Hence, incarceration is criticised for compromising public safety and questionable effects on reducing crime rate. For instance, the number of people who would need to be incarcerated in order to make any real impact upon levels of offending is daunting (Francis & Matthews, 1996). Therefore, it would be more plausible to rehabilitate persistent offenders and reduce crime, rather than pursuing a policy of incapacitation.

Furthermore, incapacitation is refuted for being costly. In South Africa, the cost of prison confinement per individual per day is R123, 37 (Department of Correctional Services (DCS), 2008) Overcrowding is another problem in which the prison population was 1 625 101 in 1998 whilst staff to offender ratio is 1:52. Further, 51% of professional staff positions are not filled ((DCS, 2008). Francis and Matthews (1996) argue that the soaring costs of incarceration and the increasing recognition of the dangerous and alienating effects which imprisonment can produce, not only on prisoners, but on their families and dependents, has forced policy makers to reassess the role of imprisonment and to explore new avenues.

According to Muntingh (2001), emerging theory negates imprisonment and views it as an incapacitating experience for many offenders and not helping incarcerated offenders in most cases will leave them more marginalised and more committed to offending than they were when they entered the prison system. This is common to groups such as sex and violent crime offenders. Neglect and isolation in prison tends to support previous behavioural tendencies (Francis & Matthews, 1996). Thus Francis and Matthews (1996), argues that prisons must be perceived as places of robust activity where offenders are prepared for reentry by engaging them in productive work, if crime rate is to be reduced.

2.5.3 Retribution

Albertus (2010, p. 7) regards retribution as based on the biblical scripture, 'an eye for an eye, a tooth for a tooth and a life for a life' that is, a wrong requires a punishment. This approach defines crime as the breaching of the law which amounts to an offence against the state and its legislation. Longford and Pakenham (1961, p. 12) highlight that the retributive theory of punishment embraces two main concepts namely: First, it is an end in itself in that the offender should be punishment and suffer. Second, the primary justification of punishment is always to be found in the fact that an offence has been committed which deserves the punishment, not in any future advantages to be gained by its infliction whether for society or for the offender as an individual. Thus vengeance and expiation are the main aspects of retribution. Vengeance entails revenge that the offender should suffer and the pain should be in direct proportion to the crime committed. Conversely, expiation alludes that the offender should atone for his sins and eventually repents (Kirkham & Wollan, 1980). Expiation was the main reason for building of the first prison in America, the Philadelphia Walnut Street Jail (Kirkham & Wollan, 1980).

At first sight retribution seems to be connected with useless suffering. According to Longford and Pakenham (1961), like deterrence, retribution punishment results in twofold outcomes. It leads to the public repudiation of the crime by the community and the bringing of the delinquent to his senses by appropriate action. Thus retribution shows the society's disgust at crime and makes crime less likely to occur in future, not only by a frightening off process but by elevating the public mind and making the society to be moral and less likely to commit crime (Longford & Pakenham, 1961). Therefore, punishment is imposed on the individual offenders who must suffer the consequences of their behaviour.

According to Muntingh (2001), the retributive approach fails to address a number of key issues that are imperative in crime reduction and reintegration. Firstly, like deterrence, it assumes that people are rational such that they will analyze the experience of punishment and avoid further offences. Secondly, punishment is only focused on the offender and there is no attempt to focus on the impact of crime on the society at large and the specifically on the victim. Lastly, the victim is not given the opportunity to take responsibility of their offending behaviour.

2.5.4 Offender Reintegration and Rehabilitation

Maruna and Immarigeon (2004, p.5) define offender reintegration as a

> "systematic and evidence based process by which actions are taken to work with the offender in custody and on release, so that communities are better protected from harm and reoffending is significantly reduced. It encompasses the totality of work with prisoners, their families, significant others and victims in partnership with statutory and voluntary organisations". Reintegration is an ongoing process rather than a once off intervention in which previous interventions are supported by other supporting interventions in a sustained and linked manner (Muntingh, 2005). Hence successful reintegration starts during incarceration and continues thereafter.

The reformative theory on which rehabilitation is based contradicts the retributive theory (Albertus, 2010). Reformation dictates that punishment is a "means to an end and not an end in itself" (Albertus, 2010, p. 16). The end is the reformation of the criminal as a person so that he may at a certain stage become a normal law abiding and useful member of the community attained through participation in educational and therapeutic programmes (Albertus, 2010).

The reintegration theory argues that crime and delinquency represent a breach or absence of community (Padayachee, 2008). This theory advances that society breeds criminals and it is only proper that the same society becomes part of the solution when reintegrating the ex-offender (Glanz, 1993). This theory, according to Muntingh (2001), rests on two moral premises. The first moral premise asserts that it is better for people to be in community with one another than not whereas the second one states that community should be pursued wherever it is absent. Muntingh (2005) further argues that punishment that stigmatises, belittles, degrades, tortures and violates people will not contribute to reintegration and a sense of community. The reintegration theory holds that prisons should be run as pre-release centres that engage the convicted prisoner in reintegration programmes from the moment he/she enters prison to lead a law-abiding and useful life (Francis & Matthews, 1996). Punishment should, therefore, aim to promote community, to bring the offender back into the network or community of good citizens.

Unlike retributive punishment and imprisonment, offender reintegration seeks to protect both offenders and society through a restorative justice approach. Restorative justice compels the offenders to take responsibility for their actions and notably, creates restorative justice. There are several ways of achieving restorative justice. Victim- Offender mediation and conflict resolution is one method. Another is restitution and compensation for the losses suffered by the victim. Other methods used to facilitate restoration are conferencing and non-custodial options. The restorative justice approach holds better promise to reduce crime than a strictly punitive approach (Muntingh, 2001).

In restitution and compensation, the offenders' role is to develop awareness, appreciation and take responsibility for their actions by compensating victims for their loss. In cases where compensation is impossible, for example, cases of rape and abuse, the offender should show remorse. Conflict resolution on the other hand, was mainly undertaken by civil society organizations such as churches to create an environment of conciliation between victim and offender. Conflict resolution was successful in effectively preventing a cycle of vengeful violence in certain instances (Camerer & Kotze, 1998).

Restorative justice encompasses elements of Victim Empowerment Programme (VEP) where the interests of crime victims are acknowledged and where the balance between victims, communities and offenders is restored (Camerer & Kotze, 1998). This programme is in direct response to the impact that crime and violence have on the victim, who has never enjoyed

any protection in the past because of the nature of society in which s/he lives. The Youth Day celebrated annually on the 16th of June in South Africa in remembrance of the fateful 16 June 1976 aptly represent the intricate nature of apartheid violence as perpetuated by the regime and their total disregard for victims (Camerer & Kotze, 1998). The empowerment of victims reduces secondary victimization, encourages cooperation with judiciary procedures and enhances public support for the justice system.

Sarkin (2008) further notes that most prisons have dedicated their energy on reorienting the attitudes of offenders as the starting point for rehabilitation. The case of Goodwood Prison in South Africa is a good example where restorative justice was introduced which allows offenders to interact with their victims and respective families. The New Beginnings Project is a programme of Goodwood Prison which helps offenders to assume responsibility and acknowledge the consequences of their actions on others. Alike programmes are currently rolled out to at least 10 more prisons in South Africa (Sarkin, 2008).

According to Sarkin (2008), Pre-release Programmes represent a critical component of an offender's reintegration into society. NGOs in Uganda and Cameroon execute these programmes in the form of counseling. On the other hand, several correctional centres in South Africa support pre-release programmes through promoting the establishment of a support system between offenders and their families during the lead-up to their release. In the midst of this process are organised visits to families and weekend release programmes.

South Africa, Botswana and Uganda are some of the few Africa countries that have made efforts to improve rehabilitation programmes (Sarkin, 2008). Although some argue that rehabilitation programmes are generally not successful, rates of recidivism do drop where programmes operate under sound conditions (MacKenzie, 2000).

According to Francis and Matthews (1996), penal reformers emphasize rehabilitation, although they do not view prison as a suitable place for its provision. Consequently, the emphasis in recent years has been on reducing the use of imprisonment. However, it is unfortunate that "offender reintegration was not widely accepted in South Africa as a national priority and was therefore not considered as a legitimate crime prevention/reduction intervention in the past" (Padayachee, 2008, p. 9). In a nutshell, successful offender reintegration benefits the society at large and thwarts crime and victimisation.

Studies in England suggest that prisons when properly organised, can make a positive contribution to society and that constructive rehabilitative work can be developed within them (Francis & Matthews, 1996). For example, developing regimes which allow offenders to engage in paid productive work and which respond to and cater for the needs of different types of offenders. Prison works when it maintains personal security, allows skills development and self-confidence which will enable offenders to address the reasons for their offending and the personal and social problems which they may experience both inside and outside prison (Francis & Matthews, 1996). To reduce recidivism, several American Scholars such as Birgden (2004) and Franke (2004) recommend an alternative strategy based on the development of treatment programmes designed to reduce the commitment of offending and enhance individual competencies in the form of rehabilitation and reintegration.

2.5.5 Criticism and Barriers to Rehabilitation

Rehabilitation has been criticised for the moral implications associated with the term. "It has often been associated with the belief that human behaviour is the product of antecedent causes that can be identified and that therapeutic measures can be employed to effect positive changes in the behaviour of the person subjected to the treatment" (Rabie & Mare, 1994, p. 19). The prisoner according to this approach is regarded as malfunctioned, or as being diseased, and capable of being treated or cured by professionals within the criminal justice system. However, literature shows that the current rehabilitation programmes in prisons today are no longer prescriptive, participation is voluntary.

Martinson (2001, p. 270) argues that, "with few and isolated exceptions, the rehabilitative efforts that have been reported so far have had no appreciable effect on recidivism". Martinson's 'nothing works' approach was interpreted by conservatives in government as a support for a retributive approach. Martinson (2001) further refute the rehabilitation theory arguing that it might be faulty as it overlooks the normality of crime in society and that crime may be a 'normal' response by people who are responding to the facts and conditions of society. Conversely, the rehabilitation theory maintains that reintegration services serve to ameliorate the impact of imprisonment and deal with risk factors through treatment and the creation of skills and awareness, and through facilitating contact with the community. Despite Martinson's criticism of the rehabilitation theory, emerging scholars reinforce the importance of rehabilitation and propound that some treatment programmes may be effective under

certain conditions (MacKenzie 2000) and Muntingh (2001). These scholars reveal that recidivism in the U.S is on average 10% points lower for prisoners receiving treatment programmes, though sometimes the reduction in recidivism may be as high as 25% (Cullen & Gendreau, 2000).

There are various barriers to enforce rehabilitation in prisons. In the African context, "the task of rehabilitation proves difficult as prisons are routinely overcrowded, severely underfunded and have poor conditions of detention" (Odongo, 2006, p. 10). Efforts of rehabilitation are undermined by the lack of resources and, in some places, lack of will by prison authorities to carry out programmes as they perceive prison as a place of punishment rather than rehabilitation. Sarkin (2008) argues that with the provision of strong leadership that has integrity, managerial skills and vision who conveys massages of inspiration to all levels of the prison administration, the prison environment would be a better place for reintegration. This follows the hierarchical nature of prisons such that the character and culture of the institution are inevitably shaped by its leadership. On the contrary, where leadership is incompetent or corrupt, this weakness pervades all strata of the prison management, diminishes the prospects for initiative and increases the likelihood of mal-administration and the mistreatment of offenders hence offenders fail to reintegrate (Sarkin, 2008, p. 23).

In order to curb the unsuccessful reintegration of offenders, Sarkin (2008) posits that it is important to enhance the manner in which prison staff are recruited, trained and rewarded as these influence the way in which they carry out their duties and the commitment and professionalism which they bring to their work. Sarkin (2008) highlights that training should be aimed at instilling an understanding of the fact that prisoners do not forfeit their fundamental human rights once they are incarcerated. South Africa is one of the African countries that have introduced a rights-based aspect into their training of prison staff. Recent research shows that specialist training on rehabilitation offered to prison officials is still deficient across the African continent (Albertus, 2010).

Increasing prison staff adds to better service delivery of reintegration programmes. Sarkin (2008) argues that staff shortage ensues from the fact that personnel numbers are based on how many offenders the prisons have built to accommodate, rather than on how many they actually accommodate. Staff shortage exacerbates workloads and this in turn often leads to staff suffering from stress symptoms and burnout which culminates in poor performance of

day to day duties. Remuneration and working conditions are the major determinants of employee satisfaction which contribute to the high turnover of prison staff and low morale according to Sarkin (2008).

Access to education and training facilities in most African prisons is limited due to budgetary constraints, prisoner overcrowding and, in most instances, to a lack of interest on the part of the state (Odongo, 2006). In Ghana, steps have been taken to promote practical skills amongst prisoners in the Winneba Prison through participating in tailoring and shoemaking programmes (Ghana Chronicle 6 November 2006). Similar steps to improve prisoners' skills include the Beauty Therapy Programme introduced into the Langata Women's Prison in Kenya (Odongo 2006). This programme includes fashion design and beauty treatment, and it improves the prisoner's self-esteem and equips many with skills that can be usefully employed upon their release. In South Africa, most state prisons have teaching facilities, but there are generally too few to meet the needs of all offenders wishing to use them and their quality is often poor. These prisons typically have classrooms, a library, a workshop and a computer room with outdated computers (Sarkin, 2008).

In the African continent, recreational facilities are inadequate and in some countries these facilities are absent. However, despite the absence of recreational facilities in South African prisons, the staff at Westville Youth Prison regularly organizes sporting and cultural events such as soccer, fashion shows and plays for the inmates. Mali has adopted similar activities with added dimension that the spectators are members of the public (Sarkin, 2008) Recreational activities do not only serve to boost the prisoners' self-esteem, but assist to channel their energies into positive activities.

The success of reintegration programmes is very difficult to measure since there is a lack of consensus on appropriate standards and measurements for gauging success, especially in the African context. There are various themes that are central to successful programmes which encompass addressing employment related skills, ongoing monitoring and follow up, working with families and communities, a component of restorative justice and programmes lasting from nine months to a year (Sarkin, 2008). Among these themes is the Risk-Need-Responsivity model as McGuire (2000) in Dissel (2001) notes that there is developing consensus that programmes and services should follow the Risk-Need-Responsivity model and also have clear objectives and be based on theoretical soundness..

2.6 Key Features of Effective Intervention: The Risk-Need-Responsivity Model

Polaschek (2012, p. 3) the Risk-Need-Responsivity (RNR) model of rehabilitation is a "theoretical framework that outlines both the central causes of persistent criminal behaviour, and some broad principles for reducing crime". This model was developed in 1990 by Andrew, Bonta and Hoge (1990). The model is guided by 3 core principles, namely, the risk principle, the need principle and the responsivity principle:

2.6.1 The Risk Principle

According to the Public Safety Canada (2007), the risk principle is based on the fact that offender recidivism can be minimised if the level of therapeutic services provided to the offender is proportional to the offender's risk to re-offend. This model is based on three assumptions (Polaschek, 2012). First, it assumes that intervening to help offenders reduces recidivism and benefits the community as well. Second, it assumes that the only way to intervene effectively is through compassionate, collaborative and dignified human service intervention that targets change on factors that predict criminal behaviour. Last, it also assumes that "correctional rehabilitation is usually resourced by and accountable to government; although offenders have rights to assistance with all aspects of functioning and correctional programmes are not mandated to address non-criminogenic needs" (Polaschek, 2012, p. 15).

An effective programme must differentiate low risk from high risk offenders and identify factors that are linked to relapse and desistance before designing any programmes (Rujjanavet, 2008 & Andrews, 2001). Higher risk offenders require more intensive intervention whilst brief and narrowly focused programmes can benefit lower risk offenders (Bonta, 1997 and Polaschek, 2012). Bonta (1997) discovers that exposing lower risk offenders to intensive programmes has no impact on recidivism or may increase recidivism. Thus reliable risk assessment is a pre-requisite for delivery of effective treatment.

2.6.2 Need Principle

This principle channels the focus of correctional treatment to criminogenic needs. Criminogenic needs are dynamic attributes that are directly linked to criminal behaviour, for example, substance abuse and employment problems. Unlike static risk factors that can only change in one direction and immutable to treatment intervention, criminogenic needs are

dynamic in that they come and go (Andrews, 2001). Criminogenic needs serve as treatment goals which, if successfully addressed, may reduce recidivism (Bonta 1997).

2.6.3 Responsivity Principle

The responsivity principle, according to Andrews (2001, p. 13), entails maximizing the offender's ability to learn from a rehabilitative intervention by providing cognitive-behavioural treatment and tailoring the intervention to the learning style, motivation, abilities and strengths of the offenders. On the other hand, Polaschek (2012) notes that general responsivity refers to the use of general techniques and processes such as cognitive social learning methods to influence behaviour. Conversely, specific responsivity leads to variations among offenders in the styles and modes of service to which they respond. For instance, women offenders may not engage in a programme designed for men. Specific responsivity takes into account strengths, learning style, personality, motivation and bio-social variables such as gender, race and characteristics of the individual (Andrews, 2001, p. 16).

The three main principles are accompanied by overarching, additional clinical and organisational principles (Polaschek, 2012). The overarching principles encompass respect for the person and normative context; basing the programme on empirically validated psychological theory; the importance and legitimacy of services that prevent crime, even when those services are located outside the criminal justice system (Polaschek, 2012, p. 18). Additional clinical principles state that the programmes should target several criminogenic needs; should assess strengths, both for risk prediction and responsivity, use structured assessment of risk, and use professional discretion occasionally on well-reasoned and well-documented grounds (Polaschek, 2012). Organisational principles should recognise intervention contexts and needed resources (Polaschek, 2012). Community acceptance and the continuity of service delivery contribute to successful reintegration.

Based on these principles, rehabilitation and reintegration programmes and services are therefore implemented concentrating on essential needs and risks of the offender as well as responsivity and community acceptance and continuity of support.

2.7 Legislation Supporting Offender Reintegration in Africa and South Africa

A number of legal instruments in the African region deal with the rehabilitation and reintegration of offenders. The primary document outlining rights for prisoners in Africa is the Kampala Declaration on Prison Conditions in Africa which was adopted in 1996 (Odongo, 2006). This document recommends the reduction of imprisonment and its detrimental effects. It emphasizes that prisoners must continue to be in contact with the outside world and be given access to education and skills training for easier reintegration into society (Dissel 2002). In 2002, the Ouagadougou Declaration on Accelerating Penal and Prison Reform in Africa was advanced following the Pan-African Seminar held in Burkina Faso. This declaration promotes the reintegration of offenders by proposing that states should make greater efforts to use the period of incarceration to develop the potential of offenders and to empower them to live a crime free life in future (Odongo, 2006). The Plan of Action of the declaration also includes promoting literacy skills, use of non-custodial sentences, ensuring that unsentenced prisoners have access to rehabilitation programmes, promoting vocational skills, adopting the use of open prisons under appropriate circumstances and using half-way (Dissel, 2002).

Following the Ouagadougou Declaration, many African countries including South Africa revisited their legislations. Thus South Africa adopted the Correctional Services Act No. 111 of 1998 which was brought to effect in 2004 and the 2005 White Paper on Corrections which puts offender reintegration at the heart of Department of Correctional Service (hereafter DCS). However, the Ouagadougou Declaration is unique in that it says that unsentenced offenders are required to undergo the rehabilitation process which contradicts the convention that prisoners should only engage in these programmes once found guilty. Moreover, the establishment of half-way houses would be a new initiative in Africa.

Unlike during apartheid, segregation in South African prisons is based on sex, age, criminal record and legal matters. Categorization has no bearing on race as was the case with apartheid. The basis of classification is on penological principles which can be tested in South African and in an international context (Glanz, 1993).

According to Albertus (2010), prisoners are perhaps more in need of support to enhance their quality of life than are ordinary citizens. Owing to their restricted freedom and subsequent dependence on the government to meet their daily needs, the government must introduce

reintegration process that can support prisoners to ultimately reach their full potential as productive law-abiding citizens. Thus the prospects of reintegration are worth prioritising.

The correctional services Act 111 of 1998 (CSA) section 6 (4) (a) emphasises the state's constitutional obligation to safeguard that all prisoners have equal benefit of the law (DCS, 2008). Upholding section 9(1) ensures the realisation the reintegrating goal of allowing ex-offenders to become positive and productive participants in the mainstream society (Albertus, 2010). Further, Albertus (2010) maintains that the constitution holds the guarantee of full citizenship to all South Africans and this corroborates the purpose of reintegration which is to ensure that prisoners become rightful and productive citizens.

The key objective of the Department of Correctional Services is to promote the social responsibility and human development of all prisoners (Dissel, 2002). According to Albertus (2010), this can be attained through creating a favourable environment in correctional centres that enhances effective reintegration. Section 13 of the Correctional Services Act mandates the DCS to encourage inmates to keep in contact with their community and to enable inmates to keep abreast of current affairs (DCS, 2008). This helps offenders to establish or rebuild relationships with the communities to which they will return to and reduce the stigma attached to imprisonment (Albertus, 2010). Further, according to Albertus (2010), the White Paper gives impetus to the conception of offender reintegration as a crime reduction strategy when it sets out that the main objective of the reintegration process is to nurture relationships through restorative justice and victim empowerment.

Upon admission, every sentenced offender undergoes an assessment process which is aimed at establishing the inmates' needs (Albertus, 2010). These needs encompass health, educational, employment and reintegration into the community. A correctional sentence plan follows and this is the tool that is used to plan the reintegration process of the individual prisoner. Goals and targets for the prisoner are identified and set and these should align with the prisoners' needs identified during the assessment (Albertus, 2010). The DSC should make programmes, space and time available for the implementation of the plan, while the prisoner must take every opportunity to attend and apply the lessons and skills offered (Albertus, 2010).

Section 44(1) (d) allows an inmate to be granted temporary leave from the correctional centre for any reason related to the successful reintegration of the inmate into the community (DCS,

2008). Section 45 further provides that an inmate must be prepared for placement, release and reintegration into society by participating in a pre-release programme (DCS, 2008). The reintegration should start from the beginning of the prison. The above literature shows that the law has moved from a strictly punitive approach to rehabilitation and reintegration approach which protect the offender and their victim as well as the family of the offender.

2.8 Offender Reintegration Programmes in South Africa

There are various stakeholders operating both in and outside prison with prisoners, ex-prisoners and their families to promote offender reintegration and to reduce the chances of recidivating. In partnership with community organisations and Non-Governmental Organisations (NGOs), the government offers diverse services and programmes to offenders. Services offered range from family support, vocational skills and therapeutic programmes such as anger management.

However, literature shows that these programmes are isolated and lack continuity from prison and outside prison. Reintegration programmes vary in efficacy and none are completely effective (Albertus, 2010). Also, most Non-Governmental Organization (hence forth NGOs) rely on donor funding which negatively impacts on service delivery when funding is terminated. This study will focus on the programmes provided by NICRO, Khulisa and Gauteng Rehabilitation Trust. These selected NGOs are the main offender reintegration service providers responsible for the Ekurhuleni Region.

2.8.1 NICRO Offender Reintegration Projects

The National Institute for Crime Prevention and the Reintegration of Offenders (hereafter NICRO) was established in 1910 as a prisoner's friend organization aimed at creating a crime free South Africa (Muntingh, 2001). Offenders, victims of crime and the community at large form the main focus area of NICRO. Offender reintegration among other programmes such as diversion and non-custodial sentencing are NICRO's main projects. NICRO's reintegration projects encompass the Tough Enough Project (TEP) and the Economic Opportunities Project (EOP). Muntingh (2001) and Mpuang (2005) provide the literature on these programmes.

2.8.1.1 The Tough Enough Project

This is a pragmatic programme that challenges the prisoners to be answerable to their offending behaviour and hold them responsible for their future (Muntingh, 2001). This programme targets prisoners left with 6 or less months to serve who are between the ages of 18 – 35 years as well as their families and communities (Muntingh, 2001). The objectives of the TEP are Skills Development, building and improvement of relationships, potential development and motivation for action. After release, the offender and the family are supported for a period of 6-9 months, after-which the service is dismissed on condition that they progress well (Mpuang, 2005). Services may be extended and a new contract entered into. The programme helps both the prisoner and their family to explore the opportunities, resources and possibilities in assisting offenders to form part of the community again. The community is also challenged to provide a conducive environment for a smooth reintegration. According to Mpuang (2005), this project comprises of six phases which are discussed below.

Phase One: Recruitment and Assessment

According to Muntingh (2001, recruitment to this programme is voluntary and self-selection serves as offender willpower. The NICRO worker conducts individual assessments and which determines the needs of the offenders. The group capacity is a maximum of 20 participants. Successful entry into the programme is accompanied by endorsing a contract with NICRO which explains the programme and its duration (Mpuang, 2005). This contract ensures commitment from parties and it specifies the non-negotiable and these non-negotiables encompass commitment, accountability and responsibility. Subsequently, the offender identifies 3 primary areas of their life that they need to transform at the end of the programme and these identified areas become the primary focus of the intervention. The success of the programme is dependent on the commitment of the participants (Mpuang, 2005).

Phase Two: Setting the Challenge

According to Mpuang (2005), phase two is done in groups conducted over a period of 5 days. It is an in-depth phase which challenges the participants to objectively examine their past and present lives and put in writing the path that they want to follow (Mpuang, 2005). This emphasizes the need to take responsibility, change and take corrective measures on their past

offending behavior and stay committed to the new path. Fears, anxieties, expectations upon release and experiences in prison are also explored and discussed in this phase (Mpuang, 2005). Opportunities within their communities and strategies to access them are also identified. The offenders commit themselves to certain actions and decisions which will impact positively on their reintegration (Mpuang, 2005).

Phase Three: Facing the Challenge

This stage according to Mpuang (2005) comprises of 8 sessions done weekly over a period of 8 weeks. This phase heralds the actual implementation of the decisions made in phase two. Through the group and individually, participants handle issues. Intervention such as Victim Offender Mediation, Family Group Conferences, work with families and victims start during this phase. Support is provided by encouraging participants to tackle challenges with a positive attitude. Resilience and perseverance by the participants in the implementation of positive plans is emphasized given that new or unexpected realities are common during reintegration. In this stage, the facilitator actively engages and encourages the community to commit towards the reintegration of the imprisoned participants (Mpuang, 2005).

Phase Four: Overcoming the Challenge

This is the period when the prisoner is released and faces their support structures which mainly comprises of family, community and friends. There are uncertainties around acceptance, promises and decisions made, which might be experienced by the ex-prisoner and family (Mpuang, 2005). This phase runs over a 6-9 month period. At this stage ex-prisoner acquires independence and strengthened relationships with the family and significant others. The community becomes an important support system for the offender and his family and where possible, a mentor is appointed for support (Mpuang, 2005).

Phase Five: Staying Out

This phase is continuous for the offender and it aims to prevent recidivism. The preceding stages determine the attainment and success of this stage. The offender should be stable and making a positive contribution towards both his family and the community and the support of NICRO should be slight or needless (Mpuang, 2005). Community and family support

continues to provide for the sense of belonging and accountability by the ex-prisoner (Mpuang, 2005).

Phase Six: Tracking

The programme participants are tracked for twelve months after completion of the programme to check the impact of the programme on the ex-convict. The key indicators of the effectiveness of the programme measure if the participant has not re-offended, if the participant is making a positive contribution to family and community, whether the participant has a stable source of income and if the participant is accessing and accepting support when necessary (Mpuang, 2005).

2.8.1.2 Economic Opportunities Project (EOP) and Nicro Enterprise Finance

In 1996 NICRO moved away from a job placement service for released prisoners to an entrepreneurial development service its Economic Opportunities Project (Muntingh, 2001). This was after realising the difficulties ex-offenders were facing in finding employment in the formal sector. In 1997, NICRO changed from working with the Start-Up Fund training package and access to finance, to the Start and Improve Your Business (SIYB) course of the International Labour Organization (ILO) (Muntingh, 2001). One of the problems faced by ex-offenders pertained to access to finance. Former offenders found it difficult to access financing from banks as banks considered them as high risk clients and also because the amounts of finance they required were too small for the banks' consideration. This steered the formation of the NICRO Enterprise Finance (NEF) registered under Section 21 of 1998 to cater for clients of the agency (Muntingh, 2001). Eligibility for a loan was determined by the completion of the ILO SIYB course facilitated by NICRO worker, and after submitting a business plan to the NEF for approval (Muntingh, 2001).

Whereas EOP staff provides support services such as developing the business plan, assisting in the loan application and aftercare services, the NEF provides the financial support services by making finance available and providing advice on the financial administration of the business (Muntingh, 2001). The EOP and NEF form an important link in moving former offenders to a position where they can sustain themselves and do not have to return to crime for survival (Muntingh, (2001). Evaluation of the NEF in the first two years of operation shows success in that the loan repayments vary between 55% and 75% an indication that

participants are committed to their businesses and that these are performing sufficiently in order to service the loan (Muntingh, 2001). Based on financial indicators, it appears that former offenders are utilizing and benefiting from the EOP and NEF services (Muntingh, 2001).

2.8.2 Gauteng Rehabilitation Trust

The Gauteng Rehabilitation Trust (hereafter GRT), according to Mpuang (2005), is a religious NGO that provides counselling services to inmates before and after release at Johannesburg prison. Counselling sessions are done twice in a week by three counsellors. The duration per session varies from 15 to 20 minutes over a period of 3-4 months to ensure continuity Muntingh (2001). Due to limited resources, the organisation works with prisoners who are left with 12 months before release. In addition group sessions such as Bible study are held. GRT also holds workshops with young prisoners awaiting trial and 100 to 120 juveniles usually participate in these sessions (Muntingh, 2001). In the case of broken relationships, family reunification services are facilitated to enable reintegration. The GRT is currently in the process of developing halfway houses in together with the local ministers and this will assist prisoners after they have been released (Muntingh, 2001).

2.8.3 Khulisa

Khulisa Crime Prevention Initiative is a national non-profit organization started by Ann van Selm (1997) aiming to bring together all sectors of society in the fight against crime. Its main strategy is to create behavioural change in people who were either committing crime or at risk of entering a life of crime. The organization is currently running 250 behavioural change projects across South Africa and it has established an office in the UK (Muntingh, 2001).

2.8.3.1 Khulisa's programme of Usiko

This programme is a combination of storytelling and life skills development in an attempt to restore the self-respect and effect behavior among prisoners. It utilises traditional stories and focuses on morals, sensibilities and values in order to develop life skills (Mpuang, 2005). Muntingh (2001) notes that Usiko is creative programme which uses visual arts, drama and dance when working with prisoners to affect positive change. Programmes have tended to

target communication, numeracy and language learning, human and social science, life orientation, economic and management science, arts and culture, and natural science (Muntingh, 2001). The course content consists of about 120 indigenous stories for example My Path Story which addresses self-conceptual issues, goal-setting and career planning. The last part of the course focuses on business skills and entrepreneurial development (Muntingh, 2001).

2.8.3.2 Khulisa's programme of the Tuition Model

This project consists of self-discovery tools for instance meditation, journal-keeping, creative writing and art exercises (Muntingh, 2001). In this project the participants work through workbooks and the course is discussed in groups weekly. Training is also provided to prisoners who desire to be facilitators (Muntingh, 2001). Three features are typical of the Khulisa programmes. Thus the use of cultural expression though storytelling as a means of moral re-education and self-development. Second, the programme is well structured and the offender gets the opportunity to become course facilitator (Muntingh, 2001).

2.8.4 The State's Rehabilitation Services in Prisons

2.8.4.1Access to development programmes for unsentenced offenders

Traditionally, rehabilitation programmes target only sentenced prisoners yet many prisoners in Africa spend long periods awaiting trial. Dissel (2002) notes that pre-trial offenders form a large proportion of the imprisoned population and some of these remain unsentenced for more than 10years. Padayachee (2008) reveals that of the 16 25101 of the prison population, 47 837 of this are awaiting trial detainees. Hence the pre-trial period could be used for the development and skills training of prisoners. Section 16 of the Correctional Service Act of South Africa No. 111 of 1998 provides that the DCS may provide development and support services to unsentenced offenders or, when it does not, should inform prisoners of services available from other agencies and put them in touch with such agencies (Dissel, 2002). The 2005 White paper on corrections supports the rehabilitation of unsentenced offenders. However, realizing the instability of this population and lack of facilities, the department is advocating for the removal of unsentenced offenders from its ministerial authority.

2.8.4.2 Literacy Training and Education

According to Dissel (2002), the majority of prisoners all over the world originate from the most disenfranchised sectors of the community with low levels of educational attainment and access, and low levels of literacy. Nevertheless, prison education is limited and only available to a small percentage where it is available. Zimbabwe, Mozambique, Uganda and Tanzania are some of the African countries with prison education (Odongo, 2006). In South Africa, Section 19 of the Correctional Service Act No. 111 of 1998 makes it mandatory to provide education programmes to all school going aged child prisoners (Albertus, 2010). On the other hand, Section 41(2) of the Act makes it a legal requirement for illiterate adult prisoners to undergo literacy training. This is so in preparation for after release (White Paper on Corrections, 2005).

2.8.4.3 Vocational Skills Training

The provision of vocational training to prisoners follows the UN Standard Minimum Rules for the Treatment of Prisoners which mandates that prisons should prepare prisoners for life after release through teaching skills that are applicable to the outside world (Sarkin, 2008). Services providers are also cautioned against training for merely profit purposes. In Kenya, for instance, training was available in carpentry, masonry, tailoring and agriculture. Dissel (2002) highlights that in South Africa, where skills development is a national priority, the Department of Labour provided R13 million for occupational skills training, profiting about 9% of the prisoners during the 2003 academic year. Further, vocational skills training were made available to offenders in terms of which prisoners are assessed and issued with qualifications by the Sector Education and Training Authority (Dissel, 2002). South African skills training include building, metal and electrical trades.

2.8.4.4 Social and Psychological Support with Adequate Professionals

Programmes provided by professionals target criminogenic needs of prisoners such as cognitive-behavioural functioning, substance abuse, psychosocial dysfunction, and the development of new attitudes. The services of social workers are central to the family reunification process and tracing of families. For instance, Botswana has a social work unit which addresses the social, emotional and behavioural problems of prisoners including counseling services and home visits (Odongo, 2006). South Africa also offers social and

psychological services to facilitate rehabilitation and reintegration through the use of psychologists and social workers. However, the major setback on this programme is a massive shortage of staff. The ratio of psychologist to prisoners and of social worker to prisoners is 1: 4 062 and 1: 342 respectively (Dissel, 2002).

2.8.4.5 Contact with the outside world

Given the fact that most prisoners will eventually be released back to the community, it is essential that their family and community ties are built and rebuilt before release. It is the role of the ex-offender's family to welcome the ex-convict, normalize him after imprisonment, provide shelter and food, and offering support whilst the ex-offender attempts to procure gainful employment (Dissel, 2002). In some cases it is argued that prisoners could not receive visits unless a bribe is paid (Dissel, 2002). In some instances, the relatives of prisoners are so poor to afford visiting the prison on a regular basis as travelling is costly. Most countries do not permit regular visits and where allowed, they are short-lived. In Africa in general, access to radio, television and newspapers is restricted for security reasons. In Namibia, where writing and receiving of letters is permitted, the barrier is the high illiteracy rates among the imprisoned population (Mpuang, 2005).

2.8.4.6 Religious Services

Rules 41 and 42 of the UN SMR provide that prisoners shall have access to religious practitioners of their choice, that they should be able to attend services of that person, and that they should be able to satisfy the needs of religious life (Dissel 2002). Religious workers are important in that they offer spiritual and moral development of prisoners as well as providing guidance and support. In Senegal and Mauritius, spiritual practices such as yoga and meditation were found beneficial. According to Sarkin (2008), religious ministries are prolific globally and have greater access to prisons than non-faith based organizations as they have a well-known agenda.

2.8.4.7 Open prisons

According to Sarkin (2008), the inception of open prisons follows the Ouagadougou Declaration of 2002. Open prisons are institutions with less restrictive regime aimed at facilitating re-entry into the community (Dissel, 2002). A good example is the Richelieu

Open Prison in Mauritius which accommodates 7% of the prison population and it has less stringent security (Dissel, 2002). This prison operates under a system of rehabilitation based on self-discipline and the development of the prisoners' sense of responsibility (Dissel, 2002). The prisoners are exposed to a variety of jobs including farming and animal husbandry. On the contrary, at Chingozi Open Centre, in Tete in Mozambique, families of prisoners can stay at the centre, although they are not accommodated with the prisoners (Sarkin, 2008). The results of open prisons were very encouraging as recidivism rates decreased and escapes reported were rare.

2.9 Challenges confronting ex-offenders during reintegration

Ex-offenders encounter a litany of challenges to living a crime free life after release from prison confinement. Chief among them are rejection by families and communities of origin and the fear of revenge from the victims or victims' families. Elikann (1996) notes that 62% of all United States prisoners released in 1983 were rearrested for another crime within 3 years. However, recidivism rates increased drastically due to lack of reintegration services. This follows the study done by Franke (2006) which found that of the 600 000 prisoners released every year in the United States, 68% of them will return to prison within 3 years. Swart and Naude (1994) state that more than 6 000 sentenced prisoners are released from South African prisons every month and 80-94% of them return to crime. These dismal numbers highlight apparent failures of the justice system and community programmes to successfully reintegrate offenders. Bearing these shocking statistics in mind, it is imperative to debate on the challenges/experiences of ex-offenders during the reintegration process.

2.9.1 Stigma

According to Bushway (1996, p. 667), an individual's involvement in the criminal justice system may result in one being labeled as "essentially deviant;" and prospective employers may use the existence of a criminal record to exclude an individual from a job opportunity without taking into cognizant other attributes. There are different forms of stigma according to Francis and Matthews (1996). Legal stigma is stigma in which some state and federal legislation bars ex-felons from certain classes of employment; voting rights may be suspended, at least temporarily. On the other hand social stigma entails the label the community attaches to the ex-offender (Francis & Mathews, 1996). Prior contact with the criminal justice system seems more serious that the current criminal record as it deprives

young persons of the necessary social or human capital to participate in the labor market. According to Francis and Matthews (1996), stigma against ex-offenders can be linked to the public believes that prison experiences increase criminality in inmates. Research further reveals that prisons are really schools for criminals that turn new inmates into hardened criminals (Thompson, 2008).

Addressing stigma only does not stop the plight of ex- offenders during reintegration. In addition to the stigma of a criminal conviction, the interaction between race and bias makes attempts to redress the problem onerous (Thompson, 2008). For instance, a recent study in USA sent matched pairs of young Black and White men to apply for reentry jobs and a criminal record had much more adverse impact on Black applicants than White applicants (Murray, 2007). In the Canada, it is well-known that rates of participation in crime and incarceration among black men are very high, as noted previously. Hence White ex-offenders stand a better chance of getting formal employment. It seems that prospective employers see more ontological density and epistemological virtue in Whites than Blacks (Murray, 2007).

2.9.2 Unemployment

According to Bushway (1996, p. 45) the former offender may be "harmed in the labor market due to lack of work experience and may experience an erosion of skills while serving time". A criminal record itself creates major obstacles to finding legal employment by interrupting employment, limiting the development of job skills, and discouraging potential employers from hiring those with a criminal history (Thompson, 2008). Furthermore, any ties to legitimate employers are likely to be destroyed by an initial arrest and by a prison spell (Bushway 1996). A criminal history record may signal an untrustworthy or problematic employee and ex-offenders are also regarded as having increased tendency to break rules, steal, or harm customers (Thompson 2008 & Bushway 1996). A criminal record also undermines the social connections necessary to maintain stable job opportunities. Recent researchers discovered that the damage of the ex-offender stigma permanently impairs the earning capacity of people of colour.

2.9.3 Alienation

Institutions such as schools, police health and welfare offices often alienate offenders from service provision. Holzer (2000) notes that these institutions tend to treat ex-offenders as supplicants or wrongdoers. Most often, treatment programmes to ex-offenders are

structured, dictated and imposed rather than allowing their right to self determination. For instance, many organizations have a fixed manual on how a substance abuse programme must be run. With overwhelming caseloads, human service workers are often too pressed for time to listen to offenders or answer questions and offenders may perceive this as a lack of respect (Thompson, 2008). Consequently, many offenders often anticipate to be treated with disrespect and hostility by welfare institutions.

Apart from alienation by institutions, some ex-offenders face rejection from close relatives and friends upon release. Furthermore, the period of incarceration may itself have had "collateral effects" (Borzycki 2005, p. 36 cited in Curt et *al* 2007). Upon release many offenders may have damaged their social networks. Some find their partners married especially those who had served longer prison terms. According to the Social Exclusion Unit (2002) cited in Murray (2007), families are one of the most important factors affecting prisoners' rehabilitation after release from prison. Many ex-convicts reoffend due to rejection by family members. Apart from the ex-offender, their families also suffer the separation due to incarceration. The family has to deal with the separation and the consequences of the inmate's absence from the home as well as the stigma attached to having a relative in prison (Albertus, 2010). Imprisonment of a partner according to Matthews (1983) can be emotionally overwhelming and practically debilitating as it translates to loss of income, social isolation, difficulties of maintaining contact, deterioration in relationships, and extra burdens of childcare can compound a sense of loss and hopelessness for prisoners' partners. Imprisonment of a partner can also cause home moves (Noble 1995 cited in Murray 2007), divorce and relationship problems and medical and health problems. Many ex-convicts find themselves homeless in the end.

2.9.4 Substance abuse

Studies estimate that approximately 60% of people arrested in major cities in the United States used drugs at the time of arrest and that nearly 70% of state prisoners in USA suffer from problems related to drug addiction and alcoholism (Thompson, 2008). Some studies suggest that drug abuse treatment is a significant factor in reducing recidivism. Despite the fact that substance abuse prevention programmes are widespread as pre-release programmes for inmates in South African prisons, studies in the Western Cape reveal that most ex-offenders suffer from drug addiction related problems (Muntingh, 2005). Moreover, Muntingh (2005) highlights that preventing the risk of ex-offender from using substances

would reduce the risk of reoffending. However, whilst this is workable in theory, such a control-based approach is difficult to sustain in practice. Research shows that a number of ex-offenders abuse substances in response to the isolation, rejection by family, embarrassment to face the world with a sober mind and economic problems they experience after release (Muntingh, 2005).

2.9 Conclusions

This chapter focused on the history of crime and prisons in South Africa prior to and after the advent of democracy. It undertook a critical discussion on the development of prisons and punishment as a response to the rising crime statistics. Offender reintegration came into being following the limitations of the punitive approaches to rehabilitation. In this chapter, attention was also channeled to the theories of crime and also the challenges faced by ex-offenders during the reintegration process. The efforts by different stakeholders in the reintegration phenomenon were also discussed.

CHAPTER 3

RESEARCH METHODOLOGY

3.1 Research strategy

This study employed a qualitative approach which is dialogical and flexible. In qualitative research, the researcher is able to explore vital individualized insights and experiences (Patton, 1990). The qualitative research method produces in-depth and detailed information that generate understanding (Patton, 1990; Babbie & Mouton, 2001). Within the qualitative research approach, an exploratory research design was utilised. Babbie (2004), and Blanche and Durrheim (2004) observe that exploratory studies are valuable when the researcher is breaking new ground. Similarly, Gokah (2005) argues that exploratory studies give the researcher the ability to investigate new phenomena. Babbie (2004) states that, exploratory studies serve to develop methods to be employed in any subsequent studies. On the other hand, Neuman (2000) maintains that exploratory design is about latching onto the process and exploring it to no end; it's about exploring new experiences, techniques and cultures. It is meant to encourage the researcher to bring a fresh way of approaching their research as it makes use of an open, flexible and inductive approach to research (Blanche & Durrheim, 2004, p. 35). An exploratory design was deemed to be most suitable for this study given that the research sought to capture the life experiences of participants.

3.2 Population of the study

The population, from which the study sample was drawn, comprised of adult ex-offenders in the Ekurhuleni region who had served time in prison. The research population also comprised of key informants, this category of participants targeted people with expert knowledge in the science of offender reintegration. These people included but were not limited to, prison officials, academics and personnel from NGOs that specialize in rendering offender reintegration services.

3.3 Sampling

According to Neuman (2000), sampling is a process of systematically selecting cases for inclusion in a research project. It was impossible to include all ex-offenders from Ekurhuleni region hence a small sample of about fifteen people was selected. Non-probability sampling methods in the form of a combination of snowball and purposive sampling were used for

recruiting participants. In purposive sampling, "a sample is selected on the basis of knowledge of a population, its elements, and the purpose of the study" (Babbie, 2004, p. 123). Neuman (2000) maintains that purposive or judgmental sampling selects cases with a specific purpose to obtain in-depth information. On the other hand, Babbie (2001) cited in De Vos, Strydom, Fouche and Delport (2002) states that in snowball sampling the researcher collects data on the few members of the target population, and then seeks information from those individuals that enables him to locate other members of that population. Snowball sampling is also called network or chain referral sampling as a method for selecting the cases in a network. This sampling method is used to identify hard-to reach individuals (De Vos et al., 2002).

In this study, the researcher identified five participants who were attending the NICRO offender reintegration programme who in turn informed the researcher of five other suitable candidates for this study. The researcher also identified New Beginnings Care Centre based on the knowledge that some ex-offenders live at that shelter. Management at this shelter called two ex-offenders who in turn had a snow-ball effect on the remaining three. The key-informants were identified through using NICRO's data-base of the offender reintegration stakeholders. The interviews were carried out with 20 participants whose age group was between 21 and 45. All the interviews were carried out in English. Out of the total number of 15 ex-offenders interviewed, 3 were not tape-recorded and out of the 5 key-informants interviewed, 3 were also not tape-recorded following the objections from the participants. The participants' refusal to be tape-recorded seemed to be the fear of victimisation. To avoid data loss, the researcher took down notes of the participants' responses as far as possible.

3.4 Research Instruments

This study utilised two semi-structured interview schedules comprising of open-ended questions as the primary data collection tools. According to De Vos et al. (2002), semi-structured interviews schedules are organised around areas of particular interest, and they allow the researcher considerable flexibility for further exploration and probing during the interview process. The first interview schedule contained questions specific to the first category of key informants while the second interview schedule comprised of questions specific to ex-offenders.

3.5 Pre-testing of the research tool

According to Becker and Bryman (2004, p. 273), "pre-test is a good practice in a research in order to check that the questions are clear, unambiguous and suitable to participants". This helps prepare the researcher for the actual data collection. A pre-test of the interview schedules was done with one participant from each of the two categories to match the profile of the participants to be interviewed. Pre-testing was also for the purpose of ensuring that the questions developed would respond to the objectives of the study. All the pre-tested questions yielded relevant responses except for minor adjustments in the form of rephrasing were made to provide some clarity on some of the questions. Participants selected for the pre-test did not form part of the actual study as was originally planned.

3.6 Data collection method

Semi-structured one-to-one in-depth interviews were done with the participants guided by the semi-structured interviews schedules prepared for the different categories of participants. De Vos, Strydom, Fouche and Delport (2004) maintain that face-to-face interviews offer much more flexibility to both the researcher and the informant. The researcher was able to follow up on an interesting point and interviews allowed the participants to provide a more holistic account. In the same vein, De Vos et al (2002) and Patton (1990), agree that face to face interviews promote empathy and give the researcher an empirical basis for describing the perspectives of others while also legitimately reporting his own feelings, perceptions and insights. De Vos et al (2002) notes that semi-structured interviews are suitable where the issue at hand is controversial or personal. The researcher tape recorded the interviews in instances where participants were agreeable to avoid data loss due to memory decay.

3.7 Data analysis

Data analysis is the process of bringing order, structure and meaning to the huge volume of collected data (Becker & Bryman, 2004). To analyse data, thematic content analysis was used. According to Neuman (2000), thematic content analysis helps to prepare the researcher to arrange the findings into emerging themes from the interviews with participants. Attride-Stirling (2001) notes that three steps are involved when analysing data using thematic content analysis which are reduction or breaking of the text, exploration of the text and integration of

the exploration. The researcher followed the three steps identified by Attride-Stirling (2001) for the data analysis.

Step 1: Reduction or Breaking of Text

At this stage, the researcher listened and transcribed the tape-recorded interviews. Confidentiality was ensured at this stage by listening to the interviews under closed doors as well as by disguising all names. The researcher also studiously avoided editing and cleaning up grammatical mistakes made by participants which is a basic rule in transcribing as noted by Padgett (2008). The transcribed data was then analysed according to themes and concepts that were obtained during interviews. During the reduction or breaking of text phase, data was reduced into "manageable and meaningful text segments with the use of a coding framework" (Attride Stirling, 2001, p.390). The coding process and the identification of themes were guided by the objectives of the study as well as by the research questions. After coding, the data was grouped into categories of "basic theme, organizing theme and global themes to create networks" (Attride-Stirling, 2001, p. 393).

Step 2: Exploration of Text

After constructing the networks, the researcher returned to the original text and interpreted it and the researcher also described and explored the networks (Neuman, 2000). The description of the networks was supported by text segments. Following the description and exploration of a network is a "summary of the thematic network" (Attride-Stirling, 2001, p 394). At this stage the researcher presented a summary of the main themes and patterns characterizing a network.

Step 3: Integration and Exploration

In this stage, the researcher returned to the original research questions and the theory underpinning the research questions and addressed them with arguments grounded on the patterns that emerged in the exploration of the texts which Attride-Stirling (2001, p.394) called "interpreting patterns". The researcher discussed the themes in relation to the data obtained from the key informants and gathered literature to corroborate the views of the participants.

3.8 Limitations of the research design and the methodology

De Vos (2010) argues that there are limitations even in the most carefully planned research. The limitations of this study are highlighted below.

- Within a qualitative research subjectivity is always a problem. The researcher's own subjective pre-occupations could have influenced the interpretation of data. The researcher however made considerable effort to eliminate bias by doing away with all pre-conceptions and personal opinions during data collection and interpretation and applied an open-minded attitude.

- Some participants seemed reluctant to share information which they regarded as sensitive. However, the researcher reassured participants of confidentiality and that pseudo names will be used in the final research report. The researcher also built a rapport with participants prior to conducting interviews which helped gain their trust. Also, given the fact that the researcher was an employee of NICRO and had a long standing relationship with some of the participants, gaining their trust was not problematic.

- The sample size comprised of 15 ex-offenders and 5 key-informants within the Ekurhuleni region. This could be a concern as the number is too small and localised. However, the research findings give insights into the offender reintegration phenomenon and the experiences of Ekurhuleni ex-convicts can still be replicable to other settings. Further, generalisability is not of concern in qualitative research.

- To counter limitations of hurried answers, the researcher employed interviewing skills such as para-phrasing and following up on responses to obtain full information. The researcher adopted the basic rule stated by De Vos et al., (2002, p.223), of "probing and exploring" during the interview process. The researcher created a warmth environment and allowed participants to choose interviewing times and venues which were most suitable for them.

- To avoid the limitation of data loss due to memory decay in cases where participants refused to be tape-recorded, the researcher wrote down the main points raised by the participants as the interview progressed.

3.9 Ethical considerations

According to Babbie and Mouton (2001), social research often represents an intrusion into people's lives. Given that the topic at hand is of sensitive nature, all ethical considerations were taken into account. The researcher contacted the Manager: Programme Design and Development of NICRO and requested permission to undertake the study within the organisation which was approved in writing. The study was also submitted to the Faculty of Ethics Committee for clearance and the clearance certificate was eventually awarded. A letter of introduction to all participants explaining the purpose of the research was also submitted. Permission with regard to participation and recording of the interviews was also requested and the participants agreed by means of signing the consent forms. Some of the ethical considerations are summarised below.

3.9.1 Voluntary participation

In social research, it is a norm that no-one should be forced to participate (Babbie, 2004). All participants voluntarily participated and were given the option to withdraw from the interview if they felt to do so.

3.9.2 Informed consent

According to De Vos et al (2010), participants should be supplied with all information pertaining to the processes involved in the study as well as the credibility of the researcher. Before the interviews, the informants were furnished with participant information sheets that explained the reasons for undertaking the study, after which the researcher invited them to participate in the study.

3.9.3 Avoidance of harm/ Non-maleficence

Social research should never injure the participants, regardless of whether they volunteer for the study (Babbie, 2004). The researcher ensured that all the procedures of the research were followed to avoid harming the participants whether physically or emotionally and counseling sessions were also arranged for participants who suffered emotional discomfort as a result of the interviews.

3.9.4 Confidentiality

According to Babbie (2004) and De Vos et al (2010), participants have a right to privacy and their information should be handled in a confidential manner. The researcher ensured confidentiality of the information obtained during interviews via the use of pseudo names in the presentation of findings.

3.10 Conclusion

This chapter provided an in depth account of the research design and the methodology used to reach the goals of the study. It also gives an outline of the steps followed to reach the conclusions made. The next chapter will present the results of the interviews conducted with both the participants and the key informants and present the study's findings on the basis of these results.

CHAPTER 4

PRESENTATION AND ANALYSIS OF DATA

4.1 Introduction

This chapter presents and discusses the findings of the study. The aim of the study was to explore the experiences of Ekurhuleni adult ex-offenders when reintegrating into mainstream society. The findings of this study are presented and discussed as per the objectives of the study.

4.2 Objective one

- **To elicit views of ex-offenders on the perceived factors which contribute to their committing of crime**

The first objective of this study was to elicit views of ex-offenders on the perceived factors which contribute to their committing of crime. Different ex-convicts gave a range of somewhat diverse and also common reasons for their committing of crime. These reasons and root causes are outlined as follows:

4.2.1 Poverty

One key factor which was pinpointed by 10 of the 15 interviewed participants as contributory to their committing of crime was poverty. Participants stated that being poor to some extent pushed them to commit crime to meet their basic needs such as food, shelter and clothing. Participants argued that with the global economic recession, many lost their jobs which were their sole source of income implying that they became stuck in the poverty trap a condition which saw them committing crime to meet basic needs.

One participant argued that, *"coming from a poor family"* contributed to his committing of crime. Similarly, another participant stated that, "*we didn't have food, clothes and other things which makes someone to survive so I did crime".* This illustrates the importance of meeting survival means to curb crime. The views of the participants were also supported by one key informant who explained that, "*most offenders come from poor backgrounds where the support system was poor and the upbringing was not that nurturing. You find out that the family lives in a shack without any visible means of income".*

From the above quotes, it is evident that living from hand to mouth under abject poverty conditions is closely associated with criminal behaviour in-order to meet the basic needs. Although evidence concerning the effects of poverty and crime on crime is looked upon with skepticism, Anderson (2005) reveals that a decrease in poverty generally results in a decrease in economic crime. Further, literature also corresponds with the views of the participants that crime thrives in poverty stricken areas where crime ceases to be associated with criminogenic needs but with need and survival (De Beers & Swanepoel, 2000).

4.2.2 Inequality

Another key factor which was pinpointed by many participants as contributory to their committing of crime was inequality. Participants stated that sharing the same environment with a well-to-do population to some extent contributed to their committing of crime to catch-up with the wealthy people. According to some participants, inequality created competition between the poor and the rich and hence they resorted to illegal activities to remain competitive. Besides competition, some participants mentioned that inequality made the poorer population to be green with envy towards the wealthier ones hence they did crime to be more like them.

One participant pointed out that inequality is one factor which influenced his wrongful behaviour he asserted that, "*you know as township boys, you grew up wanting to look like the next friend…whatever that you want and you can't get. This pushes you down a bit. So I ended up envying other people. I ended up committing crime to be like them. I was hijacking cars".* In the same vein, another participant also stated that, "*I was stupid… I liked things which I couldn't afford because my neighbours had everything which I didn't have. So I ended up committing robbery so I got arrested".* All key informants concurred that inequality largely contribute to criminal behaviour. One key informant from the Department of Community Corrections emphasized the influence of inequality on crime. He asserted that one key factor that leads to criminal behaviour *"is the huge gap between the rich and the poor in South Africa. The poor people, in most cases end up being jealousy and envy their prosperous neighbours. Tension and hate build up…the poor normally blame the rich for their situation hence they do crime".*

Based on the above quotes, it is apparent that the co-existence of poverty alongside affluence contributes to crime. It is also evident that with one part of the population living from hand to

mouth under abject poverty conditions whereas the other leading a lavish lifestyle, the poor generally end up trapped in crime for the realisation of their basic needs and also out of jealous. It can also be derived from the quotes that with the increasing hierarchy of needs and wants, individuals generally tend to find it difficult to live within their means as they always intend to compete with their wealthier counterparts.

Several scholars corroborate the views of participants, for instance, Stack (1984) supports that there is a symbiotic relationship between inequality and crime by pointing out that income inconsistencies between people living in lower-class areas and high class areas is the reason for higher official crime rates in the USA. Similarly, Stack (1984) further highlights that the paradigm of inequality breeds social tensions as the less well-off feel dispossessed when compared to the wealthier people. As a result the feeling of being disadvantaged leads the poor to seek compensation and gratification by all means, including committing crimes against both the poor and the rich. Similarly, Davids (2009) notes that in South Africa greater affluence is combined with growing inequality and the rise of neo-liberal policies which perpetuate a winner/loser culture and crime has climbed even more steeply. The study carried out by the Centre for the Study of Violence and Reconciliation (CSVR, 2010) shows that the richest 10% of households in South Africa earned nearly 40 times more than the poorest 50% whilst the richest 10 percent earned nearly 150 times more than the poorest 10% in 2008. Also, international research consistently proves that societies with high levels of inequality tend to have high levels of crime an indication that inequality itself is a key driver of crime (CSVR, 2010).

4.2.3 Broken Families

One of the causal factors blamed by participants for involvement in crime was that of living in broken families. Most respondents pinpointed that stable family relationships with married parents who are caring and nurturing critically lacked during their upbringing and that gave room for criminal behaviour. Participants highlighted that growing up with absent parents is associated with lack of proper guidance and support compared to those who grow up under the guidance of both parents in that the participants believe that biological parents are more caring than non-biological. Some argued that boys who grow-up without their fathers tend to suffer from identity crisis as they search for their origins and joining a group of criminals may fulfil this need.

One ex-offender noted that, *"my mother was not there…my father was there but with another wife so I had to look after myself because he didn't care, I did crime in the end".* Another said that, *"I am an orphan, my parents died when I was a baby. My relatives do not like me and I moved from one relative to another because they all did not like me and that's why I joined the gang. Also as a boy-child, I needed a male role model but there was none".* On the other hand another one singled out that crime was committed as a result of *"...no communication with my family and lack of support during trouble times for example people coming home drunk".*

All the key informants concurred that parental support is vital during the upbringing of children to avoid future delinquency. They argued that knowing one's parents has also been identified as key. Adolescence who are unaware of who their parents are end up committing crime as a result of identity crisis and lack of role models. This point of view is clearly substantiated by one of the comments made by the probation officer from Social Development who argued that, "*some of these offenders' families are not there to support and up-bring their children…offenders say that they have never met their parents especially fathers. So they get faced with identity crisis and when they don't get answers as who their father is they are likely to do wrong things".* Apart from suffering from identity crisis, one prison warder highlighted that having absent parents affects their ability to learn the morals, norms and values of a society in such a way that they become ignorant of the difference between right and wrong because they were never taught. Thus, *"many also commit crime because their parents were never there during their upbringing and they did not have any positive role model except for those engaging in criminal behaviour…to such an extent that they have never been told about what is socially acceptable and not".* The views expressed by the participants are corroborated by findings of previous studies.

Several scholars such as Fagan (1995) and McLanahan (2004) allude to the fact that broken families often lead to delinquency. The father absence hypothesis follows the social control theory of crime, which focuses on the significance of emotional attachments of parents and children, their time spent together, and supervision as observed by Fagan (1995). Research consistently shows that the children who become persistent offenders tend to grow-up with more negative family and being brought up with inconsistent and uncaring parenting including violence (CSVR, 2010). According Harper and McLanahan (2004), teenage criminal behavior emanates from habitual deprivation of parental love and affection going

back to early infancy. Further, Harper and McLanahan (2004, p. 36) indicate that "children with lower attachment to their non-residential fathers can affect their emotional stability as well as their job opportunities, increasing their chances of incarceration". On the other hand, Fagan (1995) confirms that children raised in supportive, affectionate, and accepting homes are less likely to become criminals whereas children rejected by parents are among the most likely to become delinquent

4.2.4 Substance Abuse

Another factor which was exposed by many ex-offenders as one of the causes of their criminal behaviour was substance abuse. Participants reported that drug use affects judgment of what is wrong and right thereby giving one the courage to partake in risky behaviour. They also revealed that dependency on drugs pushes one to commit crime so as to maintain the habit of using substances. Thus participants highlighted that addiction to drugs was a gateway to crime considering that they had to find ways of acquiring money to sustain the habit even if it means illegally. Eating excessively and lying were some of the shortfalls of drug use reported by participants.

This was clearly stated by one ex-offender who explained that, "*I was a drug addict so I had to maintain my habit…so I had to commit crime to maintain my habit".* Another ex-offender highlighted that, "*...and at that time I was smoking marijuana… I committed murder because I was high".* Furthermore, one key informant supported this view by highlighting that, *"the fact that drugs are addictive leads to people to steal so as to continue using".*

The basic relationship between drug use and crime is straightforward according to Murdoch (2007). Muntingh (2005) points out that without access to the proper support services in the community, drug abuse can cause more serious offences and can be the main reason why offenders return to prison time and time again as the cycle of offending is perpetuated. Similarly, Murdoch (2007) hypothesized that alcohol and substance abuse may hinder the ability to secure legal and gainful employment and stable accommodation. Thus research conducted by CSVR (2007) reveals that individuals who use drugs are less likely to have a legitimate occupation or the education necessary to find a good job. Also evidence also support that drug users are most likely to relapse and they also pose the greatest risk to fail on

parole probation (Muntingh, 2005). Hence, drug use and dependency are associated with a hierarchy of social problems which increases the likelihood of committing crime.

4.2.5 Peer Pressure

Peer pressure was mentioned as the main factor behind criminal activity by most male ex-offenders. The participants stated that young people feel that belonging to a group provided them with the necessary support and protection needed during difficult times. They further argued that whether the peer group engaged in wrong behaviour did not matter much as long as their sense of belonging was enhanced. Participants also stated that it was rather easy to experiment in highly risky behavior in a group setting than as individuals considering that they supported and encouraged one another in a group.

One ex-offender argued that, *"you know when you are young you tend to have bad friends…so I thought crime was the way of life. You know youngsters in the location; they like to experiment with wrong things. I was the only one who was caught the rest ran away and some of them are still doing the wrong things".* Another participant highlighted that, "*my friends are gangsters; I was caught in the crossfire"* as an accomplice in crime. A key informant who is a probation officer also shared the same sentiments with the ex-offenders by saying, "s*ome also commit crime just because their friends are doing the same hence they want to fit in a group...umm and also adolescents do commit crime to fulfill the need to experiment and take risks".*

It is evident from the above verbatim responses from participants that peer pressure is considered a key factor to crime causation. The participants also made it palpable that peer pressure and the adolescence stage of psychosocial development are complementary.

Literature supports the views highlighted by participants. Boone (2004, p. 167), for example, indicates that "when one is young, one is constantly struggling to define and affirm identity and it is mostly in this process that young people often start experimenting in risky offending behaviour as part of their search for an identity". Apart from being young (Boone (2004, p 168), further highlights that, "social interaction with friends and peers may provide opportunities for crime or may encourage or support this type of behavior". Part of the transition during adolescence involves moving from reliance on the family to individuality (Boone, 2004). Hence, peer groups replace the family institution as a social support

mechanism during what can be a turbulent emotional time (Boone, 2004). Similarly, Boone (2004, p.169) stated that "because the peer group is seen as such a vitally important support mechanism for the adolescent, he or she may go to great lengths to maintain acceptance and status in it". Thus young people are highly prone to peer pressure as friends are key to their social circles during adolescence; making them vulnerable to committing crime

4.2.6 Social Learning

Some of the ex-offenders identified social learning through exposure to media and technology as a key risk factor to their committing of crime. Participants revealed that they were exposed to social media in the form of Televisions, Computers, the Internet, cell phones, and iPods such that they could communicate via e-mail, text messages, MySpace, Facebook, and YouTube. They stated that some of the lessons and experiences through the exposure were detrimental as criminal thinking behaviours were derived and consequently implemented.

Emphasizing on the issue of social learning, one ex-convict explained that, *"my crime was murder and attempted murder and I got the idea because of the watching the news where the police officers and military offices were murdering their families and killing themselves. Just like family suicide. I decided that I was going to do the same which I did. One of the persons who died was my grandmother".* Another participant stated that, *"the internet in a way enlightened me about how to do crime".* In the same vein, one key informant, a probation officer said that, *"a few of my clients committed violent and sexual offences after learning from the media, internet…horror and blue movies have been very influential to my clients".*

Clearly, the media has a huge influencing on transmitting information that can lead to criminal tendencies. It is evident that communication devices such as cell-phones and access to internet played a pivotal role as participants circulated information on how crime is committed. From the above verbatim quotes, it is clear that the internet as a mode of social learning contains information on crime and how others went about committing crime which in turn socialised participants into crime.

Helfgott (2008, p. 10) states that, "with the click of a button, an 8-year-old can find out instantly how to build a birdhouse or a bomb". Further, literature shows that youth of nowadays depend on media as a source of information and with parents spending more and

more time at work, away from their children; the media have become a more powerful socialising agent than ever before (Helfgott, 2008, p. 16). According to Clarke (1997), technology modifies many things with crime included in that it breeds new and enhances old forms of criminal behavior. Helfgott (2008) says that technological advances have impacted criminal behavior in that mass communication technology has transformed media and popular culture into a powerful influence on offender behavior. Therefore, social learning contributes immensely to crime especially in cases where parental guidance and monitoring is lacking.

4.3 Objective two

- **To elicit views of ex-offenders on the offender reintegration programmes provided by various stakeholders.**

The second objective of this study was to elicit views of ex-offenders on the offender reintegration programmes provided by various stakeholders. A majority of the ex-offenders conversed dissatisfaction with the prison environment and the reintegration services provided by various stakeholders. The views of the participants are discussed below.

4.3.1 Lack of Family Reunification Services

Many participants were extremely concerned about the failure by stakeholders to prepare their families to reunite with them after serving a long time behind bars such that their families rejected them. A number of participants stated that rejection by family was the main reason for them to live at shelters such as New Beginnings Care Centre for accommodation and employment of the destitute. Further, participants argued that the lack of family reunification services maintained the conflicts and hatred which existed prior to imprisonment. Besides, participants also emphasized that their families did not understand the detrimental effects of incarceration on the ex-offender as a result the ex-offenders did not receive much support from families. The ex-offenders blamed it on the service providers for failing to provide family reunification services.

Emphasising the importance of family reunification in facilitating reintegration, one ex-offender stated that, "w*hen I got released in 2010, I was imprisoned again because the reintegration process was not properly facilitated and my family was not ready to have me back. We ended up not understanding each other…hence yah, they took me back".* Another

participant said that, "*my uncle promised to kill me if I decided to go back home because no one mediated between us".*

It is clear that the provision of family reunification services was not properly facilitated, regardless of the fact that such services are key to effective offender reintegration. Key informants agreed with participants that reunifying offenders with their families is core to their scope. They, however, acknowledged that the withdrawal of funding by donors eventually resulted in them withdrawing the services. In the same vein, one key informant from NICRO argued that, *"we also assist them with skills to deal with their families and preserve their families but it's a pity* that *our funders are always not consistent which negatively affects service delivery"*. Family reunification services are meant to assist both offenders and their families to focus on restoring the harm done as well as the offenders accounting for his behaviour especially in cases where the crime was committed against a family member. This gives the offender an opportunity to apologize and make amends well in time before release could be done. A properly facilitated reintegration process would also explore all the possible reactions by families to avoid raising false hope on the ex-offender.

4.3.2 Insufficient Time for Pre-Release Programs

Many ex-offenders indicated that there is limited time for pre-release programs as they are only implemented at most 3 weeks before release. Participants reported that a period of three weeks is too short a time to rehabilitate an offender who has spent many years in prison, in contact with hardened criminals. Some offenders pointed out that they never went through any pre-release programme which contributed to their difficulties in finding their feet. The feeling by many participants was to commence pre-release programmes immediately after arrest up until release. Some of the verbal responses of participants regarding pre-release are highlighted below.

One of the ex-offenders complained that, *"you sit in prison surrounded by violence…prison is a violent place. There is violence everyday of your life…you get in prison because you have made a mistake. And you meet people who have spent a chunk of years in prison…and only 2 weeks before release you get taught about how to control anger…but I had been consuming violence for 9 years?"* His frustration was a result of spending many years in prison without attending any therapeutic services. Another participant also stated that, "*I never did the pre-release programme because I was given a date 12 days prior to my release of which the*

program takes 3weeks. Hence I had to see it to myself". These views were echoed by one key informant who felt that rehabilitation should start from the outset of imprisonment until after release. He asserted that, "*our rehabilitation services are not given enough time…they are only done 3 weeks before release which is too short a time. I think we need more time to facilitate our programs and help our clients".*

It is evident from the above quotes that successful offender reintegration efforts are coupled with committing time for pre-release programmes. The view of insufficient time for pre-release programmes is supported by Muntingh (2001) who argues that South Africa does not have a real tradition of offender reintegration services that start in prison and continue after people are released. The emphasis in South African prisons according to Muntingh (2001) has always been on security and as a result prisons have been closed to stakeholders who may wish to offer services there. Therefore, the few stakeholders would not be able to keep up with the increasing prison population. Half-way houses are also a form of a pre-release centres where prisoners are prepared for the outside world with minimal restrictions and only returned to prison for non-compliance. It however seems that the government barely have enough resources to run half-way houses.

4.3.3 Idleness in Prison

Most ex-prisoners were concerned that instead of receiving rehabilitation in prison they learned nothing whilst some stated that they learned how to improve their criminal skills. Furthermore, participants argued that idleness in prison was common amongst the awaiting trial prisoners considering that no programmes were introduced to them despite having spent more than a year in prison. Ex-convicts who served time in maximum prisons also reiterated the same concern.

To substantiate the above claims, one ex-offender indicated that, "*there are no services in prison; I did nothing in prison for the whole year I was locked up".* One key informant raised the issue of idleness in prison when she said, *"our services are not compulsory so some prisoners may choose not to attend and remain idle…also those on awaiting trial are not targeted by our programmes".* Thus prisoners tend to spend time learning criminal behaviour from each other due to idleness.

The issue of idleness in prisons is also corroborated by Dissel (1996) who emphasized that idleness is a common feature of many prisons in South Africa which is precipitated by an interplay of factors such as inadequate prison staff and lack of competency to conduct rehabilitative sessions on the part of the personnel. Thus, providing services to prisoners under these conditions may become difficult. Thompson (2008) and Dissel (1996) state that maximum imprisonment section is normally associated with idleness because the prisoners are regarded as too high a security risk to be allowed out of the prison to work in the grounds or to learn a trade in the workshops. Based on the reported lack of rehabilitation services and constructive activities for prisoners, it is expectable that most ex-prisoners fail to reintegrate effectively and are at high risk of re-offending (Dissel, 1996). Conversely, taking part in activities contributes to a sense of purpose and skills development which may be used to sustain themselves after prison. Involving the inmate in intensive and individualized therapeutic interventions may also ensure that the offender's personal, psychological and emotional issues which may underlie offending behaviour are dealt with. However, when idleness is promoted in prison, refraining from re-offending may become an uphill task.

4.3.4 Appalling Prison Conditions

Participants highlighted that correctional centres are characterized by appalling conditions which are not limited to overcrowding but include lack of sanitation and a shortage of prison staff. Many participants were of the view that there is a dire lack of infrastructure at most correctional centres as a result of overcrowding. Due to the low ratio of staff to offenders, several participants felt that this was a hindrance to rehabilitation as they did not get much room to interact with the therapists and other staff. Sanitation was also of concern to many participants considering the overcrowded conditions they lived in. Besides, participants also reported that with different kinds of offenders with different types of criminals sharing one cell, some less hardened offenders tend to learn from hardened offenders as a result of the increased contact and interaction emanating from sharing the same premises.

Supporting the above claims on appalling prison conditions, one participant pointed out that, "*one psychiatrist deals with about 25-50 people per day so she does not have enough time to deal with everybody's problems and concerns properly".* Another ex-offender mentioned that, "*some people died of TB and I have seen them dying simply because there are so many people and only one doctor"*. Similarly, one participant pointed out that learning becomes

difficult in an overcrowded environment with increased noise when he said, "*I only managed to study at night when everyone was asleep because the noise was unbearable and at Leuwkorp prison there were so many of us in one cell, about 30 and the minimum of cell capacity was 27".* Similarly, another ex-convict said that, *"I had to sleep on the ground in the toilet because it was overcrowded*".

From the above quotes, it is clear that many participants suffered from the aftermaths of overcrowding in prison. They argued that reducing overcrowding in prisons would ultimately lead to better sanitary conditions and decrease the spread of contagious diseases like TB. By the same token, key informants acknowledged the appalling conditions in prisons and its role in preventing rehabilitation efforts. One key informant from the Department of Correctional Services highlighted that, *"the cells are overcrowded with about 30 something people in one cell…even if one wants to change its difficult because they tend to influence each other"* as a result of the pressure and negativity surrounding them.

A shortage of professional staff entails that the risk factors that saw the offender committing crime will not be properly addressed which may lead to the recurring of bad behaviour thereby encouraging the "revolving door effect of imprisonment" as noted by Padayachee (2008, p.16). The research by Dissel (1996) at Modderbee prison corroborates the experiences shared by the participants in that Dissel (1996) discovered that the cells were cramped with prisoners sleeping on bunk beds, about 35 of them assigned to a cell with a high spread of diseases and bad influence amongst prisoners which hampered rehabilitation efforts.

4.3.5 Lack of Follow-up on Ex-offenders

All the ex-offenders highlighted that there is a lack of follow-up services once they are released into their communities of origin. Participants reported that they faced difficulties in adjusting to the new environment and there were several challenges associated with transition which they experienced alone without professional help. Many ex-offenders argued that due to lack of follow-up, they experienced problems such as access to basic needs in the form of accommodation, food and clothing. Others saw the need to apologise to the people they wronged whilst others require counseling to deal with transition constructively to which there was no support. According to some of the participants, lack of follow-up was also a factor which failed many ex-convicts to secure gainful employment.

One of the participants who was released about a year ago wishes to make amends with the people he wronged with the facilitation of social workers, *"I want to apologize to the people I wrong but with the help of social workers…I cannot do it on my own".* Another good example of lack of follow up on the part of stakeholders was revealed by one participant who feels that organizations do not keep their promises in terms of service delivery *"but after I was released there was no support…until now these organizations promised to conduct support groups with us after release but they never came… I was wondering where the support…is because I needed the support…being a sexual offender really it's not easy…they did not keep their promise…that's why people go back there (prison) because there was no one here to talk to".* Most of the interviewed ex-offenders revealed that follow up did not happen and they had to be thrown from post to pillar by different stakeholders when they tried to get help. One ex-convict indicated that "y*ou need help to adapt and adjust…consuming food in prison, the climate…coming from a closed to an open environment"* whilst another participant mentioned that he needs help applying for an identity document, *"I must make a plan to go see my brother in prison but I don't have an ID, I also need an ID for me to get a job but no-one is willing to help me".*

The failure to facilitate reintegration of ex-offenders can result in the resurgence of risk factors which contributed to the initial offending behaviour. Therefore, it is vital that service providers actively support ex-offenders with their reintegration efforts. The key informants interviewed, however, did not highlight any negative aspect or lack of follow-up services on their part with one key informant from NICRO indicating that, *"once they are released we continue supporting them so that they won't relapse into the life of crime. We also allow them to come and speak to us about their concerns and worries and we walk with them throughout the journey.,* Another key informant from New Beginnings Care Centre stated that, *"we tap the person strength and develop the potential…we have a training centre, CITA where we teach ex-convicts about finances, small businesses and learnerships. We also deal with their emotional problems".* The inconsistency may suggest that ex-offenders are not well-informed about the services provided by these agencies such that more community awareness programs need to be implemented to increase this awareness. At the same time it also shows that service providers are not pro-actively seeking to help ex-offenders, they seem to be waiting for them to come instead of them going to the ex-offenders.

4.3.6 Misplaced Priorities by Rehabilitation Personnel

Another aspect of the reintegration programmes identified by many participants was that of misplaced priorities by rehabilitation personnel. Participants argued that although prisons are meant for correction and rehabilitation, prison personnel facilitated crime and some treated offenders badly. Some participants revealed that there was name-calling and labeling in prison. For instance calling someone a "criminal" may foster criminal behavior in the person who is subjected to the expectation as propounded by Merton (1957). According to participants, prison was characterised by crime such as substance abuse, physical abuse and gangsterism which the prison officials also promoted. Ex-offenders revealed that gangsters have a way of manipulating the system to meet their own ends by exploiting and abusing the weaker gangs and those who do not belong to any gang.

One participant said that, *"maybe I can say 80% of prison warders are not good, yeah the way they addressed us dependent on where they live…township or up-market. Those from the township they used to call us 'Isiboshwa or bandit'".* Another participant revealed that, "*You know the way the people were treated by the warders, I did not like it. If they find a cell-phone on you…then they kicked the hell out of you. 5-6 men of them kicking one prisoner because a warder had a bad day…they took it out on prisoners".* On the contrary, another participant highlighted that, "*other police sell ganja, nyaope in prison…the same things that made you to be arrested they are there in prison. Yes, I was using these drugs in prison".* Another ex-convict also indicated the same problem that *"in prison I used to use dagga…I don't know how drugs got into prison".*

Participants argued that misplaced priorities compromised the rehabilitative role of prisons since prison officials are expected to inculcate values of good behaviour to the offenders. One key informant, a prison warder, noted that substance abuse was promoted at the prison he worked at, he said that, "*most of these offenders test positive to drugs-use when they are about to be released because we do test them prior to release…where they get the drugs, is through the staff".*

The centrality of misplaced priorities by rehabilitative officials is heavily supported by scholars such as Dissel (1996) and Muntingh (1995) who posit that prison employees are corrupt and driven by emotions, and in most cases, the warders torture prisoners. According

to Albertus (2010), torture is one of the worst human rights violations especially when applied as a corrective measure.

The issue of misplaced priorities by prison officials is a common problem which violates the right to rehabilitation by offenders. If crime is perpetuated by the very people who form part of the rehabilitation process, offenders may find crime to be normal and acceptable thereby hindering reformation.

4.4 Objective three

- **To explore the perceptions of ex-offenders regarding the challenges they experience when reintegrating into mainstream society.**

Ex-convicts face a variety of challenges during transition from imprisonment to community considering that they would have damaged relationships prior to imprisonment and also given that imprisonment is associated with traumatic experiences. The challenges experienced by the participants during reintegration into mainstream society are analyzed below.

4.4.1 Difficulties in mending family and community relationships

Most participants who would want to mend family and community relations highlighted that they faced resistance from their families and communities which explains why they sought help from NGOs such as the New Beginnings Care Centre. Most participants indicated that they were not received well especially by step-mothers or step-fathers and extended family.

For instance, one participant stated that *"My mother lives with another person. He had a problem with me coming back home. At the end, my mother was stuck in between and she had to choose between him and leave me".* Another participant highlighted that even-though the community received him with both hands the "*problem lies with family because you can't force them to love you and there is no program that can be offered to family to love you".* Thus the social workers tried to reunify the family but their efforts were in vain. A participant who was incarcerated for murder indicated that, *"After release, my mom's sister contested the fact that I should never get parole but her request was denied by the parole board, my uncles do not want anything to do with me they would rather leave me beaten up and left lying on the road side. They don't care".* The community was not an exception as many also stated that there was little or no support from the community; a good example would be the words of one participant who highlighted that *"I try to explain the circumstances of the crime but*

funny enough people don't wanna be sympathetic with the circumstances in which the crime happened. But there are more sympathetic to the fact that I got my punishment that I deserved to be punished". Thus some concentrate more on the crime committed and the punishment at the same time forgetting the wellbeing of the offender hence one participant commented that, *"the community from where I come from they are just talking behind my back… they say I was supposed to be given a longer sentence and most of them they don't like me".*

Key informants concurred with the view that most ex-offenders barely received support from their families and communities. For instance one key informant argued that "*they feel they do not fit back in the community. Everybody knows that they are ex-convicts and therefore they are stereotyped in the community. Everybody distances themselves from them; parents do not want them near their children because they think that they are capable of influencing their children in a bad way. So they are outcasts in the community"* Another key informant said, *"most ex-convicts get rejected by their families and friends and the community shut doors for them not to enter. They are received with a cold shoulder and that's what is causing them to fall into crime again".* The fact that there is "*a shortage of shelters to accommodate ex-offenders"* as singled out by one key informant normally leads the ex-offender into the crime trap again.

From the above quotes, it is evident that family and community support are key to ex-offender reintegration considering that they serve as the primary care-givers to offenders. When communities and families refuse to accommodate them, many offenders find it difficult to find their feet again and hence they may chose the criminal path again. Social service providers such as social workers play a vital role in setting the foundation for reintegration and facilitating the process which may result in the acceptance of the ex-offender back into his community. Communities and families are required to provide the much needed help to ex-convicts in the form of acceptance, emotional support and basic needs like shelter, accommodation, food and clothing, among other things. Without community/family acceptance, ex-offenders may end up in destitution whilst others may find acceptance with wrong people thereby falling into crime repeatedly. Without family, access to basic needs such as clothing, shelter, food and accommodation may become inaccessible. Without these basic necessities a crime free life may become impossible. It is most probable that without the necessary support and assistance from family and community to ensure that

the offender adapts to life outside prison, the inmate may find the challenge of pursuing a crime free life overwhelming and may re-offend.

4.4.2 Unemployment

Unemployment is one serious problem that was experienced by most participants despite them having the necessary skills and qualifications Many participants indicated that a history of criminal conviction and prison term have a negative impact on their employment prospects. All interviewed ex-offenders except those residing at New Beginnings Care Centre are unemployed.

One participant was concerned about the fact that potential employers do not pardon and believe that people can change because at one point he secured three job opportunities and eventually lost all them when the employers found out that he had a criminal record. He indicated that, "*I am 34 now and I am a grown man now so the mistakes that I made fourteen years back aren't the same mistakes that I'll make today".* Similarly, another participant lamented that all the education he went through in prison was in vain as employers do not give ex-offenders an opportunity. He indicated that, "*I matriculated in prison, I did Human Resources Diploma in prison; did a whole lot of things in prison...but now I ask myself what's the point of educating yourself further…given that even with education you still go nowhere and some offenders have diplomas and degrees but they don't get jobs".* Similarly, another ex-convict stated that, "*you know books are not easy, you spend many nights studying and where does it take you?"*

Another participant also stated that, "*when I found another job the very same thing happened they did police verification and dismissed me that I should sort out my things".* Another participant showed desperation for a job when he stated that, *"even if it means cleaning the floors…I don't care as long as I know that at the end of the month I will get money to put food on the table... I know all kinds of welding for example thick welding. But I can't choose because I am desperate".* These ex-offenders indicated that "*we drafted a business plan together and the business plan is counter to unemployment and rejection because of the criminal record we both have. We decided why not start our own business, but there are still problems such as money to register and to go up and down…any business need starting capital".*

In agreement ,one key informant from NICRO highlighted that offenders are not easily *"acknowledged and given the opportunity based on the fact that they have been rehabilitated through our services".* Thus whether an ex-offender is presented with a recommendation letter informing prospective employers about the rehabilitation programmes they participated in, opportunity is still denied. One key informant felt that the state is neglecting its role of social responsibility like intervening to curb the unemployment challenge faced by many ex-convicts and he said, "*it's the role of the government to speak to employers as part of social responsibility but it doesn't do this".* Further, another key informant highlighted that, "*in most cases most employers do consider criminal record when hiring and at the end of the day the ex-offender is left jobless".* Whilst another key informant said, *"these people are not trusted by prospective employers".* In the end, without opportunities offenders eventually become a burden to their families who may in turn deny responsibility such that the ex-convict may be left with no option but to relapse into offending behaviour.

The above responses by participants clearly show desperation by not choosing or matching the skills they have and the job they intend to undertake. Going back to criminal life may not be an exception during desperate times when one has to satisfy the most pressing needs such as food. Without the necessary support ex-offenders end up being unproductive and some may resort to illegal means of survival. Generally, prospective employers tend to be cynical towards people with a criminal record and that stigma makes employers less likely to hire ex-offenders. Spending many years behind bars can lead to deterioration in a worker's human capital, encompassing formal education, on-the-job experience, and also soft skills such as punctuality, communication and customer relations. Serving a time in prison can also lead to the loss of social networks that can help offenders find jobs. In many countries, South Africa included, a criminal conviction also carries significant legal restrictions on subsequent employment, including limitations on government employment and professional licensing.

An extensive body of research supports the view that a criminal record or time in prison makes individuals significantly less employable (Schmitt & Warner, 2010). This is not simply because individuals who commit crimes were less likely to work in the first place. Rather, the best available evidence proposes that a criminal record or serving time in prison has an independent impact that further reduces the employment prospects of ex-offenders (Schmitt & Warner, 2010). In April 2012, the Boksburg Correctional Services Area Commissioner stated that "countless ex-offenders armed with skills obtained in prison during

their sentences are more than ready and willing to work hard once they re-enter society, but have a difficult time finding work because they have criminal records"

According to the Department of Justice (2009) (hereafter DJ), the Criminal Procedure Amendment Act of 1977 sets out that a person may qualify to apply for the expungement of a criminal record after a period of ten years has elapsed from the date of conviction of the offence. It further says that the applicant can only qualify provided that they have not been convicted of any other offence during the ten year period (DJ, 2009). This, however, excludes those convicted of sexual offenses against children whose names have been included in the National Register for sex offenders (DJ, 2009). Thus one has to wait upon a decade to elapse before they can have a clean criminal record. This period seems too lengthy in that rehabilitation itself does not take that long. This Act also impacts negatively on the ex-offender who has a family to look after. Therefore, recidivating to criminal life becomes the only way to earn an income for the ex-offender hence the high recidivism rates.

4.4.3 Inferiority Feeling

Another common challenge experienced by many participants was the feeling of inferiority. Participants noted that being in prison for a lengthy period contributed to their backwardness when compared to their age group counterparts. According to the ex-offenders, finding out about the progress made by their peers was stressful and it contributed to feelings of inferiority.

One ex-offender noted the difference between him and his friends who remained in the community whilst he went to prison when he stated that, *"you see when you come out of prison…some things are different in that you look different from your friends, they have things that you don't have and that makes you feel like you are nothing".* Another indicated that his friends are better-off than him when he said, *"and most of them now have good jobs and cars. Some are married with a good life you see that's why I feel bad".* Thus when offenders compare themselves with their peers they feel inferior. In terms of relationships, some of the offenders indicated that "*my girlfriend whom I have a child with, found another man whilst I was in prison. She found somebody else and it's justified because how can you wait for somebody who would stay in prison for such a long time?"* This clearly shows that imprisonment of a family member may be damaging to crucial relationships.

Based on the above quotes it can be argued that serving time in prison is associated with being left out as others make progress in life. People progress in different aspects of life whether economically, socially or academically with some buying houses, getting married whilst others getting better jobs. This would lead to feelings of inferiority when ex-offenders get in contact with their communities of origin and some offenders end up forming their own subgroup of ex-offenders. Some also experienced psychological breakdowns when learning that their partners have remarried or moved on and sometimes nowhere to be found.

4.4.4 Struggle with Adjustment

One of the key challenges faced by participants during reintegration into mainstream society was struggle with adjustment. A number of participants revealed that the transition from a prison confinement to the society was associated with psychological stress as a result of change. They elaborated that their struggle with adjustment was exacerbated by the fact that they lacked the means such as material resources to deal with change. According to participants, there were numerous developments which had taken place whilst they were in prison, for instance technology such that they felt outdated.

To support this, one participant said that, *"I need psychological help because I spend too much time in prison".* Another participant revealed that, *"psychologically I am not well. So many things are difficult for me, I stress a lot because I have nothing and I am not used to be outside".* One participant indicated that *"I am afraid of everything, so many things have changed whilst I was in prison…there are new things which I don't know: it's not easy to settle again".* Key informants also supported the participants' with one indicating that, "*the stressful conditions and processes of imprisonment itself are stressful and changes happen whilst they're inside so they find it hard to cope when out. Some of my clients even suggest remaining in prison due to fear of being outside".*

From the above quotes, it is evident that imprisonment itself is an unpleasant environment which may have daunting effects on the inmates' psychological well-being as it is characterised by social ills such as abuse and gangsterism among other challenges. Spending many years in prison can modify original thinking patterns probably due to the routine way of doing things experienced in prison. Some prisoners get used to the prison culture and become attached to prison processes to an extent that they become resistant and fearful of transition to the mainstream society. Besides technological advancements, social problems such as

unemployment and rejection by family may also contribute to the difficulties in adjustment faced by many ex-offenders and in most cases offenders end up relapsing in-order to go back to prison.

4.4.5 Lack of After-Care Services

Many ex-convicts highlighted that after-care and follow up services after imprisonment were not provided and they experienced challenges associated with transition as a result. They also remarked that the change was too abrupt to handle considering that they received support in prison whereas they received none in the community. Participants argued that the lack of after care services in the community contributed to their loss of purpose in life.

One participant revealed that, "*these programmes also do not continue after release, not with me or anyone I know".* Another offender was promised support after release which never happened; he said that, "*they all came together to support. But after I was released there was no support…until now these organizations promised to conduct support groups with us after release but they never came".* He went on to reveal that, "*there is no one here to talk to. The pastors here are very busy. I want to acclimatize with myself".*

After-care consists of checking on the offender if they are adjusting to the outside environment and helping them deal with the problems associated with transition. Some of the after-care services encompass counseling, giving food parcels, providing temporary accommodation, seeing to it that their financial needs are met. These after-care services are paramount to a smooth reintegration.

Many key informants were silent about after care services. One key informant from NICRO indicated that after-care is *"part of our services, we go out into the community and educate the community and encourage them to accept and take them back…because if they are treated differently they end-up giving up and live a criminal life".* However, the gap could be a matter of whether organizations are marketing their services for ex-offenders to know and approach them for assistance. Moreover, in most instances offenders require financial or tangible help as opposed to counseling which most organizations are unable to offer due to the current economic meltdown and the issue of donors withdrawing funding.

According to Albertus (2010, p. 21), "the first six months of release has been the most vulnerable period for ex-prisoners, who are often confronted with and struggle with the harsh

reality of re-entry". Similarly, research shows that after care should aim to help offenders deal with their reintegration challenges in the five domain areas, encompassing employment, financial, accommodation, coping skills and family/social support" (Muntingh, 2001). Consequently, after care and follow up become a key function in effective offender reintegration.

4.5 Objective four

- **The fourth objective was to suggest ways in which offender reintegration services can be enhanced.**

There are numerous recommendations suggested by participants which would, when implemented, enhance the functioning of rehabilitation programmes according to participants. The suggestions made were mainly drawn from the challenges they experienced during reintegration and these are highlighted below.

4.5.1 Reduce Overcrowding

Many participants stated that prison is associated with overcrowding conditions. Overcrowded areas are coupled with unhygienic conditions and the spread of diseases becomes high. Participants noted that with a low ratio of therapist to offenders, rehabilitation weakens as therapists find it difficult to facilitate change in each and every offender as well as follow up on weak-points raised by their clients. Further participants highlighted that as a result of overcrowding, both high and low risk offenders were mixed in the same cells, a situation which retarded rehabilitation and posed a risk to the low risk offenders as they came into contact with the hardened criminals. This entails that with a manageable number of offenders per cell as well as per therapist and in instances where high risk offenders are kept separately from low risk offenders, rehabilitation thrives in prison.

One ex-offender summarized the afore-mentioned issue by recommending that the government should *"reduce overcrowding and never to mix offenders of different age groups and who committed different types of crime…otherwise prison becomes a university for less hardened criminals as they get in contact with hardened ones".* Another participant also noted that, *"there were so many of us…and everything became uncontrollable so they must reduce the number of prisoners in one cell"*. A key informant from Boksburg Prison

recommended that the government should, *"reduce the number of prison population by considering alternative sentencing options such as Non-Custodial Sentences done by NICRO".* Non-custodial sentences are relatively new in South Africa and they entail sentences served outside prison by low risk offenders and by so doing offenders continue to function in the community fruitfully and support their families, among other advantages.

It is apparent from the above quotes that reducing overcrowding can enhance the functioning of prison programmes thereby increasing the prospects of a smooth transition into society. This would in turn, reduce the recurrence of offending behaviour given that proper conditions for rehabilitation would have been provided.

The recommendation of reducing overcrowding in prison is corroborated by scholars such as Albertus (2010) and Muntingh (2001) who argue that overcrowded prisons are more difficult to manage humanely and effectively. Similarly, Mpuang (2005) suggests that reducing overcrowding can result in enhancing the staff morale and reduction of control difficulties as well as an enhanced staff and inmate health and wellbeing. The Prison Fellowship New Zealand (2012) also supports that building or expanding prison capacity can reduce overcrowding and this decision should be followed by hiring more prison staff.

4.5.2 Employ Ex-convicts and Educate Communities

All the offenders suggested that community based projects, if formal employment is not possible, should be initiated for ex-convicts to make ends meet. Participants concurred that employment or a source of income that helps meet their basic needs without which life becomes difficult. With an income, participants stated that ex-offenders are likely to gain their self-esteem back and become productive members of the society. According to participants, community education helps ex-convicts in finding employment. They further argued that industries and other employment agencies should be conscientised about the importance of working together as well as be made aware of the advantages of re-employing ex-convicts.

All the participants recommended employment whether in community projects or formal employment. One participant indicated that "*give them jobs and I don't think they will do crime anymore".* Whilst another suggested that laws and policies regarding the employment of ex-convicts need to the revisited "*their laws are affecting us negatively…most people are*

suffering. Life doesn't end when you go to prison…it ends when you go 6feet under". Thus employment plays a major role in avoiding further offending by ex-convicts.

A key informant who is a gatekeeper suggested that community based projects can help in alleviating poverty for the ex-convicts when he said, *"if there is no-one willing to trust these people again, why not start community based projects like poultry, tailoring and even gardening…this help them stay busy and focused and at the same time earn an income to feed their families".* Thus employment is viewed as a way of keeping offenders busy thereby minimizing chances of reoffending or engaging in criminal activities. With regards to community education, most key informants recommended that team-work and partnerships between industry, employment agencies, NGOs, Government and other relevant stakeholders should be initiated to address the plight of ex-offenders regarding employment. One key informant from NICRO highlighted the importance of partnership by pointing out that *"if we continue to work in isolation, we may not attain the bigger goal".* Another key informant revealed that "*Correctional services need to engage more, much more with NGOs. Correctional services have services which they can offer to NGOs be it social services. For the past years when they engaged with us there was much success".* These stakeholders according to the key-informants should work hand in glove and play a central role in educating communities about the importance of supporting ex-offenders as well as their initiatives.

4.5.3 Curb crime in Prison

Most participants suggested that stopping crime in prison would be the best way forward for effective rehabilitation of offenders. For instance, an offender who uses drugs must be deprived of drugs and learn to live a normal life which is drug-free. However, if the prior offending behaviours are nursed in prison, the cycle of crime will be perpetuated. Participants voiced that too much crime happens in prison today in such a way that crime is believed to be a "culture" in correctional centres. Therefore, instead of correcting the offending behaviour, criminal behaviour is reinforced and encouraged and even learnt in prison.

One participant recommended that drugs should not be made available in prisons, "*they must change many things. Other police sell ganja and nyaope in prison. The same things that made you to be arrested they are there in prison".* Another participant highlighted that he witnessed "*the older prisoners raping the younger ones".* The idea of stopping drug use in

prison was also emphasized and recommended by one key informant who said, "*giving ex-offenders drugs when they are actually supposed to help them stop the habit is not on at all".*

Thus prison should perform its traditional duty of rehabilitation rather than nursing the criminal habits of offenders. Offenders whose criminal behaviours are perpetuated in prison normally find it difficult not to relapse. Therefore, efforts should attempt to thwart crime in prison and focus in providing rehabilitation services instead.

4.5.4 Prevent Idleness in Prison

Participants recommended that idleness in prisons should be curbed. Participants argued that doing nothing promotes criminal behaviour whereas being involved in constructive activities promotes rehabilitation.

One participant suggested that "*they should've taught me something and gave me skills; I and my friends came out with nothing from prison and I think they should teach people in prison".* Similarly, another participant said that, *"they should allow prisoners to work to teach them about the life outside and not just sit like what happened when I was there".* One key informant supported the idea that offenders should learn in prison when he said, *"personally I think rehabilitation should be given priority in prison and more time if positive results are to be expected*". Thus with education implemented and idleness thwarted, reintegration of offenders thrives.

Scholars support the notion of curbing idleness in prison. For instance Batchelder and Pippert (2002) argue that prison reformers and educators should transform prisons from institutions that function as dungeons, factories, and warehouses to institutions that function as schools. According to Noad (1993, p. 73 cited in Batchelder and Pippert, 2002), "the provision of educational opportunities for prisoners can be equated with human development, where prisoners are given programs to develop new skills that will allow for more efficient and effective functioning". Batchelder and Pippert (2002) established a strong link between crime rate and educational level putting forward that inadequate education is one variable that has brought about an increased crime rate in the United States. Thus, inmate idleness is considered the chief problem contributing to re-offending and other malfunctioning behaviours in society.

Attending programmes such as those designed to respond to criminogenic needs, educational and recreational activities can help keep offenders occupied and also giving them an opportunity to reconstruct their thoughts towards positive change. The education of prisoners can assist in empowering them with critical skills for future employment. Prison education has an influence and/or enhances the thinking capacity of offenders thereby reducing chances of future re-offending.

CHAPTER 5

5. SUMMARY, CONCLUSIONS AND RECOMMENDATIONS

5.1 Introduction

The aim of the study was to explore the experiences of Ekurhuleni adult ex-offenders when reintegrating into mainstream society. This chapter presents the summary, conclusions and recommendations of the study.

5.2 Summary of the findings

The summary of the findings is presented as per the objectives of the study. The first objective was to elicit views of ex-offenders on the perceived factors which contributed to their committing of crime.

Objective 1: To elicit views of ex-offenders on the perceived factors which contribute to their committing of crime.

The findings show that ex-offenders perceive crime as a consequence of an interplay of factors ranging from inequality and poverty, broken families, peer pressure, substance abuse and mental illness to marital problems. Below is a summary of the themes.

Poverty

The findings of the study reveal that poverty is the root cause of the escalating crime levels in Ekurhuleni. Living from hand to mouth and not knowing when the next meal is going to be is one contributing factor which saw many participants resorting to illegal means of gaining access to basic needs for survival. Poverty as a causal factor to crime was mainly reported by participants residing in informal settlements and those who are hostel dwellers where abject poverty is experienced.

Inequality

The findings reveal that the co-existence of the poor, marginalized and affluent communities contributed immensely to the poor people's engagement in criminal activities. Findings further revealed that inequality creates competition and individualism which further disadvantages the poor and pushes them into the crime trap.

Broken Families

The findings also depict that those individuals who grow up being raised by single parents or absent parents are likely to suffer from a lack of belonging and from identity crisis. As a result, they end up joining criminal groups to enhance their sense of belonging. Apart from identity crisis, the results of this study also showed that children with absent parents lack parental guidance, love and support which contributed to their involvement in crime.

Peer Pressure

The findings of this study also reveal that peer pressure was central to crime causation especially among adolescents. It is evident that teenagers normally get the courage to experiment with risky behaviour in a group setting through influencing one another. Adolescents, according to the findings of the study, were propelled to engage in criminal behaviour to enhance their sense of belonging to a group.

Substance Abuse

Going hand in hand with peer pressure was substance abuse as a causal factor. Many participants highlighted that they were introduced to drugs by friends and being intoxicated gave them the nerve to commit crime. The findings also show that substance abuse was mainly connected to economic crimes such as theft and car hijacking for commercial purposes to maintain the habit of substance use.

Social Learning

It can also be deduced that social learning derived from the media influenced criminal behaviour immensely. Many participants argued that learning from the media such as visual and print media helped shape their criminal careers.

Objective 2: To elicit views of ex-offenders on the offender reintegration programmes provided by various stakeholders.

Ex-offenders highlighted that reintegration programmes were more of theoretical and lip-service centred with little implementation on the side of the stakeholders. Therefore, many participants voiced the need to implement reintegration services. A minority of them appreciated offender reintegration services. The themes derived from the second objective are summarised below.

Lack of Family Reunification Services

Family reunification programmes were identified by participants as one key aspect which lacked during their reintegration into mainstream society. Ex-offenders revealed that family reunification services were not facilitated which resulted in them being rejected by their only families, a scenario which forces them back into cycle of crime. There was also an acknowledgement that families function as the source of basic needs to offenders and the rejection by family increases the vulnerability of ex-convicts to recidivism.

Insufficient Time for Pre-Release Programmes

The findings of this study also reveal that participants perceived the current reintegration programmes as insufficient and short-lived. They highlighted that the programmes were introduced to them three weeks before release which is too short a time to comprehend the programme content. Participants felt that for reformation and rehabilitation to take shape, ample time should be dedicated to facilitate these programmes.

Idleness in Prison

Other offenders argued that idleness was prevalent during their time in prison. They argued that idleness, to some extent, enhanced their criminal skills as they learnt from hardened criminals. They also indicated that idleness is a silent gateway to many social ills, crime included. They suggested that reintegration programmes should aim to reduce idleness.

Appalling Prison Conditions

Appalling prison conditions were also argued to be hindering rehabilitation in particular, overcrowding and lack of sanitation. Offenders indicated that overcrowded cells were disturbing as they failed to concentrate on, for instance on their education. Participants acknowledged that overcrowded conditions are associated with a high spread of contagious diseases like TB.

Lack of Follow-up on Ex-offenders

Participants claimed that there was no follow-up on offenders after release. They argued that rehabilitation programmes do not continue after release which poses a risk to offenders when they try to adjust to the new life in the community. Some highlighted the need for material help including food and shelter, whilst others stated the need for therapeutic programmes such as a support group.

Misplaced Priorities by Rehabilitation Personnel

A number of participants revealed that they were badly treated by the prison officials, the same people who were supposed to facilitate the rehabilitation process and this hindered therapy. Apart from mal-treatment by officials, findings on the views of ex-offenders on the reintegration programmes showed that instead of creating a conducive environment for rehabilitation, correctional centres are characterized by crime especially corruption, drug dealing, sexual offences and gangsterism.

Enhanced Education in Prison

On the bright side, some ex-offenders perceived educational services availed to them in prison as beneficial and an opportunity which they could not have had if it were not for prison. Services such as life skills were much appreciated by offenders even-though some viewed them as irrelevant and a waste of time. While some of the ex-offenders acknowledged the value of tertiary education, others were skeptical about it because it does not necessarily translate into employment.

Objective 3: To explore the perceptions of ex-offenders regarding the challenges they experience when reintegrating into mainstream society.

The findings of this research reveal that ex-offenders experienced a number of challenges during reintegration into the mainstream society. Many indicated that there was little or no support from their families, communities and welfare organizations. Some experienced stigma, discrimination and rejection whilst others failed to secure gainful employment due to their criminal history.

Lack of a Holistic Approach to Reintegration

Participants reported that reintegration programmes did not cater for their holistic needs. They indicated that they faced rejection from the very important people who were supposed to play a pivotal role in facilitating their reintegration. This challenge saw many offenders going to shelters for the homeless. Some ex-offenders revealed that they had to re-offend to find their feet again.

Unemployment

The findings of this study show that getting a job after imprisonment was almost impossible. Prospective employers look into a person's criminal record and their employability greatly depends on whether they have a criminal history or not. Thus, ex-offenders find it difficult to

get a gainful job. Participants revealed that the period before the erasing of the criminal record is ten years which significantly reduces their chances of getting employed

Inferiority Feeling

According to the findings of the study, lengthy periods of imprisonment are associated with under-development and backwardness. The participants acknowledged that those who remain in the community make progress, unlike the imprisoned ones. This scenario creates a sense of inferiority complex in the ex-offenders.

Struggle with Adjustment

Some participants indicated that they suffered from both psychological and physical health ailments due to the aftermaths of imprisonment conditions. As a result, they found it difficult to adjust to life after prison.

Lack of After-Care Services

The non-availability of after-care services was pinpointed by offenders as a major challenge which slowed down reintegration. Findings reveal that programmes do not continue after imprisonment and there is dire lack of a support system to ex-offenders especially in the form of support groups. Some participants suffered emotionally, some depressed and suicidal whilst others had physical health problems which were left unattended to due to a lack of after care services.

Objective 4: To suggest ways in which ex-offender reintegration programmes can be enhanced

Both ex-offenders and key informants came up with several suggestions aimed at improving the functioning of the reintegration process. A summary of these recommendations is given below.

Reduce Overcrowding in Prisons

According to the results of the study, reducing overcrowding in prisons is key to effective offender rehabilitation. Participants stated that overcrowding is associated with problems such as lack of hygiene and a high staff-offender ratio which further negatively affects the rehabilitation process. The key informants identified overcrowding as a pressing problem which requires immediate attention. Key informants recommended that the state should consider other alternative sentences like non-custodial sentences, house arrests and half-way houses to reduce the prison population.

Employ Ex-offenders

Both ex-offenders and key informants recommended that the employment of offenders was key to prevent further re-offending. They suggested that employment agencies should take into cognizant the recommendation letters presented to them as proof of rehabilitation. Participants acknowledged that having a job was a source of self-confidence and self-belief which curbs committing crime. Some indicated that formal employment may be difficult due to policies regarding the expungement of criminal records hence they suggested that community-based projects should be made available and initiated for ex-convicts. Also, findings revealed that some participants demanded the reviewing of Criminal Procedure Act suggesting that the erasing of criminal records after 10years of a clean record is too long a time and should be made shorter to increase their chances of being employed.

Curb Crime in Prison

The findings of the study show that crime is prevalent in many South African Prisons. Participants pointed out that crime such as drug dealing, violence, sexual offences and corruption take place on a regular basis in prisons and they blamed the prison officials for allowing crime to happen in their presence. Participants also stated that some prison officials are also involved and facilitate crime to happen for their own benefit. Consequently, participants recommended that stringent measures should be put in place to curb crime in prisons.

Prevent Idleness in Prisons

The ex-offenders and the key informants suggested that reintegration/rehabilitation programmes should be implemented in all prisons whether maximum or minimum and should be made compulsory to both sentenced and awaiting trial offenders. This follows the finding that some offenders in maximum prison did not go through any rehabilitation programmes as well as those on awaiting trial despite spending a long period in prison.

Do Follow-up

Participants also recommended that welfare organizations should conduct follow-up sessions once offenders are released into the community to assist them cope with change and other challenges faced during reintegration. This followed the fact that some offenders had special needs such as drafting curriculum vitae, writing job application letters, support groups and counseling and these were never attended to.

5.3 Conclusions

It can be concluded that offending behavior can be attributed to a myriad of factors which include but are not limited to, peer pressure, poverty and substance abuse. Most criminals are repeat offenders who fail to reintegrate completely into mainstream society. Responses to offender reintegration are inadequate due to a lack of holistic services being provided as a result of stakeholders working in isolation. Therefore, the society needs to put in place structures and preventative measures to reduce the recidivism rates among ex-convicts. Structures and preventative measures should focus on the holistic needs of offenders which encompass addressing the risks and needs of offenders as well as embracing ex-offenders' initiatives.

5.3 Recommendations

Based on the findings of the study, the following recommendations are suggested to improve the offender reintegration programmes in South Africa.

- At present organizations offering offender reintegration programmes seem to be working in isolation. Thus collaboration and partnerships between all relevant stakeholders such as welfare organizations, the state, prison officials, employment agencies and the communities should be emphasized to improve the reintegration of offenders
- There is a lack of holistic intervention strategies to address offenders' needs in totality such as accommodation and food; and offenders' risks such as substance abuse. The reintegration programmes should seek to address the risks and needs of offenders and developing preventative measures to reduce vulnerability to crime.
- Due to high levels of contact between hardened criminals and petty-crime and low-risk offenders, contamination is likely to happen. Therefore, alternative sentencing terms other than imprisonment should also be considered for low risk profile offenders and criminals of petty crimes. Separating these offenders should also be considered.
- Most prisoners find it difficult to get employment due their criminal records. As a result, policies regarding the expungement of criminal records should be formulated with the aim of reducing the time frame before the record could be erased.
- Many employments agencies do not believe in rehabilitation and they tend not to employ ex-convicts despite evidence of rehabilitation. Thus, employment agencies should acknowledge recommendation letters supporting the rehabilitation of ex-offenders and also consider hiring offenders.
- There seems to be lack of community-based projects for offenders and where offenders wish to initiate one, there is limited support from stakeholders. Community based projects should be initiated for ex-convicts to meet their basic needs and prevent further offending
- Many offenders find it difficult to live a crime-free life without family and community acceptance and support. Thus family reunification and community education services should be provided to improve the acceptance of ex-offenders back into the community.

5.4 Areas of future research

- This study should be replicated at a national level with senior officials like the minister of correctional services participating as key informants to influence policy as well as to get an overall perspective of how best offender reintegration programmes can be enhanced and implemented.
- An in-depth study should be conducted to ascertain whether the current reintegration programmes are yielding intended results and amend some aspects of the programmes where necessary.

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Appendix A: Semi-Structured Interview Schedule for Key Informants

1. From your experience of working with ex-offenders, what are the common factors leading to their committing of crime?
2. Based on your experience of working with ex-offenders, how beneficial are services rendered to ex-offenders in preparation for their release?
   - What are the indicators of the success of these services?
3. What in your own view are the weaknesses of the reintegration programmes that are offered during transition from prison to community?
4. From your experience of working with ex-offenders, what challenges do they experience?
   - Families after prison
   - Employment after prison
   - Self development and wellbeing
   - Community after prison?
5. To enhance the functioning of reintegration services, what do you think should be done?

Appendix B: Semi-Structured Interview Schedule for the Ex-Offenders

1. What factors contributed to your committing of crime?
2. What did you not like about the offender reintegration services being offered to you during transition to community life?
3. What aspects of the reintegration programmes did you like best?
4. After your release from prison, what are the challenges that you experienced with:
   - Family
   - Friends
   - Employment
   - Community
   - Self development and wellbeing?
5. In your own view, what do you think should be done to improve the transition process from prison to community?

Appendix C: Participant Information Sheet

Good day,

My name is Patricia and I am a final year student registered for Master of Arts in Social Development at the University of Witwatersrand. As part of the degree requirements, I am conducting research on the topic: Experiences of ex-offenders when reintegrating into mainstream society: The case of ex-convicts in the Ekurhuleni Region, Johannesburg. It is hoped that this information may help improve the understanding of the experiences of ex-offenders and help enhance the provision of services. Hence I wish to invite you to participate in my study. Note that your participation is voluntary and refusal to participate will not be held against you in any way. If you agree, to take part, I shall arrange to interview you at the time and place suitable for you. The interview will not take more than an hour. You have the right to withdraw from the study at any given time and you may refuse to answer any questions you feel uncomfortable with answering.

Where agreeable, the interview will be tape recorded. Only the supervisor and the researcher will have access to the tapes. The tapes and interview schedules will be kept for two years following any publications or for six years if there is any publication emanating from the study. Please be assured that that your name and personal details will be kept confidential and no identifying information will be included in the final research report.

Should you feel the need for supportive counselling following the interview as a result of some sensitive issues, I have arranged for this service to be rendered free of charge by NICRO. NICRO can be contacted at 011 873 6976.

Please feel free to ask any questions about the study. I shall answer them to the best of my ability. Contact me at 073 89 78 276. Should you wish to receive a summary of the results of the study; an abstract will be made available on request.

Thank you for taking the time to consider participating in the study.

Yours sincerely,

Patricia

_____

Appendix D: Consent Form for Participation in the Study

Experiences of ex-offenders when reintegrating into mainstream society: The case of ex-convicts in the Ekurhuleni Region.

ACKNOWLEDGEMENT OF INFORMED CONSENT

I hereby consent to participate in the research project. The purpose and procedures of the study have been explained to me. I understand that my participation is voluntary and that I may refuse to answer any question that I am uncomfortable with. I also understand that I may withdraw from the study at any given time without any negative consequences. I understand that my responses will be kept confidential.

NAME OF PARTICIPANT: _____

DATE: _____

SIGNATURE: _____

Appendix E: Consent form for Audio-taping of the Interview

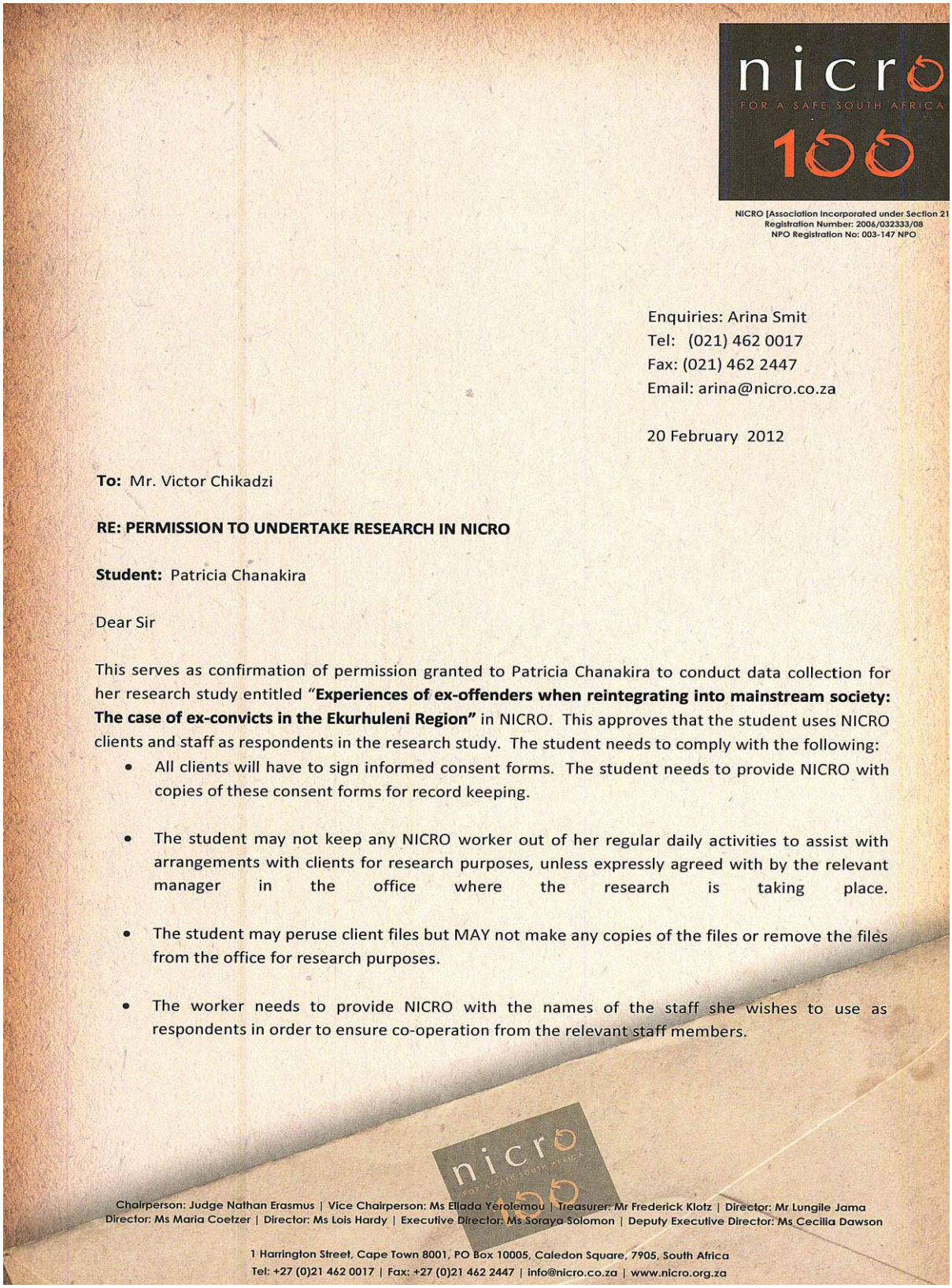
I hereby consent to tape recording of the interview. I understand that my confidentiality will be maintained at all times and that the tape will be destroyed two years after any publication arising from the study or six years after completion of the study if there are no publication.

NAME: _____

DATE: _____

SIGNATURE: _____

Appendix F: Permission Letter from NICRO



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Registration Number: 2006/032333/08
NPO Registration No: 003-147 NPO

Enquiries: Arina Smit
Tel: (021) 462 0017
Fax: (021) 462 2447
Email: arina@nicro.co.za

20 February 2012

To: Mr. Victor Chikadzi

RE: PERMISSION TO UNDERTAKE RESEARCH IN NICRO

Student: Patricia Chanakira

Dear Sir

This serves as confirmation of permission granted to Patricia Chanakira to conduct data collection for her research study entitled **"Experiences of ex-offenders when reintegrating into mainstream society: The case of ex-convicts in the Ekurhuleni Region"** in NICRO. This approves that the student uses NICRO clients and staff as respondents in the research study. The student needs to comply with the following:

- All clients will have to sign informed consent forms. The student needs to provide NICRO with copies of these consent forms for record keeping.
- The student may not keep any NICRO worker out of her regular daily activities to assist with arrangements with clients for research purposes, unless expressly agreed with by the relevant manager in the office where the research is taking place.
- The student may peruse client files but MAY not make any copies of the files or remove the files from the office for research purposes.
- The worker needs to provide NICRO with the names of the staff she wishes to use as respondents in order to ensure co-operation from the relevant staff members.

Chairperson: Judge Nathan Erasmus | Vice Chairperson: Ms Ellada Yeralemou | Treasurer: Mr Frederick Klotz | Director: Mr Lungile Jama
Director: Ms Maria Coetzer | Director: Ms Lois Hardy | Executive Director: Ms Soraya Solomon | Deputy Executive Director: Ms Cecilia Dawson

1 Harrington Street, Cape Town 8001, PO Box 10005, Caledon Square, 7905, South Africa
Tel: +27 (0)21 462 0017 | Fax: +27 (0)21 462 2447 | info@nicro.co.za | www.nicro.org.za

- The student need to submit copies of her research proposal, data collection tools and her final product to this office please.
- The student needs to make appropriate and timely arrangements with the relevant supervisor of the office in which the research is taking place, with regards to access to clients and the NICRO office.

NICRO hopes that you will find this letter in order. Please do not hesitate to call if you have any further queries.

Yours Sincerely



Soraya Solomon
CEO

Appendix G: Ethical Clearance Form

Research Office

HUMAN RESEARCH ETHICS COMMITTEE (NON MEDICAL)
H120504 Chanakira

CLEARANCE CERTIFICATE	**PROTOCOL NUMBER H120504**
PROJECT TITLE	Experiences of ex-offenders when reintegrating into mainstream society: The case of ex-convicts in the Ekurhuleni Region
INVESTIGATOR(S)	Ms P Chanakira
SCHOOL/DEPARTMENT	Human and Community Development
DATE CONSIDERED	18 May 2012
DECISION OF THE COMMITTEE	Approved Unconditionally
EXPIRY DATE	31 May 2014
DATE 27 June 2012	**CHAIRPERSON** (Professor R Thornton)

cc: V Chikadzi

DECLARATION OF INVESTIGATOR(S)

To be completed in duplicate and **ONE COPY** returned to the Secretary at Room 10005, 10th Floor, Senate House, University.

I/We fully understand the conditions under which I am/we are authorized to carry out the abovementioned research and I/we guarantee to ensure compliance with these conditions. Should any departure to be contemplated from the research procedure as approved I/we undertake to resubmit the protocol to the Committee. **I agree to completion of a yearly progress report.**

Signature

07 / 11 / 2012
Date

PLEASE QUOTE THE PROTOCOL NUMBER ON ALL ENQUIRIES