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# **AN EMPLOYMENT PROJECT TOWARDS THE REINTEGRATION OF EX-PRISONERS**

Soraya Solomon

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## DEDICATION

To my parents, Rookaya and Mustapha, and my soldier brother “Bheki.”

With appreciation to Dr Roland Graser, my study leader, for his invaluable support and guidance which allowed me to reach the top of this mountain which, at one point, seemed impossible.

To my NICRO colleagues for your encouragement; Fayruz and Lukas for your support; Monique for your patience in finding what I needed. A special thank you to Pauline Roux for her invaluable input and Tammy for her creativity. Thank you to my friend Salma for your support. A special thank you to Jetty for editing and pulling the final bits together.

## ABSTRACT

The main aim of the study is to explore the role of employment in the reintegration process of ex-prisoners. The study seeks to explore the views of ex-prisoners and their employers, with regard to employment and reintegration. A secondary aim emerged as a result of the outcome of interviews conducted with the research respondents, and centred on determining how ex-prisoners are managed as employees. The phenomenology and ethnomethodology design was chosen, as the study was qualitative in nature.

The primary respondents comprised ex-prisoners in the employ of the Freeplay Energy Factory, whilst the secondary samples of the study were the respondents' direct line managers. The purposive sampling technique was used for both groups. Face-to-face interviews with a semi-structured interview schedule were used to gather data for the study. The study explored the prison experience of respondents and the reintegration challenges faced by respondents upon their release from prison. It also examined the experience of respondents within their working environment.

The study found that the prison experience proved to a traumatic one for the respondents and that it failed to adequately prepare them for their release and subsequent return to the community. It also found that although released prisoners viewed employment as a major need, it was not the only challenge with which ex-prisoners were faced upon their release from incarceration. The study found that reintegration is a process and that employment is but one element of this process. Providing employment for ex-prisoners does not necessarily mean that they will cease their involvement in criminal activities. Therefore, holistic services should be offered to ex-prisoners to facilitate their successful reintegration into society.

## DECLARATION

I declare that this work has not been submitted for an award in any other degree. It is my own work. It is submitted to the University of Cape Town for the degree Masters in Social Planning and Administration.

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Name of Candidate

-----day of ----- 2002

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## Don't Hunt in the Dark

The moment is due, the Criminologist knew,  
As the view from his room was a mess,  
So he set boldly forth, and studied in the North,  
To uncover 'the truth,' nothing less.

He beavered away, for a night and a day,  
Reading journals, both ancient and new,  
Till in the end, near 'round the bend',  
He discovered a 'secret' or two.

'Should unemployment rise, to an enormous size,  
And the poor get poorer too,  
Then crime will increase, and harmony cease,  
It's as clear as the sky is blue.

'Build prisons', they say, 'to put them away',  
Till their thieving is over and done.  
But he informed them thrice, although it's not nice,  
'That's like burying your head in the sand!'

He'll tell it all now, and then take a bow,  
So listen! Allow him to plead,  
'No need for those walls, or disciplinary tools,  
It's just fairer shares that you need'.

Now's an opportune time, to put this in rhyme,  
And capture 'the truth' for a day.  
'Don't hunt in the dark, not even for snark,

You'll never make progress that way".

Box, (p ix 1981) — quotes Lewis Carroll in the preface of the book  
Recession, Crime and Punishment

# CHAPTER ONE

## INTRODUCTION

In South Africa, crime is a multi-dimensional problem, which affects all strata of society. With no solution in sight to the ever increasing and widespread incidence of crime, it is clear that there is a growing need to improve attempts to reduce the level of crime, and by default, recidivism rates.

Since the historical introduction of the first democratic government in 1994, our new political leaders have been faced with many challenges to redress the imbalances caused by the apartheid regime. It was widely recognised that the needs of the poor, the economic situation and the political aspects of society needed to be transformed. Thus we saw the emergence of various legislation and strategies that were put in place to improve the socio-economic and political features of the South African society.

The development of a National Crime Prevention Strategy, a new Constitution, amendments to the Correctional Services Act and the attempt by government to work on an inter-sectoral basis all aimed to deal with the rising crime levels. This aspect will be discussed later in the research report. One of the main challenges faced by government is the high level of crime, which impacts dramatically on the South African society, resulting in an outcry by civil society to “lock the criminals up and throw away the keys”.

We are all aware that crime also affects the economic development of this country. If one were to ask South Africans to identify the main challenges facing our new democracy, the answer would, in all likelihood, be crime and unemployment. The chairman of the Tongaat-Hulett Group, Chris Saunders, said at the group’s annual meeting:

*“Crime and unemployment are interrelated, and the resulting climate of fear is increasingly becoming an effective discouragement to foreign and local investors. It is clearly not in the interest of our country that the tyranny of apartheid, removed after great struggle, be replaced with the anarchy of rampant crime”.* (Investment Needed to Create Jobs and Cut Crime; 1999:

On 13 June 2000, the Cape Argus wrote, "Unemployment can at least be put at 25%." Many people share the view that by creating more jobs we will be able to reduce crime levels, as people will be gainfully employed. Employment is regarded as one of the most important pre-requisites for the effective reintegration of ex-prisoners into the community as productive, law abiding citizens. Thus this research will focus on the role that employment plays in the successful reintegration process of ex-prisoners. The researcher has been working in the field of criminal justice for the past 18 years and, consequently, her own experiences in the field with regard to this process will be drawn on extensively. It is the researcher's belief that we need to find effective solutions to prevent people from re-offending as soon after their release from prison as possible, thus breaking the cycle of crime and punishment and, in so doing, reduce the levels of crime.

The research will start with an examination of policy frameworks for offender reintegration and the prison system's efforts to rehabilitate prisoners so that they can be successfully reintegrated into society. The theory related to reintegration will then be discussed, linking this to the process that the ex prisoners experience within the prison environment. The value of employment in the reintegration process will then be explored at length. A study of an employment project in partnership with a non-governmental organisation, the National Institute for Crime Prevention and Reintegration of Ex Offenders (NICRO,) will be discussed in order to evaluate the effect of the project in the successful reintegration of ex-prisoners. One of the features of qualitative research is that it concerns itself with the whole and thus employment and reintegration of ex prisoners is placed in context of the broader socio, political and economic context in South Africa.

### **Review of Literature**

The main aim of the literature review was to gain a theoretical perspective on the reintegration of ex-prisoners. Publications on the relationship between employment and the reintegration process were also perused. International studies in respect of the effects of employment on the reintegration process were reviewed, in order to draw correlations with the findings of this study. A review of literature on imprisonment was also

undertaken, as the researcher is of the opinion that the reintegration process should start on the day the offender enters the prison system.

Relevant literature was drawn from the fields of social work, criminology and law. The Internet was used to a limited degree. It was evident from the literature review, that there is a paucity of information on the reintegration and employment of ex-prisoners in South Africa. The development of policies and legislation in South Africa to deal with reducing the crime levels in this country was also reviewed.

Chapter One will cover the introduction to the topic whilst Chapters Two through Five will cover the literature review on policy issues related to imprisonment, the reintegration of ex-prisoners, reintegration through employment and a description of an employment project in South Africa. Chapter Six will describe the research methodology; Chapter Seven will present the findings and Chapter Eight the conclusion and recommendations.

## **CHAPTER TWO**

# **DEVELOPING POLICY FRAMEWORKS TOWARDS OFFENDER REINTEGRATION**

University of Cape Town

## 2.1 INTRODUCTION

Since the election of the new government in 1994, the high levels of crime have been of dire concern to both government and civil society. As a result the government began to develop policy frameworks in an attempt to set out strategies and principles for crime prevention. For the purpose of this study, the following policies will be discussed:

- National Crime Prevention Strategy
- White Paper on Safety and Security
- White Paper for Social Welfare
- Correctional Services Act of 1998.

A detailed analysis will not be undertaken, but an overview of the policies will be discussed in relation to prisoners, and the reintegration and employment of ex-prisoners.

## 2.2 NATIONAL CRIME PREVENTION STRATEGY

In 1995, the South African Government started a process, which was managed by an inter-departmental committee comprising the Ministers of Safety and Security, Defence and Correctional Services. Included in this process was the development of a national growth and development strategy. Government acknowledged that crime has an impact on growth and development. It is stated in the National Crime Prevention Strategy that poverty is one of the central characteristics in South Africa that leads to crime. Clearly there is a need for economic growth and job creation. The National Crime Prevention Strategy (1996: 7) records:

*“However, there is a vicious cycle in operation. Development is seen as imperative to solving the problem of crime, yet development itself is inhibited and compromised by the magnitude of crime in all its various forms”.*

This statement clearly reflects how crime impacts on the attempts to improve the lives of all South Africans, especially the poor.

The National Crime Prevention Strategy is based on four pillars: the Criminal Justice Process; Community Values and Education; Environmental Design and Transnational Crime.

The pillar concerning Criminal Justice discusses the need to develop community-sentencing options for minor offences. *“The aim of this pillar is the provision of meaningful alternatives to prison sentences (for minor offences) which are focussed on community based programmes aimed at rehabilitating offenders in a way which strengthens community and family support, encourages gainful employment and creates a sense of responsibility on the part of the person being sentenced”*. (National Crime Prevention Strategy, 1996: 59).

The strategy acknowledges that prison overcrowding does not create opportunities for rehabilitating prisoners. However, today we still see that South African prisons are overcrowded. In the chapter on imprisonment, it will become evident that a large percentage of prisoners are serving a term of imprisonment for minor offences. Greater effort still needs to be made by the Criminal Justice System to implement alternative community sentencing options. To date this has been put in place only on a limited scale. In reality we still experience problems ensuring that young offenders are diverted from the Criminal Justice System into community programmes. A national plan to reintegrate ex-prisoners has not been put in place as yet. Employment opportunities for ex-prisoners are minimal. In terms of the researcher’s experience, the goals of the National Crime Prevention Strategy have not yet been attained to a meaningful extent. Greater effort should be made on the part of government to engage with civil society in order to support the implementation of crime prevention strategies, including programmes for the effective reintegration of ex- prisoners.

### **2.3 WHITE PAPER ON SAFETY AND SECURITY**

The focus of this document is on two levels: effective and efficient law enforcement and the need for crime prevention strategies to reduce the levels of crime. The principles, as set out in the National Crime Prevention Strategy, form a framework for developing

policy for the Ministry of Safety and Security. This document advocates the improvement of law enforcement with an acknowledgement that this must be linked to effective crime prevention strategies. The strategy proposed in this document also stresses the need to focus on offenders in order to change their behaviour. However, it fails to provide a framework of how this should be done. For example, the systems and strategies, which need to be developed and institutional development requirements to ensure the effective reintegration of ex prisoners, are lacking.

#### **2.4 WHITE PAPER FOR SOCIAL WELFARE (1996)**

The White Paper on Social Welfare deals with a number of issues that need to be addressed to improve the quality of life of all South Africans, especially the poor. The researcher would like to focus on Section (154:140), which deals with services to offenders, victims and their families. The principles laid down in the White Paper are summarised as follows:

Assistance will be given to families of prisoners. Efforts will be made to reintegrate ex-prisoners into the community. Ex-prisoners will also be provided with employment and skills training opportunities. The document also notes that imprisonment will be used for those offenders who pose a serious threat to society. Alternative sentencing options will be developed.

Whilst its intentions have been communicated and recorded, in practice, however, the Department of Social Welfare has, to date, not been able to provide employment or skills training for ex-prisoners.

In order to ensure the use of alternative community sentencing options, all relevant role players need to advocate for this change and be involved in the process.

The National Crime Prevention Strategy, Safety and Security and Welfare documents have laid down similar principles and strategies to reduce crime. However, the implementation of these strategies is still proving to be a major a challenge for

government. Whilst all the documents stress the need for effective reintegration of ex-prisoners, these plans have not been implemented. In the researcher's experience, government places emphases on building partnership with civil society, but this process has not been successful. Being active in the field and having had regular contact with the Department of Welfare and the Ministry of Safety and Security, the researcher has found that the implementation of the plans, as laid out in the White paper for inter-departmental co-operation, have proved to be problematic.

## 2.5 CORRECTIONAL SERVICES ACT NO.111 OF 1998

The promulgation of the Act was an important milestone in the history of South African Prisons. The most important features of the Act are:

- upholding the rights of all prisoners
- focus on the rights of women and children
- implementation of a new disciplinary system for prisoners
- safe guards regarding the use of force
- a system for the development of prisoners
- community involvement in release policy
- external monitoring mechanisms
- involvement of civil society in terms of building and operating prisons

*"The purpose of the Correctional System is to contribute to maintaining and protecting a just, peaceful and safe society by:*

- (a) *enforcing sentences of the court in the manner prescribed by the Act;*
- (b) *detaining all prisoners in safe custody whilst ensuring their human dignity;*
- (c) *promoting the social responsibility and human development of all prisoners and persons subjected to community corrections". (Correctional Services Act, 1998: 16)*

The Act further explains that the aim of sentencing an offender to imprisonment is to ensure that he will live a crime free life in the future. In practice prisons are known as "schools of crime". The Correctional Services Act points to good practice and principles

of for effective offender reintegration. However, the present overcrowded and under resourced prisons renders it impossible for the Correctional Services Act to be implemented effectively and efficiently.

The next chapter on imprisonment describes the history of South African prisons and will highlight the plight of prisoners due to gross overcrowding. During a recent visit to Pollsmoor Prison the researcher found that anywhere between twenty to forty prisoners were housed in a single cell. Clearly, the human dignity of prisoners cannot be upheld under such conditions. It became evident during this and previous visits that our Correctional System is in crisis, a situation which does not lend itself to creating opportunities for the human development of prisoners.

Section 41 of the Act (1998: 42), discusses treatment, development and support services for prisoners. Section 41(1) states that the Department must “*provide programmes and activities as is practical*”, to meet the development needs of prisoners. The term “*as is practical*” allows for Correctional Services to use financial constraints or prison overcrowding as reasons, which hinder the provision of services to prisoners. In turn, prisoners have limited recourse if they demand their right to services as the wording in the Act protects the Department of Correctional Services.

Section 41(6) of the Correctional Services Act (1998: 42), states that some prisoners can be compelled to participate in programmes if it is deemed to be necessary by the Commissioner that they are in need of such programmes. The researcher disagrees with this stance, as in her years of experience in working with ex prisoners, forcing them to participate in a programme will not necessarily result in behavioural change. Prisoners’ rights to self-determination should be respected: they should not be compelled to participate in treatment programmes. The Act also fails to mention the need for pre-release programmes in order to facilitate the reintegration of prisoners into society. Ideally, every prisoner who is due for release and is willing to participate in a pre-release programme should be given the opportunity to do so.

## 2.6 THE CONSTITUTION AND THE RIGHTS OF PRISONERS

Kollapen (1994: 1) in his paper on *Prisoner's Rights under the Constitution Act No. 200 of 1993*, cites two cases, which spanned a period of over eighty years. In the first case - *Whittaker and Morant vs. Roos and Bateman*, (1912), Mr Justice Innes made the following remark:

*"True, the plaintiff's freedom had been impaired by the legal process of imprisonment; but they were entitled to demand respect for what remained. The fact that their liberty had been legally curtailed could have no excuse for a further illegal encroachment upon it".*

Kollapen (1993: 1) then cites a case in 1993, the case of *Goldberg vs. Minister of Prisons*, where the following observations were made by Corbett, J. A.:

*"It seems to me that fundamentally a convicted and sentenced prisoner retains all the basic rights and liberties of an ordinary citizen except those taken away from him by law ..."*

Prison overcrowding, financial constraints and problems with the Criminal Justice process, have resulted in prisoner rights to support services, humane prison conditions and rehabilitation being negatively affected. Furthermore, most South Africans do not regard prisoners as having rights.

Kollapen (1993: 3-4) highlights sections of Chapter 3 of the Constitution in relation to Prisoners Rights as follows:

*"Section 7(4)(b) allows for class actions which means that prisoners and non governmental organisations can challenge any violation of prisoner's rights or "practices" that violates the provisions of the Charter of Fundamental Rights.*

*"Section 8 provides for equality before the law and equal protection of the law.*

*"Section 9 provides that 'every person shall have the right to life'.*

*"Section 10 and 11 provides for the protection of dignity as well as a prohibition against cruel inhuman or degrading treatment or punishment.*

*“Section 12 provides that no person shall be subject to servitude or forced labour”.*

*However Section 77 of the Correctional Services Act states that “ every person ... shall at all times perform such labour, tasks and duties as may be assigned to him ...” This could violate the rights of prisoners according to the Constitution.*

*“Section 25(1) deals with the rights of detained persons”. In summary this section makes provision for prisoners to be detained under conditions that are humane, the right to consult lawyers and have contact with family, religious leaders and community persons”.*

The legislation and reformed policies cited in this section, give prisoners the platform to demand that their rights, as embodied in the Constitution are respected and upheld as is the case for all other South African citizens. However with the mood in the country presently and the pressure placed on government to be tough on crime, minimal attention is given to the rights of prisoners. South Africans who are proud of their new Constitution, cannot ignore the fact that prisoners also have rights. Most will eventually return to society and every attempt should be made uphold the principle of equality for all.

The researcher attended a conference in 1994 in Kampala Uganda on the issue of Sub-Saharan Africa and Penal Reform. At this conference extensive recommendations were made in order to improve prison conditions and uphold the human rights of all prisoners. Some of the recommendations made at the conference included:

- *Human Rights of prisoners should be upheld and they should be treated in a humane way.*
- *“... stigmatising and excluding people who have served sentences and paid their penalties for their crimes is detrimental and undermines the strength of the community and lead to further crime (Conference Report 1994: 5)*

Another important recommendation from this conference was that governments should strive to include internationally agreed standards in their country’s legislation. The South African Government has made great strides in abiding by and including international agreed upon standards in its legislation for penal reform. However, government is having difficulty in implementing the legislation because of prison over-crowding and political

pressure 'to be tough of criminals'. The conference also made a vital recommendation with regard to governments making funds available to prisons in order to implement rehabilitation programmes for prisoners.

The conference concluded that non-government organisations have a crucial role to play by ensuring that the United Nations Standard Minimum Rules for the Treatment of Prisoners is enforced.

We have seen this move afoot in South Africa, where non government organisations are continuously lobbying for change, especially organisations such as NICRO, Lawyers for Human Rights, South African Prisoners Human Rights Organisation and the like.

## 2.7 CONCLUDING REMARKS

The development of policy frameworks and legislation to deal with the crime problem in South Africa is a heartening gesture from the side of government. However, the challenge remains in the practical implementation of these policies and strategies. South Africa is still in the process of transforming itself into a true democracy and it is important to ensure that the rights of prisoners in this process are included. As Kollapen (1993: 9) states, "*... prisoners remain an important component of our society and the manner in which we treat them must ultimately reflect on how successful we have been in transforming our society.*"

The National Crime Prevention Strategy, White Paper on Safety and Security, Social Welfare and the Constitution have established a firm foundation for government and civil society to bring about the necessary changes to reduce the levels of crime. This will, in turn, impact on the growth and development strategies to improve the quality of life of all South African citizens.

As aptly put by Joseph Etuna the Commissioner of Prisons, of Uganda at the Penal Reform Conference (Conference Report, 1994: 12):

*“It is necessary for us to note that justice based on the rule of law is the pillar on which civilized society rests. We should seek to improve its quality. A humane and efficient criminal justice system can be an instrument of equity, constructive social change and social justice, thus protecting basic values and people’s inalienable rights”*

The following chapter will discuss the issue of imprisonment and its impact on the rehabilitation process within and outside the prison environment with a specific focus on employment on opportunities created in prison for the rehabilitation of prisoners.

University of Cape Town

## CHAPTER THREE

# IMPRISONMENT AND REHABILITATION

*“It is deeply embedded in the social thinking of the public that all convicted criminals should be sent to prison. They look upon such persons as menaces and are relieved when a criminal is locked up. They hope that those held within the walls are securely guarded, because only then can society be protected. But the average citizen lives in a world of illusion, so far as his general notions of prisons and criminals are concerned. He has accepted the thesis that every person who commits a crime is dangerous and should be sent to prison to be punished as well as to deter others from committing offences. He also fosters the illusion that the criminal will return to society properly chastened and willing to settle down, a contrite sinner, and become a law-abiding citizen. These views are woefully naive ...”*

- Barnes and Teeters (1959: 330)

### 3.1 INTRODUCTION

Imprisonment as a means of punishment has been used for over two hundred years. This chapter will give a brief overview of the history of imprisonment, the present South African prison scenario, the effects of imprisonment and the efforts of the last two centuries by prisons to rehabilitate offenders. The main focus of the chapter will be on reintegration in prison and opportunities for training and employment of prisoners.

What happens in prison has an effect on the successful reintegration of ex-prisoners into the community. The focus on this research is on ex-prisoners, however, one cannot discuss reintegration without providing an overview of prison life, its effects, the prison system's attempts at reintegration and its efforts to provide skills and employment opportunities for prisoners who will, eventually, be released.

South Africa has reached a point within its political development, which has given rise to a constitution that ensures the human rights of all its citizens, including those of prisoners. This has also given rise to expectations by the nation that its dream of economic development will be realised and that the needs of all citizens will be met. However, this dream is being over-shadowed by high levels of crime and violence.

In his opening address at the National Symposium of Correctional Services in August 2000, Minister Ben Skosana quoted from Sir Winston Churchill's 1923 address to the House of Commons (Report, 2001: 4):

*"The mood and temper of the public with regard to the treatment of crime and criminals is one of the most unfailing tests of the civilisation of any country. A calm dispassionate recognition of the rights of the accused and even of the convicted criminal against the State - a constant heart searching by all charged with the duty of punishment - a desire and eagerness to rehabilitate in the world of industry those who have paid their due in the hard coinage of punishment; tireless efforts towards the discovery of curative and regenerative process, unfailing faith that there is treasure, if you can only find it, in the heart of every man. These are symbols, which, in the treatment of crime and the criminal mark and measure the stored-up strength of a nation".*

For over two hundred years since the birth of the prison system in the eighteenth century, many scholars have sought answers to the question of whether imprisonment as a punishment rehabilitates offenders. Scholars have written about imprisonment as far back as the sixties and seventies, exploring the effects of imprisonment.

In his well-known book, *The Birth of the Prison* (1979), Foucault clearly states that imprisonment is not the answer to effective rehabilitation. Davies (1974), Rotman (1990) and Sykes (1970) are all of the same opinion.

### 3.2 BRIEF HISTORICAL OVERVIEW

Prisons became a structured form of punishment in the late 18<sup>th</sup> century. Dirk van Zyl Smit traces the history of the South African Prison development in his book, *South African Prison Law and Practice* (1992). Van Zyl Smit writes that Europeans occupied the Cape in 1653, after which it became the possession of the Dutch East India Company. Subsequently the system of criminal procedure and punishment was implemented in accordance with Dutch Law, focussing on the '*the punishment of the body*'. (Van Zyl Smit, 1992: 13).

A significant period in the history of prisons in South Africa was the appointment of the Colonial Secretary, John Montague, in 1843. He introduced the notion of prison labour to aid in the rehabilitation process. A major shift in prison reform came with the mining of diamonds in 1871. The role of the State as the provider of unskilled black labour for the mines was introduced. "*In 1885, the De Beers Diamond Mining Company became the first non state corporate entity to employ convicts on a regular basis*". (Van Zyl Smit 1992: 15).

Significant developments in prison law took place after the Union of South Africa in 1910. A new Secretary of Justice and Director of Prisons was appointed. He introduced the consolidated Prisons and Reformatories Act of 1911. Remission of sentence on good conduct was provided for in the Act.

Civil society began to lobby for prison reform. Notable welfare organisations that were involved included the South African Prisoners Aid Association and its successor, The Social Services Association, now NICRO.

In 1945 the Lansdowne Commission on Penal and Prison reform was appointed to investigate the prison system as a result of pressure from welfare organisations. The Commission recommended that prisoners should not be hired as labourers to outsiders, emphasising the need for rehabilitation and literacy programmes for black prisoners. It also criticised the structure of the prison service, which was organised largely along militaristic lines. Because the new Nationalist government, which came into power in 1948, had little interest in penal reform; the Lansdowne Commission did not have much impact on changing the prison system.

Towards the end of the 1950s the Prisons Act, Act No 8 of 1958, was introduced. This Act took cognisance of the United Nations Standard Minimum Rules for the Treatment of Prisoners as far as the policies of the then apartheid government allowed. Whilst, this legislation did not change the policy of racial segregation of prisoners, it did, however, succeed in changing the poorly paid prison labour system, which was replaced with a practice of parole. But the new system still required that prisoners on parole have employment agreements with employers, the majority of whom were farmers. Van Zyl Smit (1992: 38) writes that "*Attacks on the legitimacy of the prison system continued into the early 1980's*"

Political changes in South Africa early in 1990 impacted on prison law and practice. In 1990 amendments were made to the Prisons Act, which led to the abolishment of apartheid in prison. Late in 1990 further changes were made to reform the prison system. The Prison Service was separated from the Department of Justice and renamed the Department of Correctional Services and a system for correctional supervision was implemented at community level.

The Constitution introduced in 1996 by the new government, embodies the fundamental rights of all South Africans, including prisoners. April 1996 saw the demilitarisation of the correctional system. "*A milestone in the history of the Department of Correctional*

*Services was the promulgation of the new legislation in the form of the Correctional Services Act, Act 111 of 1998.*" (Department of Correctional Services Annual Report, 1999: 1x). This legislation represents a total departure from the 1959 Act and moved towards a more internationally acceptable prison system, designed within the framework of the 1996 Constitution.

Tracing the history of the development of the South African prison system, it is clear that much progress has been made since 1990 to transform the prison system in line with internationally recognised standards. However, the challenge is to ensure that the new legislation is implemented in an effective manner.

### **3.3 THE PRESENT SOUTH AFRICAN PRISON SCENARIO**

Prisons in all countries have always been used as an important institution for the punishment the offenders, the protection of society and the rehabilitation of offenders. This work will, however, show that the prison system in South Africa has failed in its attempts to effectively reintegrate offenders, largely as a result of the many problems experienced within prisons, more specifically overcrowding and the lack of adequate resources.

According to the report by the National Council on Correctional Services (2000: no page number), the number of sentenced prisoners as at July 2000 was 111,948 while the number of prisoners awaiting trial was 57,538. This gives us a total prison population of 169,486. The capacity of prisons in South Africa at the time was 101,006, which means that the occupation rate was 167.80%.

The serious problem of overcrowding and inadequate resources in South African prisons today impedes the progress of implementing the United Nations Standard Minimum Rules for the Treatment of Prisoners. It also impacts on the ability of prisons to address the question of reintegration. Overcrowding can be regarded as an abuse of the human rights of prisoners. Judge Fagan in his paper, which was presented at the National Symposium on Correctional Services in August 2000 ,on overcrowding and its effects;

highlights the situation. He stated that 236 prisons has been built in South Africa to accommodate 100,668 prisoners and presented the following statistics:

*“On the 31 May, 2000 these prisons were accommodating 171,880 prisoners which means that approximately 70,000 prisoners were kept in prisons without the necessary infra structure such as toilets, showers or beds being available for them. Many are over two hundred percent occupied”.* (Fagan, 2000:33)

It is an undeniable fact that overcrowding results in prisoners not being able to benefit from the rights they to which they are entitled’ These include access to reintegration programmes, education, employment opportunities within prison, as well as vocational and life skills training. Judge Fagan (2000: 34) further notes that:

*“Besides the deprivation of their rights to humane detention ... the cost to the state is enormous. The incarceration costs is R88 per day per prisoner. This amounts to approximately R5.4 million per day to the tax payer ...”*

A seminar held at Kampala, Uganda in September 1996 adopted a declaration on prison conditions in Africa, known as the Kampala Declaration. This dealt with the conditions of overcrowding and strategies to reduce this phenomenon. It also stressed the importance of skills training and work programmes for prisoners, and the need for alternative sentencing options to reduce the overcrowding.

### **3.4 OVERVIEW OF THE EFFECTS OF IMPRISONMENT**

According to Barnes and Teeters quoted by Tomasic and Dobinson (1979 : 66)

*“Most prisons are characterised by high walls or fences. Within the enclosures are long forbidding cell blocks that house hundreds and thousands of inmates in small cubicles or crowded dormitories ... Imprisonment involves the forced confinement of individuals with others not of their choosing; it suspends family, sexual, social and employment relationships and it relegates the individual to being a member of a conforming mass, depriving him of personal responsibilities as well as freedoms.”*

For over two hundred years prisons have been used to house those who have committed a crime against society. The three primary purposes of such institutions are (i) to punish, (ii) to deter and (iii) to rehabilitate. Prisons have, however, failed to reach the objectives of effectively rehabilitating prisoners or preparing them effectively for their release into the community.

In his book, *Discipline and Punish - The Birth of the Prison* (1979: 265), Foucault criticises the prison system since its birth in 1820, elaborating on its failures. He states that “...the prison cannot fail to produce delinquents. Imprisonment causes delinquency, gangsterism, family destruction and recidivism”. He argues that “Detention causes recidivism; - those leaving prison have more chance than before of going back to it; convicts are in a very high proportion, former inmates ...”. Foucault (1979: 16) goes on to make an important point, noting that the effects of imprisonment are not only on a psychological level but also on a physical.

*“... a certain additional element of punishment ... concerns the body itself; rationing of food, sexual deprivation, corporal punishment, solitary confinement. ... in fact in its most explicit practices, imprisonment has always involved a certain degree of physical pain.”*

The researcher spent no fewer than fifteen years of her career working with and counselling prisoners and ex-prisoners. From her experience it is clear that imprisonment has devastating effects on various aspects of the prisoner’s life. It impacts negatively on the family of the prisoner, isolates the prisoners from the community, limits opportunities for employment and causes both psychological and emotional trauma. Sykes, quoted by Davies (1974: 153-154) lists five pains of imprisonment: “*the deprivation of liberty, of goods and services, of heterosexual relationships, of autonomy and of security*”. To these Davies states that Cohen and Taylor added “*the loss of privacy, the obsession of time and fear and the reality of physical and mental deterioration*”.

According to Rotman :

*“Imprisonment uproots inmates from their social relationships including family, friends and workmates, depriving them of a choice of companionship. Most prisons do not rehabilitate. The purpose of imprisonment is to punish criminal offenders, to incapacitate them or both.”* Rotman (1990: 143).

A Dissel in her paper, *South Africa's Prison Conditions - The Inmates Talk*, interviewed prisoners at two prisons in Johannesburg in May 1996. This research clearly indicates the detrimental effects of imprisonment:

*“My overriding impression of these prisons, is that they are large warehouses where people are stored until their sentences have expired.”* (A Dissel, 1996: 4).

Dissel also found high levels of frustration amongst the prisoners interviewed. Prisoners complained about idleness, no training opportunities and that there was no rehabilitation at all. Most prisoners stated that they have learnt nothing in prison. Prisoners also lived in constant fear of attack by gangs. From these research findings it is clear that prisons cannot rehabilitate effectively because of the present overcrowding, inadequacy of resources, staff shortages and lack of community involvement.

The experiences of the participants in the research undertaken by the current researcher will be reflected later on in the chapter.

Imprisonment cuts off relations with those outside the prison walls. It does not focus on the crime or the victim. Hawkins (1976: 45) states that imprisonment *“... is more likely to be harmful than beneficial”*. He also states that *“... there is certainly agreement amongst all critics we have considered that the prison system has been a failure”*. He goes on to cite a profound view by the National Advisory Commission on Criminal Justice Standards and Goals (1976: 45):

*“The failure of major institutions to reduce crime is contestable. Recidivism rates are notoriously high. Institutions do succeed in punishment but they do not deter. They protect the community but that protection is only temporary”*.

According to Hawkins the notion that prisons are '*schools of crime*' dates back to the eighteenth and nineteenth century penal reformers. Hawkins (1976 : 56) aptly uses a quote to make his point from John Howard in 1717: '*seats and seminaries of idleness and every vice*'. If one notes the recent research conducted by A Dissel in two Johannesburg prisons, discussed earlier, it is evident that prisoners experience similar processes, idleness and frustration in South African prison, today.

We need to ask ourselves the question - *What is different today?* A large percentage of prisoners return to society after they have served their term of imprisonment. Most return, stripped of their dignity and morale, psychologically impaired and with minimal or no coping skills to re-build their lives. Tomasic and Dobinson (1979: 1) also reiterate Hawkins' perceptions that "*At worst, prisons are brutalizing, cannot be shown to rehabilitate or deter offenders and are detrimental to the re-entry of offenders into society*".

Tomasic and Dobinson go on to argue that rehabilitation within prison is a 'myth'. Prisons deal with prisoners from the premise of total control. A philosophy of this nature does not teach prisoners a sense of responsibility, decision-making and the choice of self-realisation. The researcher in her work with prisoners and ex prisoners found that most complained about joining a rehabilitation programme in prison as they were told that this would count in their favour for early parole. Thus training programmes and rehabilitation programmes are used as form of control in order to instil conformity amongst the inmates. Tomasic and Dobinson (1979: 66) confirm that prisoners are forced to conform:

*"Imprisonment involves the forced confinement of individuals with others not of their choosing; it suspends family, social and employment relationships and it relegates the individual to being a member of a conforming mass, depriving him of responsibilities as well as freedoms."*

The main focus in prison is on the survival of the fittest. Prisoners have their own rules, subculture of violence and prison gangs. In counselling ex-prisoners and prisoners the

researcher came across many prisoners who expressed fear of prison gangs if they were not gang members.

According to Van Zyl Smit, many scholars have turned to the writings of American sociologist Irving Goffman to gain an understanding of the social processes within prison. He points out that, one of the key concepts developed by Goffman is that of the 'total institution' (Van Zyl Smit, 1992: 44). Goffman's theory of the 'total institution', is based on "...the break down of barriers which, ordinarily ensure that members of modern society tend to sleep, play and work in different places, in each case with a different set of co-participants under a different authority, and without an overall rational plan."

The prison experience differs vastly from that of modern society as all aspects of a prisoner's life is brought under one single authority with rigid control systems in place. Goffman's theory asserts that 'total institutions' are characterised by a split between staff and inmates, which leads to poor and restricted communication.

*"On entering the total institution the pre-existing 'self' of the 'recruit' is systematically, if often unintentionally mortified. According to Goffman, the processes of mortification are standard in total institutions."* (Van Zyl Smit, 1992: 44)

The mortification process experienced by prisoners includes degrading admission procedures where the prisoner's personal possessions are taken away; s/he is given a prison number as identification, resulting the person becoming a non-entity. Prisoners are also denied heterosexual relationships and are exposed to or become involved in homosexual relationships. *"The influence of 'total institutions' is generally malign"*. (Van Zyl Smit, 1992: 45).

Imprisonment also has detrimental effects on the family of the prisoner. *"Families of inmates have been called the 'hidden victims of crime'"*. (Carlson & Cervera, 1991:5). Many families also feel stigmatised by the imprisonment of a family member. This feeling is worsened if the crime is of a sexual nature. Families also experience financial

problems if the breadwinner is the one who is incarcerated. The effects of imprisonment are also felt on a psychological level. Prisoners experience certain psychological deprivations, including the loss of liberty and the pain of moral rejection.

It is evident that the effects of imprisonment are detrimental to the future reintegration of the prisoner into society. It is therefore imperative that rehabilitation and reintegration programmes begin in prison in order to counteract the severe distress of the prisoner in addition to preparing him/her to re-engage with society during and upon release. This process is essential to build his/ her capacity to become a productive member of society.

Despite prisons being designed for purposes of punishment, deterrence and later the notion of rehabilitation, Rotman (1990, 143) argues *“that in practice these aspirations have largely failed and the effectiveness of the prison has been challenged at every level. Moreover, imprisonment has been largely denounced for its harmful and counter productive effects”*.

### **3.5 EMPLOYMENT OPPORTUNITIES WITHIN PRISON FOR EFFECTIVE REINTEGRATION**

In order to prepare the prisoner for his or her reintegration into society, skills training and opportunities for employment within prison are crucial. The researcher is aware that other programmes (such as life skills, drug programmes and the like), which assist and support the prisoner's successful reintegration are equally important. The purpose of this research, however, is to investigate the link between employment and reintegration. Consequently these issues within the prison setting will receive primary attention. Later in the next chapter, an explanation of attempts to reintegrate ex-prisoners through employment will be undertaken. Labour opportunities in prison must be closely intertwined with the process of reintegration. As aptly put by Enda Tiesmonde in her paper called , *'Prevention, Detention and Rehabilitation'*, presented at the conference in Kampala in 1994 (85):

*“There is no possibility of coping with recidivism if the prison is not preparing the detainees for their freedom. Otherwise, freedom becomes a new detention and a much worse imprisonment than that inside the walls. There should necessarily be a link between the prison and the post penal situation and an adapted structure able to, with legal, penal and social competence, carry out short and long term reintegration programmes”.*

In order to set the context of prison labour and its attempts at reintegration, there is a need to discuss the ideal prison rehabilitation programme and then go on to discuss prison labour in more detail. The researcher does not attempt to give a full account of the rehabilitation programmes within the prison but alerts the reader to what an ideal prison rehabilitation programme should entail.

Bean (1976: 117-118) states that the American Correctional Association gives the most comprehensive account. He goes on to explain that it is worth quoting in full in order to show how an ideal programme should operate:

- *“Scientific classification and programme planning on the basis of complete case histories, examinations, tests and studies of the individual prisoner;*
- *adequate medical services having corrective as well as curative treatment as their aim and making full use of psychiatry;*
- *psychological services properly related to the problems of education, work assignments, discipline and preparation for parole;*
- *individual and group therapy and counselling and application of the therapeutic community concept under the direction of psychiatrist, psychologist or other trained therapist and counsellor;*
- *case work services reaching families as well as prisoners; employment of tasks comparable in variety, type and pace to the work of the world outside and especially tasks with vocational training value;*
- *library services designed to provide wholesome recreation and indirect education;*
- *directed recreation both indoors and outdoors so organised as to promote good morale and sound mental health;*

- *a religious programme so coordinated as to effect the spiritual life of the individual as well as that of the whole group;*
- *discipline that aims at the development of self control and preparation for free life ; not merely the conformity to institutional rules;*
- *adequate building and equipment for the varied programmes and activities of the institutions and above all adequate and competent personnel carefully selected, well trained and serving under such conditions as to promote a high degree of morale and efficiency”.*

Rotman (1990: 3) describes rehabilitation processes within the prison as it correlates with the above description by the American Correctional Institution, quoted by Bean. He states that *“rehabilitation in prison comprises educational opportunities, justly remunerated work, medical, psychological and psychiatric treatment in an adequate environment; maintenance of family and community links, a safe fair and healthy prison environment; post release support, elimination of hindrances to re-instatement in the community; and the various services directed to meeting the imprisoned offenders physical, intellectual, social and spiritual needs, as compatible with incarceration”.*

The above ideal cannot be realised within the South African Correctional Institutions because of the gross overcrowding and the lack of infrastructure to cope with this problem. Rehabilitation within the prison becomes a dream that is impossible to reach.

### **3.6 EMPLOYMENT WITHIN THE PRISON AS PART OF THE REHABILITATION PROCESS**

Prison labour was introduced in the late eighteenth century and prisoners were put to work in the diamond mines, on road construction and on farms. After the Union of South Africa in 1910 changes took place in the use of prison labour, prison workshops emerged and farm prisons were established. In 1934 a scheme was introduced where farmers could hire prisoners .

Many reasons have been given at various times for working prisoners. Barnes and Teeters (1959: 523-524) assert the following:

- *“As **punishment** : it is assumed that if hard and onerous tasks are the lot of the convicted criminal, they will serve as a deterrent to crime*
- *As **discipline in prison** : if all inmates are at appointed tasks, regardless of what they may be, it is simpler to operate the institution and thus discipline is maintained*
- *To **relieve the monotony of a prison term** : it is axiomatic that time passes more quickly if men are busy*
- *To **reduce operating costs** through the production of goods that may be sold : this is a sound economic concept*
- *To **assist inmates to aid in the support of their families** : by paying a slight wage for their work the prisoner maintains his self respect and assumes his responsibility for supporting his dependants*
- *To **teach prisoners trades** : based on the assumption that those coming to prison are unskilled*
- *As a **reformatory device** : work of some sort can be regarded as therapeutic and be of aid in restoring a man to society as a social asset”.*

A careful look at the above reasons for prison labour indicates that the emphasis is placed on work as a form of punishment. In the researcher's experience in working with ex-prisoners, it is evident that most were forced to work on tasks that did not restore their sense of dignity, teach them skills or assisted them to support their families. Most prisoners complained about tasks like scrubbing floors, cleaning toilets and doing garden work. Few were exposed to proper skills training or work that foster self-respect. Idleness in prison hinders the future reintegration of prisoners into society. As stated by Barnes and Teeters (1959: 537):

*“There is nothing so demoralising as idleness. Unemployment outside the prison is a curse; it is doubly so in prison because the prisoner is denied the normal pursuits that are the privilege of the unemployed man who is free”.*

Minister Ben Skosana, in his opening address at the National Symposium on Correctional Services in August 2000, spoke on remuneration of prisoners as well as the selling and market costs of prison products in the open market in order to facilitate the reintegration of prisoners into society. The issue of prison labour according to section 133 of the Correctional Services Act of 1998 is restrictive. It merely requires that state departments purchase prison products at fair and reasonable prices as determined by the Minister of Finance. The income generated from the sale of prison products is not put back into the prison but channelled to the exchequer.

Skosana also noted in his opening address that the sale of prison products for the 2000 financial year was R83.2 million. Politicians should carefully note this point. The money should be ploughed back into the prisons in order to implement effective rehabilitation programmes. Correctional services should also recognise prisoners as workers with full rights.

We need to treat prison labour as part of the work force of South Africa and not as a separate entity. We would do well to introduce profit oriented employment practices within the prison as part of the reintegration process of the prisoner. This practice would encourage prisoners to develop a work ethos and facilitate the process of securing employment upon their release. Corry (1977: 42) states:

*“ Naturally prisoners expect to be paid for their work and penologists are divided as to whether a prisoner should receive a full market wage related to his productivity and from this wage should contribute to the costs of his imprisonment, the maintenance of his family and so on, or whether the wage should be more in the nature of pocket money. There are certain difficulties with paying a market wage, such as the payment of tax and of course the objections of the general public to the ‘pampering’ of prisoners”.*

The researcher is of the opinion that we need revolutionary changes to create work opportunities in prisons that could result in the institution becoming a self-sustainable entity, the effective maintenance of the prisoner's family and simultaneously to educate the incarcerated person. The process of prison labour has not changed much today as

many prisoners are still released with minimal or no skills. We need to ensure that work in prison has meaning for the prisoner in order to inculcate a culture of achievement and provide the necessary motivation to earn a living upon release.

In prison very little emphasis is placed on production as is evidenced in the open labour market. *“Little attempt is made to create the atmosphere of free industry and seemingly little emphasis is placed on this part of training”*. (Correy, 1977: 174). Thus we see, more often than not, the situation arising where prisoners are unable to cope with the pace of the open labour market upon their release. Correy asserts that prison labour in the past, especially during the time of Montague, made valuable contributions to the Public Works projects such as the constructions of roads. Prisoner’s involvement in building low costs housing and other government projects should be explored.

Safety nets should, however, be in place to ensure that prison labour will not be exploited or abused. Prison farms could also be expanded to equip prisoners with cultivation and agricultural skills. Learning farming techniques can be useful especially for those prisoners who return to rural areas. Corey (1977), considers it imperative that prisoner wages in South Africa be increased so that at least some of the aims of paying prisoners become achievable. These aims can be summarised as follows:

*“Increased pay may lead to increased productivity;*

*The payment of equitable wages may bring about a greater respect for the value of work and the improvement of the prisoners morale and self respect - particularly if they are able to send meaningful sums of money home to help their dependants”*. Corey (1977: 245)

According to the Correctional Services Annual Report of 1999 the number of prisoners involved in formal educational programmes for ABET levels 1 to 4 amounted 6,214. A total of 3,387 prisoners were involved at secondary school level and 551 prisoners were studying through correspondence. This gives us a total of 11,152 prisoners who were involved in formal education. One thousand three hundred and fifty six (1,356) prisoners were involved in vocational skills training and 8,095 were involved in occupational skills training. Thus 26,603 prisoners, or 23.76%, of a total of 111,948 sentenced prisoners

were involved in some form of education and training. This presents a dismal picture indeed.

The Annual Report of 1999 also reflects the daily average of work opportunities, which were provided:

Building and maintenance	1,435
Agricultural services	9289
Production Workshops	2,998
Maintenance workshops	877

Again a dismal picture emerges from these figures when compared to the total prison population. It is evident that only a small percentage of prisoners are trained for employment to facilitate their reintegration process into the community. Van Zyl Smit (1996: 16) quotes Correy, 1977, as noting, "*in 1972\1973 approximately 2,600 prisoners were employed daily in workshops, 3,000 in building groups, 6,000 on prison farms and a further 15,000 in maintenance.*" The total of some 27,100 prisoners involved in some form of work or another in 1972/1973 is not very different from the 1999-year figures quoted by Correctional Services.

According to the Annual Report of Correctional Services (1999:39), there are 16 textile workshops for the manufacture of prison clothing and bedding, and eight production workshops for timber and steel products. It has 21 farms (40,000 hectares) and 116 vegetable gardens at smaller prisons. The report also states that education and training programmes are presented at 81 prisons. This raises cause for concern, as there are 236 prisons in South Africa.

The 1999 Annual Report also reflects that 9.1% of the total budget of Correctional Services for the 1999/2000 financial year was spent on the development of prisoners. For the 1998/1999 financial year 8.75% of the budget was spent on development, thus reflecting a minimal increase of only .35%.

The Correctional Services Annual Report reflects that 4.9% of the budget was spent on community corrections. (1999: 3). These figures clearly reflect the skewed focus of allocation of funds and spending by the Department of Correctional Services. It is imperative that more funds are set aside for the development of prisoners in order to assist with their reintegration process.

More funds should also be allocated to community correctional facilities, as this would ease the overcrowding in prison. By reducing the prison population this would allow for the creation of more conducive conditions to implement effective rehabilitation programmes.

### 3.7 A NEW ATTITUDE

Prisons are seen as an entity, completely divorced from the community, which stand in total isolation. The prison system has failed to prove that it can have an impact on crime levels or to rehabilitate ex-prisoners. Foucault makes an important point in his book *Discipline and Punish - The Birth of the Prison* (1979) those criticisms of the prison system started between the years 1820 and 1845. These criticisms remain the same today. We, therefore, need to work pro-actively and creatively to find lasting solutions to the rehabilitation of prisoners while in prison and the reintegration of ex-prisoners upon their release. A change of attitude on the part of both government and civil society is required concerning the frequent use of imprisonment as a solution to our crime problem.

We have seen the development of legislation to include communities in prison processes including parole board hearings, prison inspections and correctional supervision. However, the present mood in South Africa is one of anger and frustration at the rising levels of crime. This makes it difficult to motivate communities to become involved in prison life and the reintegration of offenders. There is a dire need to develop a new attitude towards prisons and prisoners in order to implement programmes to assist with the reintegration process. Communities should be educated regarding the need for their involvement as most prisoners eventually return to society and, once again, become part of the community. In her paper, '*Strengthening Community Involvement ...*' presented at

the National Symposium on Correctional Services in August 2000, Dre Okoro mentions efforts made in other countries to involve communities in the reintegration of prisoners. She states “...we need to develop a form of social responsibility and patriotism”. (2000: 1).

### 3.8 RECENT INNOVATIONS IN PRISON REHABILITATION

In order to move towards a new way of thinking, there is a need to adopt a progressive approach to prisons and their role in the punishment and rehabilitation of offenders. The following recent advances are highlighted in order to give the reader an insight into new and unconventional innovations, which have proven to be effective in rehabilitating prisoners:

- For each parole officer there are sixteen civilian volunteers who serve as mentors for ex prisoners in Sweden. The Labour Unions are also involved in prisons, overseeing vocational training programmes. Links are also developed with the union when the prisoner is released and starts seeking employment.
- In Fort Wayne, Indiana (USA), an organisation called ‘One Church One Offender’ assists non-violent prisoners. Each prisoner is assigned to a five-member group affiliated to the church. This group supports the ex-prisoner throughout his/her reintegration process.

South Africa is far from being creative concerning imprisonment. Rotman (1990: 144) discusses what he refers to as the “*liberty centred approach*” to prison management. This approach breaks down the bureaucratic boundaries of the prison by allowing prisoners leave of absence. It also emphasises the need for prisoners to be responsible for their actions. Rotman (1990: 145) states that the open prison system is “*the cornerstone of recent penal reform internationally*”. He makes mention of the Ringe Prison in Denmark as an excellent example of new, open prisons which aim to equip and support prisoners so that they can make their own decisions and become self sufficient.

The Ringe Prison allows for conditions very similar to life in the outside world. Prisoners are given cash, wages earned in the workshops, and a basic subsistence allowance from which they must purchase their food. They are responsible for drawing up their own budgets. If they run out of money they are dependent on the goodwill of their fellow prisoners because no advance loans are allowed. Prisoners also must resolve any problems amongst themselves.

These strategies are aimed at developing a sense of responsibility and self-reliance. Prisoners are made aware that the aim of their imprisonment is punishment but the emphasis is placed on the importance of rehabilitation. Counselling in this prison is not provided by highly skills professionals but by staff members who have close contact with the prisoners. Prisoners are encouraged to work out practical solutions to their problems. Rotman (1990: 152) goes on to state "*the Ringe prison is the most tangible expression of the recent transformation of the rehabilitative concept.*"

The researcher alerts the reader to the above example of an open prison system in order that a new attitude is developed when plans are derived to expand the present form of imprisonment.

Another interesting innovation worth mentioning is prison industry and the private sector partnerships. A paper by Robert Grieser (1996), who works for the US Department of Justice's Public and Private Sector Partnerships in Prison Industries and Offender Employment Program; explores the partnership between prison industry and the private sector. According to Grieser a partnership of this nature has the following benefits:

- *high sales which, in turn, create more jobs for prisoners*
- *prisoners are exposed to a work environment that relates to the outside world*
- *both the prisoner and prison staff have access to specialized skills*
- *products produced are branded and recognized by the community.*

The other side of the coin is that the private sector also benefits from this partnership: it is able to reduce its labour cost and has an available workforce.

In order for South Africans to build and develop projects similar to those cited above, there is a need for non-government organisations, government and business to develop significant partnerships. Whilst we have implemented a few projects that assist with the reintegration process of ex-prisoners, we are a long way off from having projects, which include union and large-scale community involvement as cited by Okoro. In order to transform the negative tendency towards punitive measures, community involvement in dealing with the issue of reintegration must be sought. We require a new attitude that will focus on assisting prisoners and ex-prisoners as one of the strategies to reduce the crime levels in South Africa.

### **3.9 CONCLUDING REMARKS**

The researcher supports the rule of law, however, it is her firm belief that those who have broken the law be given the opportunity to put right the wrong and be assisted to become law abiding, constructive citizens. Prisons are unable to rehabilitate offenders under the present conditions of overcrowding. The effects of imprisonment indicate that a concerted effort has to be made by the Department of Correctional Services to reduce the prison population in order to work on reforming the prisoner.

Similarly, the use of alternative sentencing options for non-violent crimes should be used to reduce prison overcrowding. The international human rights instruments stress the importance of recognising the inherent dignity and worth of each human being. It also stresses that imprisonment should be used as a last resort. The present scenario of gross overcrowding has already led to the inability of the Department of Correctional Services to adhere to its constitutional obligations.

It is interesting to note that problems within the prison system and its inability to effectively rehabilitate offenders commenced with the birth of the prison, over two hundred years ago. Despite technological, political and other advances, more especially human rights instruments that have been adopted to safeguard the rights of prisoners, we are still faced with the same problems today.

Society is sickened by and has grown weary of crime. The vast majority of South Africans believe that criminals deserve to go to prison and give little or no thought to the time when those who have been incarcerated will again become part of their communities. It has been carefully noted that prisoners suffer psychological, emotional and physical trauma in prison. It is imperative to work towards the successful reintegration of prisoners and ex-prisoners and to reduce the damage inflicted upon the individuals themselves and society at large. It is equally important to explore and implement systems and procedures, which will reduce re-offending and escalating crime.

The next chapter on reintegration will focus on the released prisoner in an attempt to identify effective reintegration solutions. A review of reintegration efforts through employment for released prisoners will also be explored. Employment projects for ex-prisoners developed in other countries and a unique South African employment project and its success in the rehabilitation of ex-prisoners will be discussed.

## CHAPTER FOUR

# FROM PRISON TO COMMUNITY:

### *'THEY EVENTUALLY COME OUT'*

*"Most diamonds are set in a ring. For a man this ring is society, rather like an eternity ring, as it composed of millions of tiny diamonds, set into the surrounding metal. When a stone falls out, not only is it of less value than the whole ring, but also society is itself the poorer. Society therefore has an obligation to see that as few as possible of its jewels work loose and are lost or so damaged as to be useless in re-setting".*

- Trotter (1969: 266-267)

## 4.1 INTRODUCTION

The previous chapter focussed on the effects of imprisonment and the attempts by prisons to rehabilitate prisoners. It is clear that imprisonment has failed to prepare the prisoner for release back into the community. Prisoners are thus seriously handicapped on many levels including the lack of adequate preparation to secure employment. In the researcher's eighteen years of experience in counselling ex-prisoners, many prisoners showed signs of trauma and also spoke about how prison did not prepare them for life in the community.

This chapter will focus on the release of prisoners and the reintegration process. Reintegration is a broad process which entails various interventions aimed at supporting the ex-offender in his/her efforts towards constructive living and becoming a valuable, responsible and contributing citizen. However, because of the focus of the research, the chapter will explore the relationship between unemployment, crime and reintegration. The question, which will be addressed, is: *Does unemployment impact on the reintegration of ex-prisoners?*

Ballington (1998: 75) states that, on average, 95% of criminals are released back into society, often so damaged by their prison experience and ill prepared for life outside prison. Murphy (1985: 133), quotes Menninger's description of newly released prisoners:

*" ... with a planelessness and stupidity only surpassed by that of their original incarceration they are dumped back upon society, regardless of whether any change has taken place in them for the better, with every assurance that changes have taken place within them for the worse".*

There is a dire need to manage the transition from 'imprisoned offender' to 'released ex-offender'. In the researcher's experience, thousands of prisoners are released without this process being managed properly. Society has an obligation to accept ex-prisoners back into the community as they have served their term of imprisonment. Society cannot ignore the plight of ex-prisoners upon their release, as this, more often than not, will result in re-offending and their return to incarceration. Dissel and Chung (1999: 2) state

that the recidivism rate of prisoners in South Africa is high, with estimated figures ranging from 70% to 85%. Therefore the reintegration process is a crucial crime prevention tool, which needs the support and participation of society.

## 4.2 DEFINING THE REHABILITATIVE IDEOLOGY

The Oxford Advanced Learners Dictionary defines **rehabilitation** as *“to help to have a normal life again after they have been in prison or hospital for a long time. To restore to their/its former status or position: rehabilitate a disgraced former leader”*. (1995: 983)

The rehabilitation process involves trying to change the behaviour, morals and values of ex-offenders so that they internalise the idea that crime is unacceptable to society.

*“Simply defined - offender reintegration is all activity and programming conducted to prepare an offender to return safely to the community and live as law abiding citizens”*. (Thurber, 1998: 1).

Offender reintegration is a process where the ex-offender is accepted back into his/her community. The concept of a return to normality, albeit with a job, a home or food is central to the idea of reintegration. What is offered to the offender is a chance to rebuild normal relations with members of society.

Tomasic and Dobinson (1979: 68) state *“the focus of integration or reintegration of the offender into the community is with the establishment of stable material and social ties between the offender and the environment outside prison”*.

Erasmus (1996: 3) quotes Duff and Garland (1994: 24) who states that *“Although the concept of ‘rehabilitation’ has a number of applications, one could use a yardstick in penalty ... which measures rehabilitation in partial, qualitative ways ... such as collateral improvements in aspects of the offenders conduct and lifestyle - it becomes clear that in certain circumstances, with certain kinds of offenders, these more modest goals can sometimes be achieved”*.

The researcher was impressed with Rotman's definition of rehabilitation (1990: 3):

*“Rehabilitation according to modern standards, can be defined as broadly as a right to an opportunity to return to (or remain) in society with an improved chance of being a useful citizen and staying out of prison; the term may also be used to denote the actions of the state or private institutions in extending this opportunity”.*

Rotman (1990: 3) goes on to mention the use of older terms such as “reform”, “regeneration” and “corrections”. He also discusses modern expressions, including “social re-integration”, “re-education” and “re-socialisation”, all of which are used to refer to the rehabilitative idea. He adopts the term **rehabilitation** and states that other expressions discussed will be regarded as synonymous. The researcher will use the term reintegration and regard all other terms mentioned by Rotman as synonymous.

Rehabilitation is a complex process which has various elements, stages and depth, depending on the needs of the ex offender. It could span the need for psychological treatment, employment, money, building of family relationships, dealing with the causes that led to crime, coping with the stigma of having been imprisoned and society's acceptance of the offender, or lack thereof.

#### **4.3. HISTORICAL OVERVIEW OF REINTEGRATION**

Rotman (1990) traces the history of re-integration from the time of antiquity. Criminal sanctions were rooted in the Christian ideology of morality, as cited in the New Testament. Gospel texts emphasise forgiveness and reconciliation. Rotman asserts that the Christian rehabilitative concept was based on disciplinary punishment within monastic orders. Cullen and Gilbert (1989) give an historical account, similar to that of analyses as Rotman (1990). They also assert that two centuries ago punishment was based on religious doctrines, which viewed the criminal act as a sin.

In the mid 16<sup>th</sup> century Houses of Corrections emerged in order to control beggars and petty offenders. *“These house of corrections used labour as a form of discipline which was aimed to change the offender into a law abiding citizen”*. (Rotman, 1990: 32) They began the transition from publically humiliating punishment toward the new penal policies that flourished in the 19<sup>th</sup> century.

According to Rotman (1990: 49), new rehabilitation ideas emerged in the mid nineteenth century when the emphasis was placed on rehabilitation, following World War Two. *“The optimistic construction that followed the fall of the totalitarian regimes paved the way for and influential movement of humanistic crime policy: the new social defence. This doctrine encouraged action toward re-socialization and it recognized the worth of the human being. This new social defence’s main positive contribution was to enhance the rights of prisoners, press for their international recognition, and inspire penitentiary reform as well as a new legal system for juvenile offenders”*. (Rotman, 1990: 50).

Cullen and Gilbert (1989: 77) also discuss what they call the “Progressive Era”. *“The flavour of the progressive era is well illustrated in the 1912 remarks by Warren F Spauling, Secretary of the Massachusetts Prison Association: ‘Each criminal is an individual, and should be treated as such ... Character and not conduct is the only sound basis of treatment ... Diagnosis is necessary in the treatment of badness as it is in the treatment of illness’”*.

It is important to mention an offender rehabilitation programme survey conducted by an American sociologist, Robert Martinson, in the 1960's in which 231 case studies between 1945 and 1967 were reviewed. In a paper presented by Miller (1989: 1) Martinson's survey, *The Effectiveness of Correctional Treatment: A Survey of Treatment Evaluation Studies*, was referred to as a work *“... which became the most politically important criminological study of the past half century”*. According to Miller (1989: 1), Martinson's writings and views on the failure of rehabilitation appeared in the newspaper under the headline *“Nothing works”*. Politicians began to use the work of Robert Martinson as a political tool to advocate for harsher methods of punishment. Later on Gendreau and Ross published a survey of over two hundred studies on rehabilitation programmes from 1981 to 1987, in which they concluded that:

*“Our reviews of the research literature demonstrated that successful rehabilitation of offenders had been accomplished, and continued to be accomplished quite well ... reduction in recidivism, sometimes as substantial as eighty percent, had been achieved in a considerable number of well controlled studies. Effective programmes were conducted in a variety of communities and (to a lesser degree) institutional settings, involving pre delinquents, adult offenders ... The results of these programmes were not short lived; follow-up periods of at least two years were not uncommon, and several studies reported even longer follow-ups. (Miller, 1989: 4).*

Based on the findings of Gendreau and Ross, Miller (1989) concluded that a wide range of techniques proved successful, including cognitive problem solving, life skills training, group and individual therapy, among others. According to Miller (1989: 5) Martinson acknowledged that there were interventions that had proven to be successful a year before his death.

The researcher thought it important to raise Martinson’s notion that ‘nothing works’ as an important stage in the history of rehabilitation. We see the same scenario in South Africa today. The conservative politicians, representatives of the corporate sector and members of civil society, continue to ask the questions : *Can reintegration of ex -prisoners reduce the crime levels? Are reintegration programmes effective?*

It is of interest to note that proposals to treat offenders with respect and work towards their effective adjustment within the community started at the turn of the century. Given her experience, the researcher is amazed that despite great strides having been made to focus on reintegration, there is still so much work to be done in this area.

#### 4.4. MODELS OF REINTEGRATION

The researcher would like to draw on the work of Rotman (1990) who proposed four models of reintegration: the penitentiary, the therapeutic, the social learning and the rights oriented models.

The penitentiary model placed emphases on moral education, discipline and work. It *“relied on imprisonment to mould the character of the offender”* (Rotman, 1990: 5). The therapeutic model emerged next, in which it was assumed that offenders were “sick” and efforts were made to cure their criminality. The therapeutic model paved the way for the emergence of the social learning model of rehabilitation. *“Social learning model views crime as the product of learned behaviour and rehabilitation as a compensation for early socialization flaws resulting for example, from family break-up or neglect”*. (Rotman, 1990: 5).

The rights orientated model focussed on the right of the offender to certain minimum services from the correctional system. *“The purpose of such a right is to offer the offender an opportunity to re-integrate into society as useful human being”*. (Rotman, 1990: 6).

The researcher will further explore another model of reintegration cited by Rotman (1990). The Humanistic Model, it will be noted, has relevance for practitioners today. This model emphasises the fact that the assistance of an agency alone will not result in offender behavioural change. Change will only result from the person’s own insight, which, in turn, will reduce social influences, altering those conditions and the mindset which led to the criminal activity in the first instance. This model does not use coercive methods to change the behaviour of offenders but works on soliciting co-operation and the active participation of the offender in the reintegration programme. It offers the offender practical assistance and creates opportunities for offenders to live as law abiding citizens.

According to Rotman (1990: 9) “*Such a positive rehabilitative action helps create in criminal offenders a sense of social responsibility by arousing an awareness of their relationship with the rest of society*”. In the researcher’s experience, the approach to ex-prisoners some 18 years ago was very different, primarily because the welfare system was based on the notion of charity. Ex-prisoners were given food parcels to assist them to cope and fares for transport to assist them to seek employment. With the development of the new social development policy, effective since 1994, the emphasis has shifted from a ‘hand-out’ approach to a ‘development’ approach. The development approach focuses on the offender taking responsibility for his or her actions.

#### 4.5. THE PROCESS OF REINTEGRATION

It is clear that the process of reintegration should begin when the offender enters the prison. The chapter on imprisonment clearly showed the need to implement reintegration programmes within prisons in order to prepare the prisoner for release and the subsequent adjustment to community life.

NACRO (National Association for the Care and Resettlement of Offenders) is a social services agency, which works with ex-prisoners, prisoners, offenders and their families in London. This agency has carried research with offenders, which will be discussed later. The NACRO report on the resettlement of offenders (1993: 4) states that for ex-prisoners to re-integrate into society and live productive lives, “*they should have access to the same opportunities as everyone else*’. That is, they should have access to employment or a source of income; counselling; a plan of action to deal with their problems; family and community support. Another important element is trauma debriefing. In the researcher’s experience of working with prisoners and ex-prisoners, it was clear that the prison experience was a traumatic one. Ex-prisoners often spoke of the abuse they experienced in prison. Every incarcerated offender recounted the dehumanising experience of being locked up in a cell. Many were subjected to the trauma of being beaten by prison gangs and by far the most traumatic experience for many prisoners was the incidence of rape.

The process of reintegration is intertwined. Unemployment would, for example, affect the ability of the offender to secure or hold on to accommodation and provide for the basic needs of the family. The support of family and friends is also required in order to assist with the reintegration process. According to the NACRO report (1993: 5), *“Successful resettlement means people coming out of prison and becoming part of the community - and the community must be involved to allow this to happen”*.

The report goes on to state that in order to ensure that ex prisoners reintegrate into the community successfully, they should:

- *“be able to maintain their family and community links while they are in prison*
- *be held in prison regimes which develop their skills, promote self confidence and build responsibility*
- *receive help and advice from prison-based staff and from community agencies to enable them to make concrete plans for release*
- *begin their life outside prison from a position of stability in terms of accommodation of a good standard, payment of appropriate benefits and arrangement for employment, training, education or another meaningful activity be allowed to make a fresh start with the support from the community”*. (NACRO, 1993: 27)

The rehabilitation approach is based on the belief that people who have committed a crime have the potential to change. The focus is also on the individual in order to investigate those circumstances that could lead to the offender returning to crime. Thus a plan has to be developed to assist the offender in his or her reintegration process. A crucial part of the plan would be the involvement of family, friends and community. Rotman (1990: 146-147) verbalises this as follows: *“... the heart of modern rehabilitation lies in the community, quite independent from institutionalisation. In fact rehabilitative opportunity flowers much better outside of than within prison walls”*.

Reintegration should focus on the offender taking responsibility to improve his personal circumstances in order to prevent further crimes. Offenders must be given the necessary

support in the form of counselling, practical assistance, education and training to change those conditions that would lead him or her to committing crime again.

#### 4.6. THE VALUE OF REINTEGRATION

In the researcher's experience it is clear that the goals of rehabilitation will be of benefit both to the offender and community. However, in South Africa there is a failure on the part of government to make available sufficient resources for rehabilitation programmes. There is also an urgent need to change the perception of communities that prison is the answer to reducing crime levels and offenders cannot be rehabilitated. Cullen and Gilbert (1982 : 253-254) mention four reasons why there is a need to advocate for the rehabilitation of offenders:

- *“Rehabilitation is the only justification of criminal sanctioning that obligates the state to care for an offender's needs or welfare...”*
- *Rehabilitation also aims to change the offender into a law-abiding citizen, which in turn benefits society. “The ideology of rehabilitation provides an important rationale for opposing the conservative's assumption that increased repression will reduce crime. Thus the ideology of rehabilitation is based on the fact that the social and personal circumstances, heightens the risk of criminal involvement. The rehabilitation ideology focuses on the fact that offenders will need to improve their personal circumstances or move out of social conditions which lead them to committing crime”.*

Cullen and Gilbert (1982: 256) makes an important point when they state that *“...rehabilitative ideology makes clear that a true solution to the crime problem ultimately rests in the support of reform programmes that will bring about a more equitable distribution of resources through a broad structural transformation of the social order”.*

- *“Rehabilitation still receives considerable support as a major goal of the correctional system*

- *Rehabilitation has historically been an important motive underlying reform efforts that has increased the humanity of the correctional system". (Cullen & Gilbert 1989: 261).*

Rotman (1990) makes another point which reiterates the value of rehabilitation by saying that it allows the offender to link with the community and also teaches the offender a sense of responsibility by giving the offender the opportunity to put right the wrong. Rotman (1990: 1) makes yet another further crucial point when stating that *"rehabilitation has enormous potential for humanising and civilizing social reaction against crime"*.

#### **4.7 REINTEGRATION THROUGH EMPLOYMENT**

Society sees employment as crucial for living a productive and fulfilling life. Similarly, employment is an important tool in the rehabilitation process of ex-offenders. The rationale for providing employment as part of offender rehabilitation programmes has been based on the assumed relationship between employment, unemployment and crime. McCreary et al (1975: 63) states that,

*"Employment not only affects an offender's ability to support himself without recourse to crime, but employment is also a major influence on the nature of his associates, his use of leisure time, his conception of himself and his expectations for the future. It is thus a major rehabilitative tool"*.

It is not easy to define the relationship between unemployment and crime. There are multiple causes to crime and subsequently it is difficult to isolate unemployment from other social factors that lead to crime. However, unemployment is interrelated with social and economic deprivation and is therefore one of the causes of crime. In order to deal with South Africa's rising unemployment rate, many politicians and activist groups call for the lifting of exchange controls, the halting the privatisation of state assets and the finding of solutions to the crime problem.

Berman (2001:197) states that *“The labour force survey found that South Africa’s unemployment rate was 26% on the strict definition and 37% on the expanded definition”*. The state of a country’s economy has an impact on the quality of life of its citizens. This scenario makes it even more difficult for ex-prisoners to secure employment upon release. In the researcher’s experience of dealing with ex-prisoners over an 18 year-period it was found that most released prisoners want their basic needs met, above all else. Central to this is the need for employment. Gainful employment will result in an income, thus enabling them to meet their other needs: the need food, clothing, accommodation and medical care.

#### **4.8. THE RELATIONSHIP BETWEEN UNEMPLOYMENT AND CRIME**

A brief discussion follows on the relationship between unemployment and crime. Many people argue that being unemployed is no excuse for committing crime. Wilson et al (1981: 16) writes that *“Sociological theories of criminal behaviour, identify unemployment as a contributing factor to crime, and employment as a contributing factor to crime prevention and rehabilitation”*. However, when meting out sentences to those offenders who commit crime out of need, one has to take into account the social circumstances of these offenders with the ultimate objective of reintegrating them into society as law-abiding citizens. According to Box (1987: 29) *“Their choice makes them responsible, but the conditions make the choice comprehensible. These conditions, social and economic, contribute to crime because they constrain, limit or narrow the choices available. Furthermore, if we understand the ultimate relationship between economic and social circumstances and criminal behaviour, then we might be in a better position to intervene effectively and humanely to reduce the incidence of crime”*.

The researcher found that large numbers of unemployed clients whom she counselled over many years suffered from depression, experienced feelings of failure and displayed a sense of despair. This, in turn, made them vulnerable and caused them to turn to drugs, alcohol and crime.

Box (1987) also analysed 18 time-series studies, which examined the relationship between unemployment and crime, 13 of which reported a positive relationship. This pointed to a causal link between unemployment and crime, and that when there is an increase in unemployment, crime, in turn, increases. Box makes mention of a further fascinating study undertaken by two University of Georgia criminologists, Thonberry and Christenson (1984). They conducted a longitudinal study, which took a 10% sample of 1,000 members of the Philadelphia cohort study of boys born in 1945 and reported on them at various stages of their lives. Box (1978: 93) states that Thonberry and Christenson “... reported that, overall, unemployment has an instantaneous effect on criminal involvement and this relationship gets stronger with age”.

Box (1987) goes on to caution that there is a need for further research in the area of unemployment and crime. Although there is evidence that there is a relationship between unemployment and crime, it needs further exploration, as the research studies could not account for all conventional crime. Crow (1989: 3) makes mention of a study undertaken by Tarling (1982: 32) which also shows evidence that unemployment causes crime but cautions that it may not be a major factor. Crow (1989) reviewed 30 studies, which focussed on unemployment and crime. He found varied opinions in the literature, which indicated that some studies showed the link to be negligible, while others indicated that unemployment is a major reason for committing crime.

It has also been found that unemployment is only one of the many factors, which contribute to crime and thus not the sole reason for crime. Crow (1989: 10) goes on to mention studies by (Mays 1963, Vinson and Homel 1965, McIntock 1976, Ruth and Madge 1976) that found that

*“...a number of other factors also have to be taken into consideration when looking at the link between unemployment and crime. It has long been established that the incidence of crime correlates with various measures of social disadvantages.”*

A variety of social problems such as inadequate income, poor housing or lack thereof, health problems as well as the lack of education can lead to people committing crime. A

recent paper written by Papps and Winkelmann (1998: 1) found that “...*unemployment cannot explain the overall crime rate, although significant effects on crime are found for some sub categories of crime*”. These authors go on to discuss an econometric study by Small and Lewis (1996), which supports the idea that crime and unemployment are linked in some way and that unemployment causes crime. Papps and Winkelmann (1998) state that their findings were more cautious and that they found no evidence of a causal relationship.

NACRO (National Association for the Care and Resettlement of Offenders) an agency dealing with offenders in the United Kingdom, presents the findings of their study of ex-offenders in a paper called, “Going Straight to Work” (2000). A follow-up study was undertaken by NACRO of 64 prisoners between three and eight months after release. It was established that there was a statistical link between unemployment and criminal involvement. This finding links up with the study undertaken by Box (1987) who also found evidence of this link when he analysed studies of various researches.

Wilson et al (1981: 16), who examined the works of various researchers, makes mention of 30 studies, which examined the connection between crime rates and unemployment rates undertaken by Gillepsie. They concluded that “...*there is substantial if not overwhelming support for the general validity of the economic model of crime*”. Wilson et al (1981: 17) go on to discuss Glaser’s comprehensive studies using “*four different types of data to determine the relationship of economic factors and crime ... human ecology, social class, business cycles and circumstances of the offender*”. He concluded that: “... *even a cursory review reveals that findings from each of these four types of investigations, while somewhat inconsistent and controversial, predominantly show that extreme poverty ... is highly correlated with crime*”. The authors go on to reflect on a statement made by the VERA Institute of Justice Employment and Crime Project, which also undertook research to explore the relationship between unemployment and crime:

*“Our review qualifies the widely accepted view that unemployment directly causes crime and that employment is always an effective deterrent to criminal activity. While these direct (causal) relationships clearly obtain for some groups in certain circumstances, they do not fully account for other*

*employment and crime relationships among different sub populations, nor for divergencies, within the same sub populations over time. Thus our review leads us to expand and specify particular employment and crime relationships and to consider instances where the relationship between employment and crime is indirect, brought about by other institutional and sub cultural patterns. (Wilson et al, 1981: 18).*

The statement by the Vera Institute and studies undertaken by Crow (1989) give one food for thought. It is clear that there are complex processes, which underlie the relationship between unemployment and crime. Some unemployed people may, for example, commit crime out of the need for basic sustenance. On the other hand, others who are employed may commit crime because of a low wage, to feed a drug habit or as a result of peer group pressure. Crow (1989: 10) states this fact very aptly, “ *it therefore becomes difficult to distinguish the effects of one factor from another or to establish which causes which. The most reasonable conclusion on the evidence to date is that unemployment is a contributing factor, but that the causal link is not necessarily a simple one*”.

It is accepted that unemployment does have an influence on criminal behaviour. Employment, in turn, will impact on the rehabilitation process of ex-offenders. Employment forms an important component of the total rehabilitation process.

#### **4.9. STUMBLING BLOCKS TO EMPLOYMENT OPPORTUNITIES**

Employment is a crucial part of the rehabilitation process of ex-prisoners. It has been shown to play a role in the adjustment of the ex-prisoner after his/her return to the community. However, securing employment for ex-prisoners is not an easy task due to various stumbling blocks, which, in turn, hinders the rehabilitation process.

The stigma of being labelled a convict remains with the ex-prisoner upon release from prison. NACRO (2000: 4) mentions a survey undertaken by the Apex Trust in 1991, which found that over 94% of employers surveyed did not include ex-offenders in their equal opportunities policy. The same scenario exists in South Africa. The Department of

Labour has stressed the need for gender equality and equal opportunities in the work place for the previously disadvantaged groups (that is, people of colour) as well as for the disabled. No mention is made of ex-offenders and they are not included in this list. NACRO undertook another survey in 1996, which analysed the employment and housing service of NACRO. It was found that over 60% of their clients had not been able to secure employment as a result of their criminal record. A further survey carried out by NACRO in 1998 found that only 18% of London-based employers knowingly employed a person with a criminal record.

It is known that discrimination is not the only problem ex-prisoners face. In the researcher's experience it was found that most have low education levels or limited skills, both of which limit employment opportunities in the formal labour market to begin with. NACRO (2000: 6) mentions research undertaken by the Centre for Regional Economic and Social Research in which 26 ex-offenders were interviewed. It was found that 54% mentioned discrimination by employers and that this proved to be a common problem. However, 42% of the group lacked educational qualifications and 26% were found to have a low self-esteem.

#### **4.10. EX-PRISONER EMPLOYMENT PROGRAMMES AND ITS IMPACT ON THE REINTEGRATION PROCESS**

Whilst the discussion concerning studies around employment programmes or interventions for ex-prisoners is not a comprehensive study, it does aim to alert the reader to the fact that employment does play a crucial role in the rehabilitation of ex-offenders. It also identifies innovative programmes, which have had an impact on reducing recidivism.

Davies (1974) discusses the findings of Taggart (1972), who carried out a review of attempts made in the United States in the 1960's to improve the employment prospects of offenders. Taggart found that there was no evidence to prove that prisoners were effectively rehabilitated by their work in prison industries or by training programmes. He then examined two ambitious programmes, which set out to improve on the status quo.

Project Crossroads provided counselling, job development and placement services for ex-offenders. It was found that there was a slight improvement in employability.

Taggart also investigated the Rikers Island Project. This project offered vocational education and training in prison, combined with support services after release. *"This experiment involved training 137 inmates to use IBM data processing machinery; in addition they received remedial reading help, counselling, job placement and some cash on release"*. (Davies, 1974: 110). It is heartening to note that, in comparison to the random control group, those who received intensive training secured good jobs and also had a low re-conviction rate.

A paper, *The Increasingly Influential Role of Generic Work Skills*, by Robinson and Poprino found on the Internet discusses employment projects undertaken by the Department of Correctional Services in Canada. Many rehabilitation programmes conducted by the Correctional Services in Canada focus on changing the attitudes and beliefs of offenders – aspects that frequently result in anti social behaviour. Canadian offenders in correctional institutions acquired more than job skills as they also learned about attitudes and behaviour in the work place.

*"Although work experience certainly contributes to overall employability, general work attitudes (such as motivation) and behaviour (such as the ability to cooperate with colleague) that develop through work experience, and may be transferable to various jobs are arguably more important."* (Robinson & Poprino, 1996: 2).

Another article found on the Internet described the Skills for Employment Programme developed by the Drumheller Institution in Canada. Sinclair et al (1998) write that this programme comprises a three-week in-class course and a three-month on the job-training component. The research component of this project tracks the success rate of released offenders. An evaluation of the programme found that most ex-prisoners identified employment was as a major challenge. It was also found that those who were imprisoned five or more times had the highest rate of unemployment – 74% were unemployed. The study also found that those prisoners who became involved in the Skills for Employment Programme were unemployed at the time of the offence.

In their paper, *Inmate Employment - The Increasingly Influential Role of Generic Work Skills*, Gillis et al (1996: 3) refer to a study conducted by McLaughlin in 1993 in which work behaviours were examined, based on a set of generic skills deemed important by real world employers. In McLaughlin's study offenders were asked to rate their effectiveness in:

- *cooperating with other workers in the shop*
- *cooperating with their work supervisor*
- *solving problems*
- *showing initiative at work*
- *working independently*
- *dealing with authority*

*"... the higher an offender's intrinsic job motivation, the more effective they rated themselves on the various work behaviours. Similarly the more meaningful they perceived their job to be, the higher they rated their effectiveness in showing initiative at work, working independently and dealing with authority". (Gillis et al, 1996: 3)*

It must be noted that research undertaken to assess the effectiveness of employment programmes for ex-prisoners has been difficult. Programmes assessed by the US Department of Justice, the VERA Institute and other Canadian correctional services all state that difficulties have been experienced in identifying appropriate criteria of effectiveness.

In The Job Training and Placement of Offenders Project, developed by the US Department of Justice and implemented by Manpower, it was stressed that a number of activities need to be in place in order to effectively place ex-offenders in employment. This project offers a range of services. During the selection phase clients are invited to participate in remedial and tutorial education classes. Other support services are also offered. During the orientation phase of the programme the goals, rules and responsibilities are explained. The orientation phase includes other services to assist the

ex-offender such as training in budgeting and managing finances, as well as programmes to address drug and alcohol addiction or any other problems requiring attention. McCreary (1975: 66), who evaluated the effectiveness of the project, made the following observation:

*“The mark of a mature programme is reflected in its ability continually to adapt its objectives and progressively take on less promising types of clients. Above all, in any model programme there will exist a mutual commitment - on the part of the successful participant, acceptance of responsibility for his own economic future, and on the part of the community, responsibility for offering him an opportunity for that future.”*

He also makes an important point regarding employment programmes for ex-offenders: besides learning work related skills it is important that ex-offenders acquire other work related habits and social skills in order to cope with employment:

*“Effective job performance depends upon the acquisition of work related attitudes and social skills. .... clients must learn to manage everything from competitive work pressure to arriving at work on time ... Many of the programme directors interviewed concluded that the difficulty facing many clients was not an inability to learn specific tasks but an inability to adjust to the general work setting and to exhibit the traits expected of most workers. Project reports note that making an offender employable includes improving his ability to work regular hours, enter into social relationships with co-workers, work under competitive pressures in the community, and obtain some satisfaction from work”. McCreary (1975: 26)*

In his book, *The Prisoner's Release*, Keith Soothill (1974: 20) supports this view and states that *“helping a person settle down after release is much more complex than simply providing him with a job”*. Soothill evaluated the effectiveness of the APEX (X Prisoners Employment Agency) project, which was established in 1965 to find work for prisoners while they are still in prison so that they had employment upon release. His research focussed on the cost effectiveness of the APEX project. ‘Success’ was assessed in terms of the extent to which the employment service managed to reduce recidivism.

The re-conviction rates of the 'treatment group' assisted APEX and a 'control group' were used as the basic measures. In his finding Soothill (1974: 293) stated that:

*"Clearly employment on release is neither a necessary nor sufficient condition for no subsequent criminality to occur. In other words, if there is employment on release, this certainly does not mean that there will be no subsequent reconviction - the high proportion of men who are employed at the time of committing their offence empirically answers that suggestion; similarly if there is no criminality after release, one cannot reasonably suggest that these men would inevitably be in employment after release. On the other hand, one suspects that this latter view of employment after release being a necessary condition of rehabilitation comes much nearer to what many regard as the role of employment in aftercare".*

The researcher is of the opinion that it is evident that employment is but one element in the process of rehabilitation. As discussed earlier there are other social processes that are necessary to assist with the rehabilitation of ex-prisoners.

A US Department of Justice Report, *Programme Models: Employment Services for Ex - Prisoners*, by Wilson, Lenihan and Goolkasien, (1981) examined the strengths and weaknesses of employment programmes for ex-prisoners. An important finding by these researchers was that most employment projects failed to render additional services that would support the rehabilitation process more fully. Such services include the treatment of drug or alcohol addiction and emotional problems as well as support services to assist with social adjustment and the reintegration process. Most services ended when the ex - prisoner was placed in the job.

The Corrections Clearing House, founded in 1976, is a unit of the State Employment Security Department in Washington DC, USA. Resources are dedicated to preparing ex - offenders for employment. Prisoners are assessed and then assisted to secure employment. A distinctive feature of this project is that it establishes and maintains a network, co-ordinated by the Corrections Clearing House, of state and local organisations to provide employment and other support services to ex-offenders.

The Corrections Clearing House conducted a study in 1993, which compared the recidivism rates of 500 of its clients to the historical recidivism rate of all department releases. Finn (1999: 13) observed that "The recidivism rates for Correctional Clearing House clients after one year was 3%, compared with 10% for all releases".

Another employment programme worth mentioning is the Project Reintegration of Offenders (RIO), which was established in Texas in 1985. The main purpose of the project is to place ex-prisoners who are released on parole in employment. Project RIO provides job placement for approximately 16,000 ex-prisoners on parole annually in the state of Texas. The main features of project RIO can be summarised as follows:

- *job preparation services are offered to prisoners while they are still in prison in order to prepare them to seek employment soon after release,*
- *the project works in partnership with state departments, that is the Department of criminal justice, the Texas Workforce Commission and parole officers.*

As a result with its partnership with the Texas Work Commission, project RIO has recruited 12,000 prospective employers. In 1992 an evaluation of Project RIO found that 69% of RIO clients were able to find employment compared to 36% of those who were not Project RIO clients. Another interesting feature of this project is that it works with the School District, which is funded by the Texas Education Agency. Subsequently education and training form and integral part of the services offered to prisoners.

In South Africa it would not be possible to find employment for the thousands of ex - prisoners because of the existing high rate of unemployment. However, there are lessons to be learnt from this project. One very important lesson is the benefit of working in partnership with other role players and stakeholders to achieve the goals of a project.

Wilson et al (1981: 7) studied various employment programmes and examined their impact. They make an important statement in their concluding remarks which South African practitioners and policy makers should take note of in order to improve

employment services for ex-prisoners, which, in turn, will impact on their rehabilitation process. The authors came to the conclusion that employment programmes for ex-prisoners can improve their effectiveness by offering holistic services and not merely the provision of job placement. Such programmes “... *may then evolve from employment programmes to ex-offender treatment programmes which have employment as their cornerstone*”.

In order to develop effective employment programmes for ex-offenders, Wilson and Lenihan (1981: 76) offer some important recommendations:

- *practitioners should work on the development of an inter-agency network which can provide a wide range of services to the ex-prisoner*
- *a programme should link between employment programme for ex-prisoners, legal and social service agencies, educational and training programmes, business and community*
- *each prisoner should have a planned programme to assist in his or her reintegration in the community*
- *a development of a career and action plan must be explored with the released prisoner*
- *programmes offering employment must also include other services to assist the released prisoner in his or her rehabilitation process.*

The researcher is aware that there are agencies in South Africa that undertake rehabilitation programmes for prisoners and ex-prisoners. NICRO, for example, has a programme that focuses on creating employment opportunities for released prisoners. COMPRA is an agency that assists released prisoners in finding employment. Neither of these organisations, however, conducts research to evaluate the impact of their programmes. There is no evidence of research by South African agencies rendering services to released prisoners concerning the impact of their services in assisting with the process of rehabilitation.

A more detailed but brief overview of South African agencies involved in rehabilitation programmes for prisoners and ex-prisoners will be provided in the next chapter.

#### 4.11 DEVELOPING A FRAMEWORK FOR EX-PRISONER REINTEGRATION THROUGH EMPLOYMENT

The international examples of innovative employment programmes cited in this chapter alert the reader to an important fact: employment programmes for ex-prisoners cannot exist in isolation, nor can they attain any significant measure of success as a single intervention for the effective reintegration of ex-prisoners. All successful employment programmes for ex-prisoners adopt a multi-layered approach. They do not focus exclusively on assisting ex-prisoners to find employment or provide only job placement services. The successful programmes incorporate a range of services with employment forming part of a holistic package of services. Another important feature of these programmes is that they are grounded in the formation of strategic partnerships in order to achieve the goals of securing employment for prisoners and providing comprehensive support for the reintegration process.

The researcher would like to expound on Nic Fine's model for reintegration programmes, which he puts forward in his book, *Transforming Institutional Thinking: Through the Walls* (1996). Although Fine focuses on young people at risk, the researcher found that his model could also be applied to adult ex-prisoners. Fine's model will be discussed in relation to the subject matter of this research - the reintegration of ex-prisoners through employment. Having reviewed and explored a variety of international models on programme design, the researcher has been particularly inspired by the Fine model.

##### **Multi Layered Programmes**

Fine proposes that reintegration programmes should be multi layered. He writes that "*a programme reflects the people who construct it*". (Fine, 1996, 15).

In practice highly skilled programme design specialists usually undertake the design of such programmes. The researcher is firmly of the opinion that input on programme design from prisoners and ex-prisoners would add richness and depth to such a

programme. In Chapter Seven on the findings of the research, respondents (ex-prisoners) were asked for their input on the design of future reintegration programmes.

### **Transformational Programmes**

Programmes should be transformational in their function. Employment programmes for ex-prisoners should not only focus on securing employment; they but should also be transformational. The other issues which has caused the ex-prisoner to commit crime should be dealt with in a holistic manner. The ex-prisoner should be seen as a total being and the focus should not be only on the problem he or she is presenting. (Fine, 1996: 16).

*“Transformation is thus a voluntary act. Within this approach, the intention is not to reform or to ‘rehabilitate’. The intention is rather to invite the participant on a journey across barriers, which stop them in life; to go well beyond themselves and their limitations, until they reach a point where they can recreate themselves. It is an opportunity for them to alter the way in which they view themselves, other people and the world”.*

The researcher is firmly of the belief that employment services for ex-prisoners should be based on Fine proposed paradigm, as detailed above. Practitioners are reactionary in that they focus on finding employment but they fail to go beyond this point. Subsequently they do not succeed in getting ex-prisoners to transform in the true sense of the word. The notion that once ex-prisoners are employed they are on well their way towards being transformed is disputed by the findings of this study, as discussed in Chapter Seven.

### **A Programme is Journey Based**

It can be said that evaluation studies on the impact of most employment programmes for ex-prisoners have an inherent weakness, as the programmes themselves fail to go beyond job placement.

Ex-prisoners should be taken on a journey, a personal development process. The ex-prisoner needs to find him or herself before being placed in employment. The trauma of

prison damages the prisoner on various levels: psychological, physical and emotional. Thus ex-prisoners should be taken on a journey of self-discovery before the skills training and job placement phase of the reintegration programme is implemented.

### **A Programme is a Process**

The reintegration of ex-prisoners is a process that does not show immediate results. Ex-prisoners should be assisted in developing a plan of action to facilitate their reintegration into the community. As so aptly put by Fine (1996: 18), "*the process may suggest a network of roads to travel*". Therefore it is crucial that the ex-prisoner be given the opportunity to take responsibility for making decisions about the direction he or she wants to travel in. Too often programmes are designed for the ex-prisoners without allowing them to take responsibility and make choices.

### **A Programme is Multi-Purposed**

It is important that programmes to be multi-purposed in order to be effective. A review of literature on the evaluation of employment programmes for ex-prisoners reveals that most fail in their ultimate goal of reintegration as their only focus is on employment. Ex-prisoners also have other needs upon release from prison. These needs must be addressed as part of the employment programme in order to facilitate the reintegration of ex-prisoners.

### **A Programme is Multi-Focussed**

Fine (1996: 19) states that "*... focussing on the past in relation to the future has a far greater impact on how individuals understand their life experience*". Taking this into consideration, programmes for ex-prisoners must deal with the trauma of imprisonment as well as the other issues, which caused them to commit crime. This process will allow the ex-prisoner to move forward and create a future which differs from that of their past.

In the researcher's experience, practitioners seldom work at this in-depth level. It has been found that prisoners have difficulty in coping with the work environment and life

outside prison. This can be attributed to the damage caused by imprisonment itself, in addition to the other unresolved issues, which resulted in their committing crime in the first place.

### **A Programme is Multi-Resourced**

Fine (1996:23) writes that "*Programmes work best by bringing together a combination of resources that in conjunction with one another as a whole produce results*". The researcher has found that, in practice, the development of networks or partnerships to address a social issue is more impactful than the efforts of one organisation, working in isolation. For example, a single organisation will not be able to tackle the rising crime levels in South Africa meaningfully. For employment programmes to become truly effective in South Africa, there is a dire need for the formation of partnerships between government, civil society and business.

### **A Programme is Holistic**

The literature review has shown that ex-prisoner programmes that are holistic in their approach result in significantly more impact being made. Effective programmes should involve the participation of communities, business, government and other organs of civil society. Based on her experience of counselling ex-prisoners and the complex nature of the problems encountered by ex-prisoners, the researcher is of the opinion that a network of services must be made available in order to present a holistic package of services for ex-prisoners.

### **A Programme is an Active Experience**

Experiential learning provides opportunities for "*learning, self-discovery and personal development*" (Fine, 1996: 25). Ex-prisoner employment programmes should involve the active participation of its recipients. Ex-prisoners should not be passive observers but lively participants, involved in decision making and taking responsibility for their actions. An active experience would entail the internalisation of the values, such as good work habits, motivation and commitment, learned from a programme.

Only once ex-prisoners have willingly participated in and experienced this process, will it to begin to impact on the quality of their work experience and their lives.

#### 4.12 CONCLUDING REMARKS

It is clear that rehabilitation offers solutions to improve the criminal justice system. If rehabilitation programmes are not offered to released prisoners, their capacity to cope within society is limited and they will, in all likelihood, return to crime. However, the resources to manage the transition from the status of imprisoned offender to the status of released ex-offender are lacking. There is a need to analyse conditions in society, which lead the ex-prisoner to re-offend. Plans need to be developed to prevent this. Furthermore, this process must be begun at the time of sentencing, be in place throughout the prison term right up to the release of the offender and continue when the prisoner has been returned to the community.

There is no doubt that our criminal justice system lacks the organisational capacity to manage the rehabilitation process of ex prisoners effectively.

Cullen and Gilbert (1982: 20) make a profound statement that underscores the need to work on the rehabilitation of ex offenders: *"...the goal of our criminal justice system should be to improve rather than to damage an offender, and that for society's own welfare, criminal punishment should reflect not our basest instincts (vengeance) but our most noble values"*.

The studies reflecting on the relationship between unemployment and crime reveal that this relationship is a complex one as there is other social factors at play that also results in crime. These studies have, however, shown that unemployment does impact on the rise in crime.

It is also evident that employment is an important element in the rehabilitation process of released prisoners but, it is not the only solution to the effective reintegration of released prisoners. There has to be a holistic approach to the rehabilitation process.

Employment programmes for released prisoners clearly indicate that they have a positive impact on the rehabilitation process. However, most employment projects focus on developing skills to secure employment and/or the act of securing a job. These projects fail to offer a holistic service in order to ensure that when a released prisoner is eventually employed, he or she is able to cope with the work environment and remain employed.

## **CHAPTER FIVE**

# **THE FREEPLAY AND NICRO**

## **CONTEXT:**

***‘A PARTNERSHIP BETWEEN A SOCIAL SERVICE ORGANISATION AND A BUSINESS VENTURE’***

University of Cape Town

## 5.1 INTRODUCTION

This chapter will briefly describe NICRO and Freeplay in order to put these two organisations in context. The research participants worked at Freeplay as a result of the partnership established between NICRO and Freeplay. This chapter does not attempt to analyse in detail the nature of the two organisations but focuses on the partnership that the researcher believes is the first of its kind in South Africa.

## 5.2 NICRO: THE SOCIAL SERVICE ORGANISATION

### 5.2.1 Historical Overview

Information on the history of NICRO was obtained from an internal memo written in 1990 by the then National Executive Director, Mr John Pegg. The first national organisation for the aid and aftercare of prisoners, known as the South African Prisoners Aid Association, was established in 1910. *“In 1935 the association amalgamated with the Probation Association of South Africa (which was established in 1932) and this became the Social Service Association of South Africa. (Pegg, 1990: 3).*

In 1970 the organisation changed its name to NICRO (National Institute for Crime Prevention and Rehabilitation of Offenders). The main reason for the name change was because the use of the name ‘Social Service Association’ did not relate to crime prevention and prisoners.

NICRO is a service delivery organisation rendering services to both victims and offenders. The main aim of its work is to prevent crime through social development.

Today NICRO has a National Office in Cape Town and nine provincial offices with 26 service points based throughout South Africa. It has a staff of 245 and approximately 600 volunteers.

The organisation's structure consists of a National Council, the highest decision making body and a National Executive Committee which is made up of the nine Provincial Management Committee Chairpersons and three co-opted members.

The National Office team consists of the Executive Director, Deputy Executive Director, Director Finance and Administration, Director Marketing and Fundraising, four National Programme Managers, a Research Co-ordinator and an administrative support team. At provincial level the team consists of a Provincial Director, Bookkeeper, four Provincial Programme Managers, who head project teams or service delivery staff, and an administrative staff team.

NICRO renders services in terms of four national projects:

**The Diversion Project** is the channelling of high-risk young people and those who have committed a crime, away from the criminal justice system into programmes that make them accountable for their actions, responsible for attempting to repair the resultant damage and offers them significant development opportunities to turn their lives around. One of the primary objectives of diversion is to prevent further re-offending.

**The Community Victim Support Programme** provides comprehensive support services to all witnesses and victims of crime, violence and abuse as well as those at risk of victimisation; facilitates the recovery process; reduces the fear of recurring crime and enables survivors to regain control of their lives. Services, which include the provision of legal advice and support, counselling and group work, are rendered to clients at the Courts, from police stations and community-based NICRO service points.

**The Economic Opportunities Project** offers economic opportunities to NICRO clients and other marginalised, vulnerable individuals through entrepreneurial or business skills training whilst encouraging and supporting micro enterprise initiatives in the informal sector.

The main aim of the programme is to assist those clients who want to become small business owners in order that they can achieve self-sufficiency.

**The Offender Reintegration Programme** was designed and implemented to assist and support offenders/prisoners, ex-prisoners and their families. This Programme strengthens the capacity of former offenders to take responsibility for their actions, make amends and assists them to become responsible and productive citizens. Services to prisoners, which start before release and continue after release, prepare them to face the challenges when they return to society.

NICRO's programmes are based on a developmental approach. This means that opportunities are created for clients to develop the necessary skills to improve the quality of their lives. The system of 'hand-outs' is not encouraged but clients are assisted to reach the goal of self-sufficiency.

### **5.3 FREEPLAY: THE BUSINESS**

#### **5.3.1 History**

Information on the history of Freeplay was extracted from a document, which was given to the researcher by Freeplay, which had no date or author's name.

A British inventor, Trevor Bayles, developed the Freeplay generator, with its core technology of personal power generation. What is unique to the Freeplay product is that it features the wind-up concept whilst incorporating a power management system. This system allows for up to 14 hours of radio play time once the rechargeable batteries have been fully charged, either by consecutive pumps of power from the wind up mechanism, from solar power or from the AC/DC mains adapter.

In 1994 corporate finance specialist, Chris Stains, and business partner Rory Steers, a South African entrepreneur, signed an exclusive deal to develop and commercialise the technology. The British Overseas Development Administration made a grant of £143,000 available to commercialise the wind-up radio. In 1994 the Baygen Power Company (Pty), later named Freeplay, was formed in South Africa.

In January 1995 NICRO and the Disabled People South Africa invested in the company and obtained shares. In September 1995 the Freeplay name was launched as a brand name. Freeplay Energy Holdings was registered to develop international non-African markets. In October 1995 the first radio factory was opened in Cape Town.

February 1996 saw the first exports of the wind-up radio to the United Kingdom, Holland, Africa and the United States. In August 1996 the group was re-structured by the Chief Executive Officer, thus bringing all shareholders into one international company, Freeplay Energy Holdings. In March 1997 General Electric Pension Trust invested \$10,000,000 and purchased 30% of Freeplay Energy Holdings. Two of the General Electric Pension Trust Directors joined the main board of Freeplay Holdings.

In September 1997 a new model of the Freeplay radio was launched. In January 1998 the new self powered lantern was launched. In the same year the new radio and lantern won the awards for innovation and design at the Consume Electronics Show in Las Vegas. In 1998 a new factory was opened to manufacture the Freeplay torch and other illumination products.

In May 1998 an agreement was signed with NICRO, who received a grant from the Liberty Life Foundation to invest in the Freeplay factory, with the aim of creating employment for released prisoners. In 1999 the Freeplay Foundation was launched. It is a non-profit organisation, which works closely with governments, local communities and charities to develop aid programmes incorporating alternative energy solutions.

In 1999 the International Red Cross distributed thousands of radios to Kossovan refugees. In the same year Freeplay Energy Holdings opened new corporate offices in London, which housed the Chief Executive Officer, Heads of Finance, Marketing and Engineering.

### 5.3.2 Factory Size

The factory is situated in Montague Gardens in Cape Town. It has four units, each of which comprises 1,000 square. Unit 14 has 211 employees; Unit 13 has 160, Unit 10 has 77 and Unit 12 has 48 staff members.

Management staff totals 65, which include the head office staff, based in Constantia. The Head Office structure consists of two Chief Executive Directors, a Chief Operating Officer and three Directors for finance, corporate affairs and IT with six administrative staff support members.

Disabled people work in Unit 14 and comprise 21% percent of the staff. NICRO clients work in Unit 10 and Unit 14 and they made up 45% of the total staff complement. Freeplay Energy Holding has operational control.

The Workers Trust owns 25% of both factories. The remaining 50% of the radio factory is owned by Disabled People South Africa, and the remaining 50% of the lantern factory is owned by NICRO.

The Business Plan of Freeplay (1999:3) describes the mission of Baygen, as the organisation was then called. This mission clearly indicates that the objective is to make profit, but at the same time to uphold its social responsibility objectives: *“Baygen will reconcile the imperatives of both profit and philanthropy, by providing excellent returns to its shareholders and stakeholders, whilst maintaining complete integrity and contributing to the upliftment of the community in which it operates”*.

### 5.3.3 Logistics

A NICRO worker assesses NICRO clients when they come to the office for assistance with employment. Since the factory is based in Cape Town, clients have mainly been referred by NICRO's Western Cape provincial office.

Clients having the potential to learn a new skill are referred to the factory and their details are sent to the Human Resource Manager. Training is offered to suitable clients, many of whom are employed. Released prisoners employed at the factory are not treated in any special way and are regarded as part of the work force. Problems have emerged at the factory but these will be discussed in detail in the chapter on the findings and the analysis of the research.

## 5.4 THE NATURE OF THE PARTNERSHIP

With the fast changing socio-economic and political environment in South Africa since the emergence of a new democracy in 1994, non-governmental organisations have been faced with their own challenges.

Funding and sustainability are a major concern and the subject of an ongoing debate, which remains unresolved. Many South African non-governmental organisations have had to scale down their activities in order to survive. Some operations have been forced to close their doors. This has resulted in both politicians and representatives of civil society punting the concept of developing partnerships to deal with South Africa's social problems. According to Heap (2000: 2) "*NGOs need to engage with the private sector in new ways, yet the dynamics of the relationship between NGOs and business has been under-researched*".

There have been several initiatives in South Africa in the formation of strategic partnerships. An example of this is the emergence of Business Against Crime, an alliance of businesses that has committed to assisting the government in dealing with crime and the problems of the Criminal Justice System.

NICRO began to explore different strategies to generate income and work towards organisational sustainability, which resulted in the partnership with Freeplay. The main purpose of this partnership was to generate income for the organisation to sustain its projects and to create employment opportunities for released prisoners, victims of crime and family members of prisoners. In the agreement, signed in 1998, it was agreed that the factory would employ NICRO clients, more specifically released prisoners.

The following is an extract from the speech by Nelson Mandela at the opening of the factory in 1998:

*“The factory that is being opened today is a perfect model of a partnership. It reflects the ideals of a new democratic South Africa in many ways. Firstly, by bringing together business and NICRO, it opened the way to finding lasting, genuine and creative solutions, which help chip away at the mountain of challenges we face. With ten thousand prisoners being released from prison each month, successful reintegration is a burning necessity. If employers and the rest of society reject them, reintegration into society is made that much harder. Many return to crime and become dependent on others. Stable employment can break that cycle. The deep concern we all feel about crime ... calls for creative strategies of many kinds to rebuild the nation’s soul. Such strategies can only be devised when all South Africans join hands to create the kind of society we want for our children ... a society where people feel safe... where they do not lack basic human needs like food or employment; and where they treat fellow human beings with respect and dignity. This factory can become a welcome microcosm of such a society”. (Nelson Mandela, 1998: 2)*

The above points raised in Mr Nelson Mandela’s speech clearly alert people to the need for strategic partnerships between business, non-governmental organisations and government. Neither single organisation, nor government can deal with the problems of crime on its own.

## 5.5 CONCLUDING REMARKS

The partnership between NICRO and Freeplay is unique and the only one of its kind in South Africa. In order to deal effectively with the issue of crime in this country, there is a need to form strategic partnerships, which will provide the foundation from which stakeholders can work together to find creative solutions.

Another dimension to this philosophy of partnership is the fact that non-governmental organisations need to find ways of generating income for sustainability in order to be of significant and lasting value to their clients.

The partnership between NICRO and Freeplay is a win-win situation as it benefits both organisations as well as released prisoners. It must be reiterated that the partnership between NICRO and Freeplay Energy is not the main focus of this study, but has been placed in context for the purpose of the research.

All the respondents of the research were employed at the factory. The secondary focus of the research was the need to explore the views of Freeplay Energy Managers on ex-prisoners as employees.

## CHAPTER SIX

# RESEARCH METHODOLOGY

*“Why study human behaviour? According to Karl Marx, to change the world. More precisely, to change the world into a better world. Still more precisely, to develop theories useful to human beings struggling to create a better world – a world in which human beings realise their innate need and capacity to live in co-operative harmony with each other and with nature and to function as free, creative, self actualising, communal social individuals”.*

- R.K. Merton et al (1979: 189)

## 6.1 MOTIVATION FOR AND AIMS OF THE RESEARCH

The economic climate, unemployment, high levels of crime and meting out justice to those who have offended are burning issues that touch the lives of the vast majority of South Africans today. Politicians, representatives of the corporate sector and the media, members of the public and non-profit organisations; conservatives and reformists alike have formulated their opinions and expressed their views, on these issues. However there is no quick fix solution in sight.

Undoubtedly ex- prisoners are a marginalised group in society and even more so because of the impact of crime on the lives of all South Africans. There have been calls to bring back the death penalty by opposition leaders in both government and civil society. Much emphasis is being placed on punitive and retributive measures – the incarceration of offenders – rather than on the rehabilitation and reintegration of prisoners.

Typically, attention is focussed on those going into rather than on those coming out of prison. But as Martin et al write (1971: 1) *“The real sentence begins on the day of release: thus the habitual prisoner extenuates his recidivism and thus the ardent penal reformer fortifies his case for improved after-care”*.

And then we also have the belief upheld by many politicians and community members that in order to solve the crime problem in South Africa, more job need to be created.

This research stems primarily from the researcher’s own passion for and experience in the field of criminal justice and offender reintegration, both of which have been heightened, given the current South African scenario and the emergence of the Freeplay Energy Factory, South Africa’s unique and innovative project.

The notion that being employed prevents crime holds a particular interest for the researcher and has been researched in order to alert the reader to the relationship between unemployment and crime.

Over the years the researcher consistently found that the majority of ex- prisoners asked for assistance in finding employment in their first counselling session, to the extent that ten years ago she believed in creating opportunities for people to realise their potential and in so doing, improving their quality of life.

Some ten years ago the welfare system was based on a very different service model. The main focus of assisting people was on the provision of 'hand-outs' or state grants. With the election of the new government we witnessed the development of a new welfare policy in 1995 when the focus shifted, resulting in a people-centred development model. This approach emphasises the importance of a welfare system that does not create dependency but fosters and develops the individual's potential to become self-sufficient.

The need to research the Freeplay Energy employment project for ex -prisoners arose as a result of the need to find creative and impactful solutions to the successful reintegration of ex-prisoners. This project and its partnership with NICRO were discussed in the previous chapter.

As stated in the Draft White Paper for Social Welfare (1996: 8), "*While sound economic policies and a well functioning labour market are essential for growth and employment generation, by themselves, they are not sufficient. To reap the benefits, South Africa must invest in people; that is develop the human capital which is essential for increasing productivity and moving people out of poverty*". Similarly, we need also to find ways of developing the human growth potential of ex- prisoners in order to prevent recidivism.

It is a given fact that unemployment is one of the many challenges facing South Africa today, and that the chances of ex- prisoners finding work is minimal. Therefore the need to find creative ways to ensure that ex -prisoners are given opportunities for employment and to investigate the experience of the employment process in the reintegration of ex-prisoners will be researched.

For the purpose of this study the experiences of ex- prisoners employed by the Freeplay Energy Factory will be explored as an important element in the reintegration process. The

research will aim to find answers regarding to the role of employment in the reintegration, from the point of view of ex- prisoners themselves.

It was decided to focus on employment, for in the researcher's own experience, most ex-prisoners wanted a job because they believed secure employment would allow them to meet their basic needs.

A psychologist, Abraham Maslow, developed the theory of human needs in the late 1960's, which can be described as a "... *hierarchic theory (which) can be seen as a pyramid, with the base occupied by people who are not focussed on values, but just staying alive.*" (<http://ww.connect.net/georgen.maslow.htm>: 1). According the Maslow's Hierarchy of Needs it is essential to meet the individual's more basic needs before s/he can progress to the stage of self-actualisation. Similarly, the researcher believes that in order to deal effectively with ex-prisoners in terms of preventing recidivism, it is crucial to address their basic needs, particularly those which can be met through gainful employment.

This research aims to:

- explore the views of ex-prisoners with regards to the prison experience and the reintegration process
- determine the role of employment in the reintegration of released prisoners
- determine and record the experiences of ex-prisoners at the Freeplay Energy Factory
- determine what enhances the rehabilitation process of ex prisoners by taking cognisance of their views and experiences
- determine how ex-prisoners are managed as employees. (The reader should note that this is a secondary aim of the research. This will be explained expounded on later in this chapter. The need to interview supervisors emerged from the interviews, which were conducted with the research participants).

## 6.2 RESEARCH METHOD

The Phenomenology and Ethnomethodology design was chosen for this research. According to De Vos (1998: 80), "*These approaches aim to understand and interpret the meaning that subjects give to their lives... (which) is mainly done by means of naturalistic methods of study by analysing the conversation and interaction that researchers have with subjects. Researchers using this strategy of interpretive enquiry will mainly utilize participant observation and interviewing as a method of data collection*".

The researcher interviewed ex-prisoners employed at the Freeplay Energy Factory to understand their experience of employment, while in prison and upon release, and the role this played in their reintegration process. Those managers who were directly responsible for the factory at which the ex-prisoners worked were also interviewed.

Having been involved in the social services field for over a decade influenced the researcher's decision to select the qualitative research design. The advantage of this method is that it allows for the gathering of information from the participants themselves; those having first-hand knowledge and experience of the subject matter at hand. The quantitative method was not chosen as it relies more heavily on "*the insight of an outside observer*". (Grinnell, 1986: 266).

Another advantage of choosing the qualitative design is that it allows for interaction with the research participants and promotes the building of relationships; which, in turn, develops trust. In contrast, researchers using the quantitative method remain on the outside of the study population in order to avoid being influenced by the subjects under study. It should be noted that while the research itself is more qualitative, to a certain extent the analysis of the data gathered was quantified in order add more depth to the information gathered.

The main disadvantage of the qualitative design for this study is that the findings are not 'generalisable' as the sample is not representative of the wider population of released prisoners. However, this research will provide important insights into the role of

employment in the reintegration of released prisoners. Furthermore it can be used as a pilot study for future research, which could adopt a scientific approach by having both experimental and controls groups to analyse the impact of employment on the reintegration process of released prisoners.

### 6.3 THE STUDY POPULATION AND SAMPLE

The study population was the employees of the Freeplay Energy factory.

Non-probability sampling was chosen, using the purposive sampling technique. Purposive sampling, according to De Vos (1998: 198) who quotes (Singleton et al, 1988: 153), is that type of sample which *“is based entirely on the judgement of the researcher, in that a sample is composed of elements which contain the most characteristic, representative, or typical attributes of the population”*. Neuman (2000: 198) further explains that *“it uses the judgement of an expert in selecting cases or it selects cases with a specific purpose in mind”*. Thus purposive sampling means that the researcher handpicks research participants in order to service the purpose of the research study.

It was decided to interview all NICRO clients who were ex-prisoners employed at the factory. Inclusion criteria for the respondents in the study were as follows:

- the respondents must be discharged prisoners
- the respondents must have been employed at the factory for at least six months
- the respondents could be first time offenders or recidivist.

A total of 22 ex-prisoners were interviewed. Seven managers at the factory who worked directly with the ex-prisoners were also included in the study population. These included the Chief Executive Officer, the Director of Production, the Unit Manager, the Human Resource Manager and three supervisors.

## 6.4 METHOD OF DATA GATHERING

Face to face interviews with a semi structured interview schedule were used to gather data. The interview schedule was compiled by identifying relevant indicators from the literature review and based on the researcher's experience in counselling and training ex-prisoners. The interview schedule was pre-tested with two ex-prisoners not involved in the factory. The main reason for pre-testing the interview was to ascertain whether ex-prisoners would have any difficulty in understanding the questions.

Patton (1990: 205) states that "*...the fundamental principle of qualitative interviewing is to provide a framework within which respondents can express their own understanding in their own terms*". Thus the interview allowed the research participants the opportunity to express their views on employment and reintegration within prison and upon release. The researcher found that being a trained social worker was advantageous as she had had the opportunity of studying and practicing the art of interviewing over an 18-year period

A semi-structured interview schedule with open-ended questions was used as the data collection tool. Grinnell (1986: 306) states that, "*The advantages of interviewing as a data collection method are primarily related to naturalness and spontaneity, flexibility and control environment. Combined with a high response rate, they provide a good argument for the use of this method when compared to mail or survey questionnaires*".

The interview skills and knowledge gained by the researcher over the years allowed for the development of a rapport with the research participants, which greatly encouraged research participants to speak openly about their inner thoughts and life experiences. The use of open -ended questions did not place constraints on the participants, and elicited detailed discussions about their experiences. This, in turn, allowed for in-depth answers. Face-to-face interviews with the participants allowed for a high response rate and also ensured that all questions were answered.

Grinnell (1986: 309) quotes Bailey's (1978) reflections on four major sources of respondent errors and biases in self reported data. Bailey noted that respondents:

- 1) *deliberately lie because they do not know the answer*
- 2) *make mistakes without realising it (often because they are not able to admit socially undesirable feelings, attitudes or traits, even to themselves)*
- 3) *give inaccurate answers by accident, simply because they misunderstood or misinterpret the question*
- 4) *are unable to remember, despite their best efforts.*

Human error may have come into play. The research participants had to reflect on their own experiences and it is possible that respondents could have 'made mistakes without realising it'.

The structure of the interview schedule gave participants very little opportunity to be untruthful. The respondents could, however, have kept the fact that they were sodomised in prison out of the interview process because they could not bring themselves to talk about the trauma. The researcher has, indeed, encountered this scenario in her experience of counselling ex-prisoners. Consequently that section of the interview schedule that dealt with the prison experience may lack certain information because ex-prisoners could not bring themselves to talk about abuse suffered in prison.

Memory loss was encountered. Some research participants could not remember the dates of their first offence or the dates of their release.

Some problems that were encountered and that could negatively affect the study are detailed below:

- During the interview process, some research participants felt the need to discuss personal problems they were having. This was handled in a very sensitive manner and arrangements were made for those participants with problems to have follow-up interviews outside the research process to assist

them. The participants were pleased with this arrangement and the research process was able to continue.

- Some participants had difficulty in expressing themselves. In such instances the researcher used her skills as a trained counsellor to carefully probe and encourage more in-depth responses.
- It was also possible that some participants may have lied about their criminal record and their reasons for having committed crimes, because of shame or for other reasons. The researcher had no control over this and had to accept their responses to these questions.

The researcher also took cognisance of interviewer distortions as described by Grinnell (1986: 311). He writes that "*there are four common interviewer distortions based on various types of errors:*

- 1) **Asking errors** - *may change the wording of the questionnaire or fail to ask particular items.*
- 2) **Probing errors** - *interviewers may negatively affect respondents' answers by asking follow-up questions or probes, which are unnecessarily challenging, hostile, biased or irrelevant.*
- 3) **Recording errors** - *unless interviewers use tape recorders or have excellent memories, they must record respondent answers by either the cumbersome and time consuming process of writing exactly what their respondents say or by summarizing the responses. Such a process has a high potential for error.*
- 4) **Cheating** - *interviewers are subject to the same temptation as any other employed mortal. An interviewer may deliberately fill in gaps in interviews or even record a response for an item which was never asked".*

In order to deal with some of the above the following strategies were put in place:

- 1) Open and closed-ended questions were asked which provided consistency in the nature of the data collected from one interview to another.

- 2) The error of probing was minimised as far as possible. As stated previously, the researcher used her skills as a trained and experienced counsellor of many years to probe sensitively.
- 3) Problems could have been encountered with recording the data as the researcher elected not to use a tape recorder. In the researcher's experience of dealing with ex-prisoners, they are highly suspicious and would not have trusted the researcher, had she used a tape recorder. Consequently all responses had to be manually recorded, which could have resulted in some errors.
- 4) With regard to cheating, this was not an option. All questions were posed and those that some participants did not want to answer in detail were not amended in any way.

The interview schedule was divided into seven main themes: biographical details, education and training, employment background, criminal history, prison reintegration, employment and reintegration, the Freeplay experience and general. (Please Refer to Appendix A). Open-ended questions relating directly to each theme were posed during each theme discussion.

## **6.5 THE RESEARCH PROCESS**

As noted in Chapter Five, one of the conditions of the NICRO / Freeplay Energy Factory agreement was that ex-prisoners would be employed in order to assist them in the reintegration process. It was therefore decided to interview NICRO clients at the factory.

A letter explaining the need for the research was sent to the Director of Production and an interview with him requested. During the initial interview the discussion centred on the aims and importance of undertaking such research. A further meeting was then held with the Director and the Human Resource Manager. After an agreement was reached the Director delegated the responsibility of making the necessary logistical arrangements to the Human Resource Manager. The researcher then requested the Human Resource Manager to arrange group meetings with the NICRO clients in order for her to explain the purpose of the research and their possible involvement.

Two group meetings were held with the potential participants. The meeting covered the following:

- the reason for the research
- the interview process
- the involvement of participants
- the option of abstaining from the research process.

At the meetings, the researcher introduced herself and told participants about her involvement with NICRO and why she was undertaking the research. They were also told that if they did not want to be part of the research process, they could elect to be excluded. It was stressed that their jobs would not be at risk if they chose not to be part of the process because they had a right to make a choice with which they would be comfortable. The potential participants were then given an opportunity to ask questions. It was also made clear that their names would not be used in the research report and that a copy of the report would be made available to them upon completion of the process. At the end of the meetings, dates were set for the interview process.

After the interviews with all the NICRO ex-prisoners at the factory, it became apparent that there was also a need to interview people at management level, especially those managers that worked directly with the ex-prisoners at the two units in the factory. Most of the research participants complained about problems with their managers. Further meetings were held with the Director of Production and the Human Resource Manager at the factory to request permission to interview management staff. This was granted and seven staff members at management level were also interviewed.

## **6.6 VALIDITY AND RELIABILITY OF FINDINGS**

According to Neuman (2000) perfect reliability and validity are almost impossible. Internal validity means being truthful and thus the researcher made every effort to ensure validity by giving an honest and “balanced account of social life” (Neuman, 2000: 171)

from the viewpoint of the research participant (the ex prisoner) who experiences and lives the life.

According to Miles and Huberman (1994: 278) the underlying issue concerning reliability “...is whether the study is consistent, reasonably stable over time and across research methods”. When these conditions are met, things have been “done reasonably well”.

The researcher tried to ensure some level of reliability and internal validity by:

- making sure that the research questions were clear and in line with the research design
- analysing the findings in such a way as to ensure that one could draw meaningful conclusions from the research
- clearly describing the information through the use of direct quotes by respondents and supporting this using the quantitative method (counting). This was done to add more in –depth meaning to the findings of the research
- clearly defining the researcher’s role and experience
- using the same interview schedule for all research participants
- pre-testing the interview schedule, or measuring tool
- gathering data systematically
- clearly identifying and pointing out any areas of weakness in the research design, measuring tools and analysis of data.

## 6.7 ETHICAL CONSIDERATIONS

Neuman (2000: 90) states that “*ethics begin and end with the researcher. A researcher’s personal moral code is the best defence against unethical behaviour*”. The researcher found this statement to be true throughout the research process. It is one’s own moral code that keeps one from cheating or turning the research findings around to suit one’s own agenda. In order to ensure that participants were given a fair opportunity to be part of the research and the opportunity to decline from involvement in the process, group

meetings were held to discuss the purpose of the research and the fact that the researcher was also going to receive a Masters degree from this process.

The goals of the research were clearly defined and discussed with research participants. Participants were given the option of choosing to be involved in the research. They were assured that if they do not wish to participate in the research their decision would be respected. The writer was conscious of the fact that ex-prisoners are sensitive because of the stigma which society places on them. They were thus assured of anonymity, which meant that their names would not appear on the interview schedule. The interview schedules were not marked. The researcher was very aware of the fact that the relationship between the participants and the researcher was a hierarchical one. Being a National Director who conducted the interviews could affect the participants who may feel that they have to please because of the power relationship. This was dealt with by using the researchers years of experience in counselling ex-prisoners. Attention was given to creating rapport with all the research participants.

## 6.8 ANALYSES OF DATA

“Qualitative data with their emphasis on people’s “lived experience”, are fundamentally well suited for locating the meanings people place on the events, processes, and structures of their lives : their perceptions, assumptions, pre judgements, presuppositions (Van Mann 1977), and for connecting these meanings to the social world around them”. (Miles & Huberman, 1994: 10).

The data analyses for this study follows the process as set out by Miles and Huberman (1994 : 11), they define analyses as “*consisting of three concurrent flows of activity: data reduction, data display and conclusion and verification*”

They state that **data reduction** refers to the process of “*selecting and transforming the data that appear in the ... notes*”. Thus the researcher, in the data reduction phase ,made decisions about which data to code and which would be direct quotes from respondents. The researcher also reduced data by making summaries and arranged data into categories and themes.

The Microsoft Excel programme was used to input data in order to identify patterns that emerged. Careful procedures were followed when data was coded in order to ensure that errors did not creep into the data that was being placed in the Microsoft Excel programme. A coding procedure was used to assign numbers to certain information. For example, males were coded as 1 and females as 2. After careful coding was undertaken, checks were made to ensure the accuracy of the coding. In order to ensure internal validity the researcher sought the assistance of a colleague to double-check all codes and data.

The next activity in analysing data as proposed by Miles and Huberman (1994: 11) is *“data display ... is an organised, compressed assembly of information that permits conclusion drawing and action”*. The researcher displayed data in the form of text, which reflects direct quotes from research participants. Charts and tables were also used to enhance the data display. The quantitative method of numbers was used, in turn, to enhance the qualitative method of data analyses. Tables and graphs were used to back up the qualitative data. Graphs and tables also allowed for the maximum use of most of the data gathered.

The next activity in the process of data analysis as noted by Miles and Huberman (1994: 11), is conclusion drawing and verification. *“... The qualitative analyst is beginning to decided on what things mean – is noting regularities, patterns, explanations, possible configurations, causal flows and propositions”*.

The researcher used inductive reasoning in order to draw conclusions from the research analyses. Conclusions that were drawn were also tested for their validity. This is discussed earlier on in this chapter.

## **6.9 LIMITATIONS OF THE STUDY**

One might question whether the findings are valid, an example being whether ex-prisoners could be expected to indicate whether they have committed further crimes since release from prison. Another limitation is the data collection method, as some participants

may be more truthful in questionnaires, rather than during interviews. The findings cannot be generalised, as the sample is not representative of the broader community. It is not a randomised sample. However, this research will provide some valid insights and could be used as a pilot for future scientific research.

#### **6.10 CONCLUDING REMARKS**

A total of 22 ex-prisoners were interviewed in order to explore from their views and experiences the issue of reintegration through employment. The interviews revealed that ex-prisoners complained about their managers. Thus a decision was made to interview the managers who are the secondary group of research participants, to ascertain their views of employment and reintegration. The issues of reliability and validity of findings were discussed and every effort was made to minimise errors that may appear at all the phases the research. The next chapter will present, analyse and discuss the findings.

## **CHAPTER SEVEN**

# **RESEARCH FINDINGS**

University of Cape Town

## 7.1 INTRODUCTION

This chapter presents the findings of the research. Although the qualitative method was used, the quantitative technique of counting was also used to enrich the data analysis. The reader should note that the counting method used supports the qualitative data and does not profess to be scientific by nature.

The findings are presented in text form, tables and figures in order to add depth and meaning to the data. It should be noted that 22 respondents were interviewed. The presentation of the findings may seem confusing as the number reflected in the number column is, on occasion, greater than 22. This occurred where respondents provided more than one response to a question.

The secondary sample comprised seven managers from the Freeplay Energy Factory who were directly responsible for the factory where the research respondents were employed.

The presentation of the findings will commence with an overview of background information concerning the research participants, including their biographical details, criminal history, level of education and employment history. The next presentation of the findings focuses on imprisonment and explores the experiences of prisoners; namely their experience of preparation for reintegration and employment during their incarceration, and of the effects of imprisonment.

The chapter goes on to present findings regarding the reintegration process of ex-prisoners upon release from prison. Respondents were also asked about their views about reducing recidivism. The findings on the role of employment in the reintegration process are also presented.

The reader may find the section on the experiences of research participants at the Freeplay Energy Factory interesting and that it provides one with food for thought. However there is a need for further research, especially in South Africa, to investigate how ex-prisoners cope as employees and how employers view or treat ex-prisoners as employees.

The secondary focus of the study was on the managers who were directly involved in the factory where the research participants worked. The findings clearly indicate that a need exists to educate employers with regard to crime issues and the reintegration of ex-prisoners. The question we need to ask is: Should employees who are ex-prisoners be treated differently from other employees? This will be discussed further in Chapter Eight, which contains the conclusion and recommendations.

## 7.2 BACKGROUND INFORMATION ON RESPONDENTS

This section attempts to give the reader a view into the profile of the research participants. It gives an overview of the background of the research participants by focusing on information in respect of age, marital status, and place of residence, criminal history, education and employment history.

### 7.2.1 Age Analysis

*Table 1*

Age Group	No	%
25-29	13	59.09%
32-38	6	27.27%
39-54	3	13.64%
<b>TOTAL</b>	<b>22</b>	<b>100%</b>

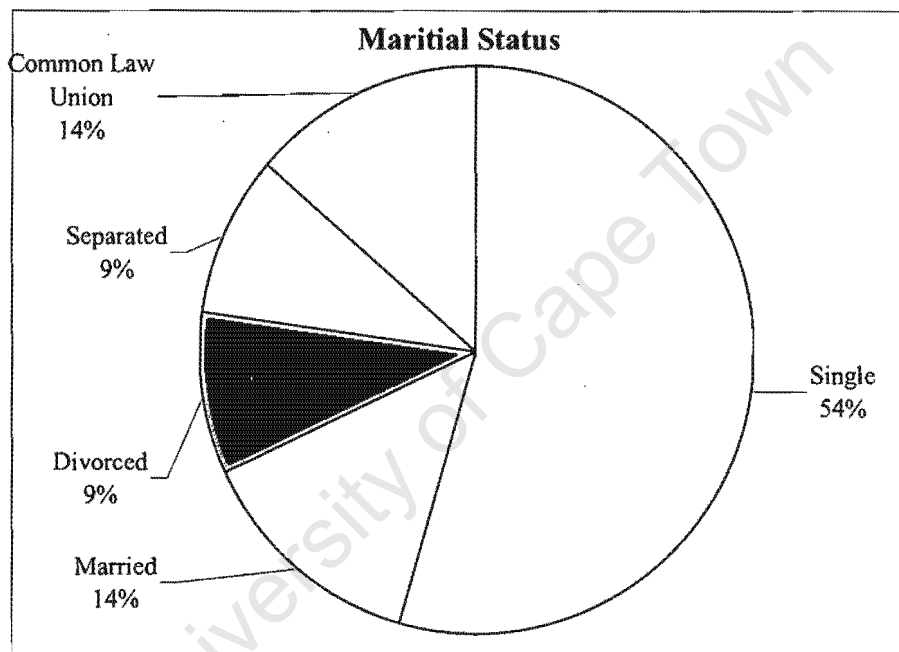
- The above table indicates that 59.09% of the respondents fall within the 'high employment possibility' category
- 59.09% of respondents are between 25 and 29 years old
- 27.27% of respondents are between 32 and 38 years old

Although not the focus of this study, it would be interesting to undertake research with regard to age and criminality. The researcher is aware that studies do exist which

analyse age and criminality. For the purpose of this study the age of respondents is presented to provide background information on the respondents.

### 7.2.2 Marital Status

*Figure 1*



- The figure, above, indicates that majority of the respondents, 54%, are single
- 9% of the respondents are divorced and 9% are separated
- 14% are involved in a common law union and another 14% are married, reflecting that 28% are involved in a formal type of relationship.

A high proportion of respondents are single. Again the purpose of this information is to provide the reader with background information about the respondents. The question arises about those who are separated or have been divorced, and whether their relationships broke down as a result their imprisonment. Only twenty eight percent of research participants are in a more or less permanent relationship. The fact that a large

percentage of research participants are single, divorced or separated, could mean that their criminal involvement or imprisonment has resulted in this phenomenon.

### 7.2.3 Place of Residence

*Table 2*

Place of Residence	No	%
Lives with wife and children	7	31.82%
Lives with in-laws	3	13.64%
Lives with parents	6	27.27%
Lives in the home of his/her children	1	4.55%
Lives with other family members	5	22.73%
<b>TOTAL</b>	<b>22</b>	<b>100%</b>

- 31.82% of the respondents live independently.
- 40.92% do not live independently, that is they live with in-laws, other family members and their children
- 27.27% of the respondents live with their parents

Twenty seven percent of respondents live with their parents. This could be attributed to the fact that most respondents are single and therefore live with their parents.

It is evident that a high proportion of the respondents interviewed lived with other family members, relatives or their children. From this one can deduce that they do not have their own accommodation and are dependant on other support networks for their living arrangements. Having a stable home or accommodation plays a significant role in employment stability and consequently in preventing further crimes. Heins (1990: 6) quotes Banks and Fairhead (1976) who, in their study of petty short-term prisoners, found that 38% were homeless. They also found that older men who had homes to go to showed a higher success rate in terms of adapting to their circumstances upon release and not returning to a life of crime. High rates of re-convictions were evidenced among all released prisoners who had no fixed

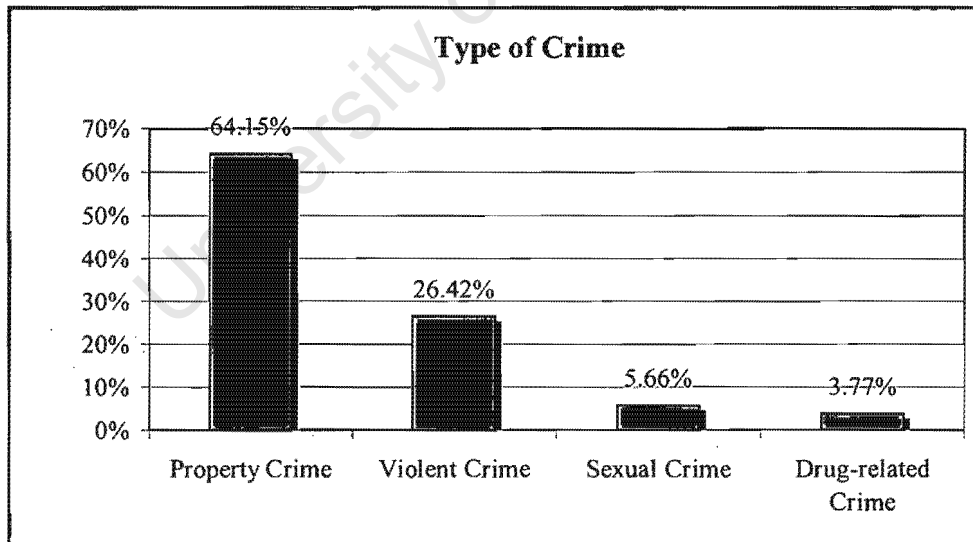
accommodation or were living in hostels. It was also found that prisoners who really made progress were those who had a marital or biological family to return to.

In the researcher's own experience in counselling ex-prisoners, it was found that most prisoners depended heavily on their immediate or biological family upon release. If released prisoners were married and the marriage did not break down because of imprisonment, the dependence on the spouse for support was evident. The researcher also found that those ex-prisoners who had no fixed abode often became restless and disillusioned and would frequently return to crime. This corroborates the findings of the literature review and the findings of this study.

#### 7.2.4 Criminal History

##### 7.2.4.1 Crime Category

Figure 2



- A high percentage of the respondents (64.15%) had committed property crimes. One needs to ask whether this related to poverty and unemployment. The reader is again alerted to the fact that this information was sought to compile background information on the respondents and

has not been the focus of the study. However, further research needs to be undertaken in order to ascertain whether unemployment results in high levels of property crime. One could infer that respondents committed mainly property related crimes out of need. The next table reflects why respondents committed crimes. The main reason given was financial need.

#### 7.2.4.2 Reason for Crime

*Table 3*

<b>Reason Given as to Why Crime was Committed</b>	<b>No</b>	<b>%</b>
Unstable family life/conflict with family	5	11.1%
Peer pressure	9	20.1%
Financial	26	57.8%
Other	3	6.6%
Denied guilt	2	4.4%
<b>TOTAL</b>	<b>45*</b>	<b>100%</b>

\* *Please Note: This number is greater than the number of respondents as several gave more than one reason for having committed crime*

Table 3 shows that 57.8% of the responses reflects financial need as a reason for the respondent having committed crime. A significant proportion of responses, (20.1%) reflects that peer pressure was another reason for involvement in crime. Peer pressure can play a significant role in some offender's lives, especially those who live in high criminogenic areas which is rife with gang warfare, drug peddling and the like.

The literature review in Chapter Four explored the relationship between crime, unemployment and poverty. Although the literature indicates that one cannot categorically state that unemployment and poverty lead to crime, as other

factors need to be taken into account, it has nevertheless been found that there is a distinct link between unemployment and crime.

A follow-up study conducted by NACRO (also discussed in Chapter Four) found a statistical link between unemployment and crime. Irvin Waller (1974:62) in his book, *Men Released from Prison*, mentions a study conducted more than three decades ago with ex-prisoners from the Ontario Prison. When asked, in 1968, why they had committed the offence, the single main reason given by the group concerned their financial circumstances: 14% mentioned financial gain and 13% said they had been out of work.

Researchers undertaking NACRO's Resettlement Survey in 1992 (Report: 5) asked 3,000 men and women in ten prisons why they got into trouble. This survey recorded that 60% had stated that lack of money was the reason, 57% said they believed it was because they mixed with the wrong crowd, 40% were unemployed, 41% stated that it was because of drink and drugs and 36% stated they had committed crimes because of family problems.

This study shows that financial need was the primary reason for respondents having turned to crime. Unstable family and peer pressure were other reasons given for criminal involvement. The researcher would like to draw the reader's attention to the fact that although most respondents gave financial need as a reason for having committed crime, it is evident that other factors also played a role.

### 7.2.4.3 Punishment Received

The following table reflects the number of crimes committed by the respondents and the punishment received for each of the crimes.

**Table 4**

Nature of Punishment	No. Of Crimes	%
Imprisonment	29	55.77%
Corporal punishment	6	11.54%
Suspended sentences	7	13.46%
Reformatory/ School of Industry	5	9.62%
Fines imposed	2	3.85%
Other	3	5.77%
<b>TOTAL</b>	<b>52</b>	<b>100%</b>

- The 22 respondents committed a total of 52 crimes
- 55.77% of crimes committed by respondents led to a term of imprisonment.
- 13.46% of cases resulted in suspended sentences
- 11.54% of cases resulted in corporal punishment being meted out as a form of punishment.

The inference can be drawn that most respondents were involved in more than one crime and thus have a notable criminal history. An analysis of responses showed that most respondents were sentenced to a term of imprisonment for crimes committed. This indicates that, imprisonment continues to be the popular choice of the criminal justice system when meting out punishment. It is also evident that most of the respondents were recidivist.

### 7.2.5.3 Nature of Vocational Education

The following table explores the type of vocational skills training received by respondents. Eighteen respondents acquired a total of thirty-two skills.

*Table 6*

Nature of Vocational Education (Prior to Imprisonment)	No	%
Technical, electrical and computer related fields	6	18.75%
Security	2	6.25%
Hair and beauty care	3	9.38%
Nursing	1	3.13%
Leather work and sewing	3	9.38%
Artisan (carpentry, panel beating, metal work, building, motor mechanics)	15	46.88%
Hospitality (food preparation and presentation)	1	3.13%
Business management	1	3.13%
<b>TOTAL</b>	<b>32</b>	<b>100%</b>

- Within a total of thirty two skills, 18.75% were in technical, electrical and computer fields
- 46.88% of vocational skills were in the artisan field.

A significant proportion of skills were acquired in the artisan field that is carpentry, panel beating, and building and motor mechanics. When taking into consideration the level of education and vocational skills training, it is evident that the respondents have a fair level of education with the vast majority having received vocational skills training of some kind. The next question that needs to be answered is whether the respondents had opportunities to use their skills or whether they found they had no means to develop and implement these skills. Again this needs to be explored further in future research endeavours. It is clear that offender reintegration services should focus on developing the skills of

released prisoners and creating opportunities for them to use their skills in order to become self sufficient.

## 7.2.6 Employment

### 7.2.6.1 Type of Employment

*Table 7*

Type of Employment	No	%
Security / Police Services	6	13.33%
Operator/Machinist	6	13.33%
Storeman	2	4.44%
Factory Assembler & Shop/General Assistant	11	24.44%
Domestic, Labourer and Gardener	5	11.11%
Self-employed	1	2.22%
Building and related fields	6	13.33%
Hospitality {food preparation & presentation)	4	8.89%
Hair and beauty care	1	2.22%
Motor related industry (mechanic, petrol attendant)	2	4.44%
Nursing Assistant	1	2.22%
<b>Total Number of Responses</b>	<b>45</b>	<b>100%</b>

- Of the 45 responses nearly a quarter (24.44%) were those of respondents employed as factory assemblers and general or shop assistants. This finding is not surprising as the respondents were employed as assemblers at the Freeplay Energy factory.
- The data indicates that the respondents had been employed in a fairly wide range of jobs and that no one particular field was prominent, besides that mentioned in the point above.

An interesting fact that emerges is that, between them, the 22 respondents had held down a total of forty-five jobs. This would seem to indicate that ex-prisoners frequently move from one job to another. Table 9 corroborates these findings by reflecting that approximately 50% of the respondents moved from their employment within a period of one year. One could then infer that they do not build their careers in a specific field. Most respondents did not appear to have a clear career path plan. Thus reintegration services need to focus on teaching ex-prisoners how to develop and build their careers.

### 7.2.6.2 Previous Employment

*Table 8*

Number of Times Employed	No of Respondents	% Of Respondents
Not employed prior to Freeplay	3	13.64%
1	3	13.64%
2	5	22.73%
3	6	27.27%
4	1	4.55%
5	2	9.09%
6	0	0.00%
7	1	4.55%
8	1	4.55%
<b>TOTAL</b>	<b>22</b>	<b>100%</b>

- Three respondents (13, 64%) had not been employed prior to Freeplay
- Eight of the respondents (36.36%) had been employed on one or two occasions, prior to their employ at Freeplay
- Eleven of the respondents (50%) had been employed on three occasions or more, prior to their employ at Freeplay
- Six respondents (27.27%) had held down a job for three or more years (one of whom had had only one job, whilst the remaining five had had three or more jobs).

It is evident that most of the significant proportion of respondents seems to move from one job to another. This pattern emerges when asked about the period of employment in the next table.

### 7.2.6.3 Employment Period and Number of Jobs Held

The following table reflects the number of jobs held by respondents during a specific period that is less than two months and three years or more.

*Table 9*

Period of Employment	Number of Responses	Number of Jobs held during this period by Respondents		
		1 Job	2 Jobs	3 Jobs
Less than 2 months	2	2	-	-
2 to 4 months	4	4		
4 to 6 months	7	6	1	
6 to 12 months	11	8	3	
1 to 2 years	11	9	1	1
2 to 3 years	7	3	3	1
3 and more years	6	6	-	-

The period of employment reflects the movement of respondents from job to job, as noted above. Approximately 50% of the responses indicated that the respondents moved from a job within one year of being employed. The responses further indicated that those respondents who remained in employment for three or more years were in the minority. It is also of interest to note that those respondents showing stability in terms of the length of the employment period had only one job during this period. The next point explores the reason why ex prisoners move from one job to another.

#### 7.2.6.4 Reasons for Leaving Employment

*Table 10*

Reasons for Leaving Employment	No	%
Unknown	1	1.52%
Low salary	11	16.67%
Dispute with management	8	12.12%
Short-term employment (casual worker)	9	13.64%
Criminal offences	19	28.79%
Working conditions	8	12.12%
Retrenched	9	13.64%
Family circumstances	1	1.52%
<b>Total Number of Responses</b>	<b>66</b>	<b>100%</b>

- Between them the 22 respondents gave 66 reasons for having left their employ, which indicates that many of them had more than one reason for discontinuing employment
- A significant proportion of (28.79%) indicated that the respondents left their employment due to criminal offences, either as a result of imprisonment or dismissal due disciplinary action by the employee
- Respondents' unhappiness in work environment represents 40.91% of total responses: low salary (16.67%); dispute with management (12.12%) and working conditions (12.12%).

The table highlights the reason for leaving their employment as being dissatisfied at work (low salary, conflict with management and working conditions). It is evident that one needs to look at more than just placement in a job. Most ex-prisoners need other social skills, such as conflict resolution, life skills and work ethic skills to remain in employment. There is also a need to develop a concrete career path. In Chapter Four mention is made of research undertaken by McLaughlin (1993) who found that there was a need to teach ex-

prisoners generic work skills. Ex-prisoners as employees need more than a job to enable them to cope in the work place. When discussing some international employment programmes for ex-prisoners in Chapter Four, the reader was alerted to the fact that ex-prisoners need to feel that their employment has meaning in their lives. It is not sufficient to simply provide ex-prisoners with job opportunities: they should be involved in activities that they feel are meaningful and that enhance their self-esteem. This is underscored by the fact that the menial tasks assigned to respondents in prison made them feel worthless. Later in this chapter the experiences of ex-prisoners at the Freeplay Energy factory will be discussed. It is interesting to note that the reasons given by respondents for leaving their previous jobs are reflected again in this study when respondents complain about the problems they encountered at work. It is therefore necessary to teach ex-prisoners generic work skills in order to assist them in coping with a structured work environment.

#### **SUMMARY: BACKGROUND INFORMATION**

Most clients were between the age of 25 and 29 years of age. It reflects an age range of persons who should be productive members of society. Fifty four percent are single and a high percentage of respondents depend on their biological family and friends for accommodation. Most crimes committed are property crimes. The respondents stated that financial need was the main reason why they committed the crimes. The most common punishment meted out was imprisonment. Respondents had a fair level of education, with most reaching secondary level at school. They were also trained in a variety of vocational skills. Approximately half of the respondents tended to move from their employment within one year. Most stated that low salary; disputes with management and working conditions were the main reasons for this.

### 7.3 EX-PRISONERS' EXPERIENCE OF THEIR IMPRISONMENT

#### 7.3.1 Services Received in Prison

**Table 11**

<b>Services Received in Prison</b>	<b>No</b>	<b>%</b>
Counselling services	10	22.22%
Life skills	4	8.89%
Religious services	8	17.78%
Employment/vocational skills training	9	20.00%
Pre release services	14	31.11%
<b>Total Number of Responses</b>	<b>45</b>	<b>100%</b>

- 22 respondents gave 45 responses as to the type of service received whilst imprisoned
- It is significant to note that only 20% of responses received from respondents indicated that they received employment or vocational skills training.

Theory on the reintegration process – Rotman (1990) and others - clearly indicates that the reintegration process should begin on the first day of imprisonment. The fact that only 31% of responses received by respondents showed that they had received pre-release counselling points to a grave lack of adequate preparation for reintegration. Ideal 100% of the responses should have indicated that the respondents had received pre-release counselling to assist with their reintegration process upon release.

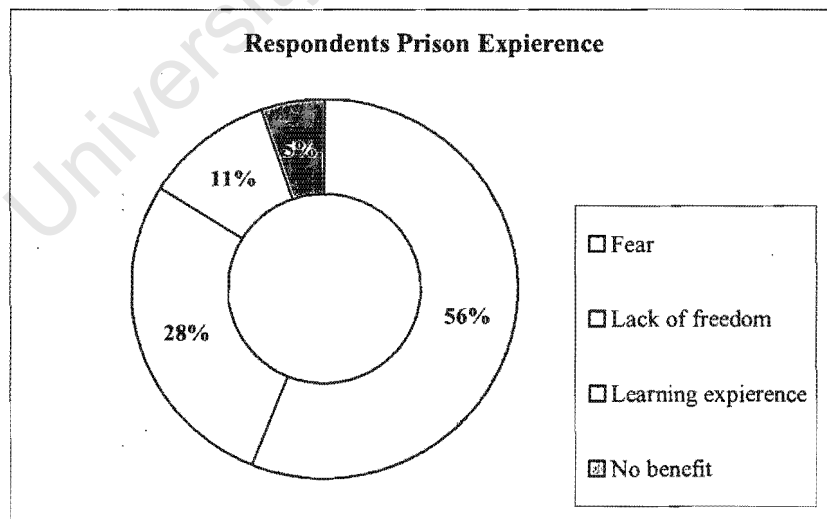
A small percentage of responses indicate that a few received employment and vocational skills training while in prison. Indicating that few respondents had enjoyed significant skills development in this area. Chapter Three of the literature review discusses employment opportunities within the prison. It is clearly

reflected in the Correctional Services' 1999 Annual Report of that out of a total of 111 948 sentenced prisoners only about 20 600 prisoners (18.4%) were involved in some form of education or training. One could compare these figures to this research, which also reflects that most prisoners received minimal or no vocational, or employment skills while in prison in terms of the responses recorded.

In order to assist prisoners with their reintegration process into the community there is a need to prepare them for release from the day they enter the prison system. However, the overcrowded prison conditions and paucity of resources existing in South African prisons today is not conducive to creating an environment where prisoners can learn new skills.

### 7.3.2 Respondents Prison Experience

**Figure 5**



- 56% of the responses described fear as the prominent prison experience. Fear of sexual abuse, violence at the hands other prisoners and warders as well as a fear of gang fights were predominant.

- 28% of the responses showed that the respondents experienced lack of freedom as a stressful experience. These responses described lack of freedom as having no privacy, overcrowding, no decision-making powers and the sense that they were treated like ‘animals’.

All respondents described their prison experience as negative. Fear featured prominently, particularly the fear of sexual abuse and violence. Lack of freedom was also experienced as stressful. The prison experience of respondents is reflected in the following direct quotations from the data gathered:

*“Not good to stay in prison. Experience lots of criminal behaviour in prison”.*

*“Not a good experience. People treat you like animals. There is also sodomy in prison”.*

*“You feel alone in prison. I saw people fight with each other. There is no order or care in prison”.*

*“To be in prison is not good. You meet bad people and you become bad. Gangs also rob you in prison”.*

*“Shocking experience. Had to obey rules of gangs to survive. Locked up in cell with forty-two other prisoners. It takes your freedom and life away. You get used as a women”.*

*“Fights and killings happen in prison. You are not a human being; you have no say or rights. We were beaten often by the warders”.*

*“Locked up early. You are most of the time behind gates. ...”*

*“I was asked to strip by warders. Food was like dog food. Gangs controlled the cells. I saw people being stabbed to death”*

*“Hard and horrible experience. I was sodomised – it’s too painful to talk about it. ... saw lots of crime in prison”.*

*“ Locked up at 3pm in the cell and this was the hardest time. Loss of freedom hard to deal with. Prison is like a sentence on top of a sentence”.*

*“You feel like you on another planet as you are cut of from the world”.*

*“It was hell. You are not free – do not make decisions, people decide for you”.*

It is evident from the above statements made by the respondents about their prison experience, that it was one of fear and pain. All respondents expressed the view that prison was not a good experience. Sykes (1962: 175) reiterates the above findings by stating, *“ The individual’s self concept and respect are seriously threatened, in addition to the deprivation of autonomy, heterosexual relationships and normal interactions with friends and relatives...”* Davies (1974: 172) goes on to make an important statement that also reflects the damage done by imprisonment, *“... for those concerned with the prisoners relationship with the outside world and with his eventual discharge into it, the most important fact is his regression, his enforced dependence, his almost total freedom from responsibility and decision making”.*

Many respondents experienced prison as not having developed or changed them for the better. Thus it is these devastating effects that counsellors who are dealing with ex-prisoners should address as a priority. The trauma of imprisonment and the fact that it does not reintegrate offender’s impacts negatively on the prisoner who is released into the community.

In research done by Correctional Services Canada prisoners were interviewed in order to ascertain their perceptions of imprisonment. This research was presented in a paper, *Recidivism – How Inmates See It*, by Besozzi (1993: 4). The author found that most prisoners expressed the view that, not only had prison not change them, but that it had a negative effect on them. They quote a prisoner, Aldo, who stated, *“Being in prison, you become savage, rough, selfish, you pick up all the faults you can, you become more aggressive and impulsive”.*

Literature reviewed on the effects of imprisonment clearly indicates that prison fails in its mission to effectively rehabilitate prisoners. This finding of this study is similar to that of the literature review in Chapter Two: not only does prison fail to rehabilitate prisoners, it causes more damage to the individual.

### 7.3.3 Respondents' View of Prison Learning

**Table 14**

Category	Response	No	%
Negative learning Experience	Did not learn anything	5	10.64
	Substance abuse	0	0.00
	University of crime/ learnt more about crime	1	2.13
Self development	Learnt that prison is not a place for you	5	10.64
	Learnt the he could make choices	7	14.89
	Self reflection and inner strength	6	12.77
	Respect for other/property	4	8.51
	Responsible for one's own actions	2	4.26
	Prison does not change you - you change yourself	2	4.26
	You think of changing your lifestyle	2	4.26
Positive learning experience	Learnt life skills trough programs	4	8.51
	Learnt other cultures/ religions	5	10.64
	Survival	2	4.26
	Vocational skills	2	4.26
<b>Total Number of Responses</b>		<b>47</b>	<b>100%</b>

The responses reflect that the respondents learnt negative and positive aspects in prison. The positive learning experience for some prisoners came about because they joined life skills and vocational skills programmes. An interesting phenomenon that is reflected in the table is the self-development learning that took place for some prisoners. A profound discovery by some respondents is that "*Prison does not change you - you change yourself*". They also learnt that prison is not a place for them, meaning that prison had

had a negative impact on them. One can infer from the above table that prison does have a positive impact on some prisoners: some experience inner reflection and come to the realisation that they are responsible for their own actions. Another glaring finding of this study concerning prison learning is that only 4.26% of responses showed that the respondents had the opportunity of becoming involved in some form of vocational skills development while in prison.

### **SUMMARY: IMPRISONMENT**

Based on the responses recorded in this study is evident that respondents received minimal opportunities in prison for employment or skills development. The prison experience was painful and often very traumatic. All respondents spoke about their exposure to violence in prison: gang fights, sodomy and beating by prison warders. Some positive learning took place in prison as certain respondents joined life skills programmes. However, the learning that did take place in prison stemmed more from an inner reflection and the development of survival techniques on the part of those respondents. The essence of this section is that prison fails to rehabilitate or prepare the prisoner for life outside prison.

## 7.4 EX-PRISONERS' EXPERIENCE OF THE REINTEGRATION PROCESS

### 7.4.1 Release Conditions

*Table 15*

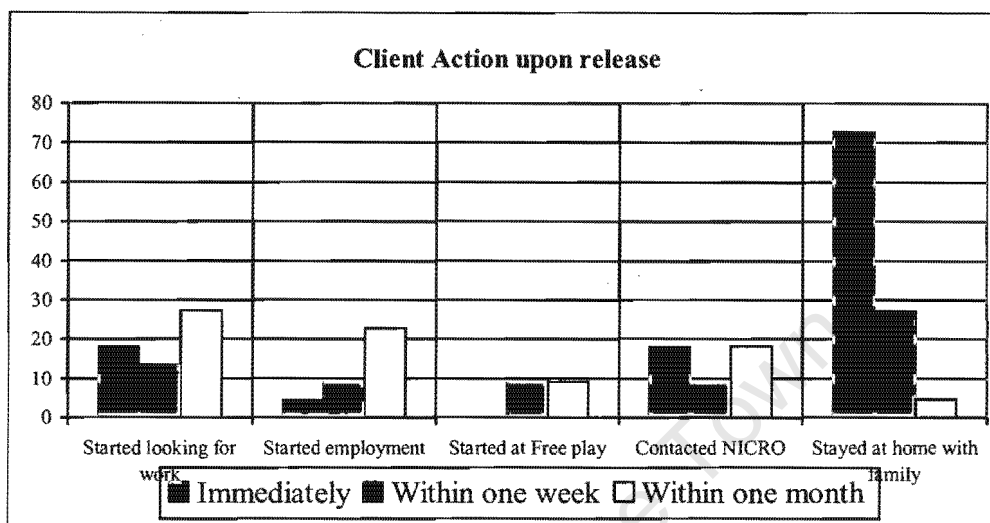
Release Conditions	Total Number of Respondents	Responses	%
Received parole	22	19	86.4%
Parole include restricted movement in terms of hours to be home	22	16	72.7%
Parole include signing in at the police station	22	10	45.5%
Monitored by Parole officers	22	14	63.6%
Parole officer offered support services	22	3	13.6%

- 86% of respondents were released on parole. Parole conditions can be seen as quite strict: 72.7% of respondents were restricted in terms of movements, 45.5% had to sign in at police stations and 63.6% were monitored by parole officers
- In comparison only 3 respondents (13.6%) received actual support services

A significant number of the respondents were released on parole. What is clear from the above table is that most of the respondents released on parole were dealt with in a punitive manner: they were policed as their movements were restricted, they had to sign in at the police station and were monitored by parole officers. Most were not given the necessary support to facilitate their reintegration into society. The role of parole officers should be carefully investigated. Parole officers have a crucial role to play in assisting released prisoners in their reintegration process. Research undertaken by Correctional Services Canada involving 25 prisoners found that *“the release conditions that the offenders are supposed to abide by do not reflect the reality of everyday life”*. (Besozzi, 1993: 2). This also seems to be true for parole in South Africa.

### 7.4.2 Respondents' activities upon release

Figure 6



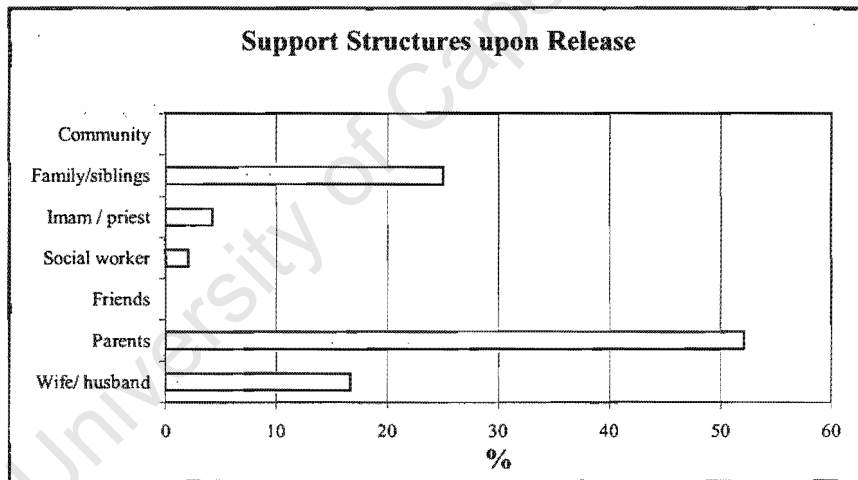
- 72.73% of the respondents stated that they stayed at home with family members immediately upon release; 18.18 % started looking for employment immediately; 4.55% started employment immediately upon release and 18.18% contacted NICRO.
- Within one week of release 27.27% of respondent stated that they still stayed home with family
- Within one week of release 9.09% started employment; 13.64% started looking for work; 9.09% started work at Freeplay and 9.09% contacted NICRO.
- Within one month of their release an additional 27.27% started searching for employment and another 9.09% started working at Freeplay whilst a further 18.18% contacted NICRO.

When respondents were asked what they did upon release from prison, they mentioned two activities that is spending time with family and seeking employment. In the researchers experience of counselling ex-prisoners upon

release from prison, she also found that most would come to the office saying that they need employment. This could be attributed to the fact that the basic needs for food and shelter needs to be fulfilled first, before other issues can be dealt with. Later in this chapter, respondents were asked how they dealt with challenges they faced upon release from prison. Their response again focussed on the practical issues of finding a job to meet their daily need for resources.

#### 7.4.3 Support structures upon release

Figure 7



- In most instances parents serve as the major support structure for respondents upon release (52.08%) whilst support received from other family members and siblings served as the second level of support (25%). Spouse support accounted for 16.67%.
- Support from social service organisations such as welfare account for 2.08% of support respondents received
- Respondents did not identify any support from the community
- 70% of support was from family of origin.

The table reflects that none of the respondents received support from the community. Community refers to community leaders, neighbours, churches and mosques. Communities have a role to play in the reintegration of released prisoners. This process cannot be the sole responsibility of the family or government. Released prisoners come from communities that ought to give them a chance at reintegration. If communities shun this responsibility, the attempts to reduce recidivism through reintegration and employment will not be effective. It is those communities that take responsibility for their members who will benefit from their efforts.

#### 7.4.4 Type of Support Received

Table 16

<i>Support From</i>	<i>Type of Support (in percentage %)</i>					
	<i>Financial</i>	<i>Emotional</i>	<i>Acceptance</i>	<i>Finding Employment</i>	<i>Social Services</i>	<i>Other</i>
<i>Wife\ Husband</i>	2%	10%	4%	0%	0%	0%
<i>Parents</i>	14	20	10	2	0	4
<i>Friends</i>	0	0	0	0	0	0
<i>Social Worker</i>	0	0	0	2	0	0
<i>Priest</i>	0	4	4	0	0	0
<i>Family\ Siblings</i>	10	8	0	2	0	4
<i>Community</i>	0	0	0	0	0	0

Table 16 reflects the type of support received by the respondents upon release from prison. Figure 7 reflects the support structures of the respondents upon release from prison. The table shows that most respondents received emotional and financial support from their parents and siblings, which is indicative of the fact that most respondents were single and thus relied upon their biological family for support. Those that were married received emotional and material support from their spouses.

The findings clearly indicate the type of support received by respondents upon release from prison (primarily familial) highlights the lack of support structures within the wider community. The type of support offered by the family was mainly of an emotional and financial nature. It is of concern to note that minimal support was received from social workers. Later in the findings, respondents reflect on what is important for their reintegration into the community. They stated that the support of their family and community was important in order to assist them in their reintegration process. When the researcher probed as to what type of community support was necessary for their effective reintegration, most respondents stated that the need to be accepted back into the community was important to them. It is therefore necessary to get community structures like the church or mosque involved in assisting ex-prisoners with their reintegration back into the community. It is also evident that the role of the family in assisting the ex-prisoners is vital as they are usually the first point of contact.

#### 7.4.4 Challenges Identified by Respondents Upon Release

Table 17

	A	B	C	(A+B+C)	Responses
	Very Important	Important	Less important	%	
Finding accommodation	9.09		91.91	100	22
Marriage Relationship	44.44		55.56	100	9
Re-establish relationship with children	36.84	21.05	42.11	100	19
Financial sustainability	72.73	18.18	9.09	100	22
Finding employment	95.45	0.00	4.55	100	11
Development of Skills (vocational and technical)	45.45	9.09	36.36	100	20
Reintegration into community	31.82	22.73	45.45	100	22
Addressing alcohol/drug addiction	28.57	7.14	64.29	100	14

- 95.45% of respondents saw finding employment as the most important issue to address upon release and it follows that the second highest need was financial sustainability (72.73%), with these two being closely related.
- The challenge that most respondents saw as the least important was that of finding accommodation – 91.91% (which could be attributed to the support network of parents and family)

The fact that 95.45% of clients saw finding employment as most important challenge should be evaluated against the fact that only 18.18% started looking for employment immediately; 13.64% started looking within one week and 27.27% started looking within one month. This means that even though 95.45% stated that finding employment as most important issue only 59% actually started looking for employment within one month (that is 41% still made no effort); and only 31.82% started looking within a one-week period. This could mean that

when prisoners are released back into the community, they need to first adjust to life outside prison, before they can deal with the challenges facing them.

A report commissioned by the British Home Office in 1990(written by Heins) reviewed the literature on aftercare services for released prisoners. Heins (1990:5) states that the social needs may be summarized in terms of the following areas: accommodation, employment, money, social isolation, family problems, drink, drugs and gambling. These needs identified are similar to those in the present research findings. The only issue that is not mentioned by the respondents of this study is gambling. Heins (1990:7) goes on to discuss a study undertaken by Silberman and Chapman (1971) who found that financial problems were mentioned by half of the respondents. Employment problems were also mentioned by over half of the men interviewed”.

The NACRO report (1995), *Opening the Doors*, reflects on the resettlement survey carried out in 1992 with 3 000 released prisoners from ten prisoners. This survey revealed the following challenges faced by released prisoners:

Finding a job:	59%
Income support:	45%
Someone to help sort things out:	25%
Education and training:	25%
Family matters:	17%

The findings of the NACRO survey supports the findings reflected in Table 17 with regard to the challenges faced in this study by ex -prisoners upon their release.

#### 7.4.6 Respondents Actions to Some of the Challenges They Identified

- |   |   |
|---|---|
| Marriage Relationship                   | ➤ 75% of clients stated that their partner did not want to discuss marriage relationship    |
| Re-establish relationship with children | ➤ 70% of clients stated that they made an effort to re-establish relationship with children |
| Finding employment                      | ➤ 39.13% of clients went out to find work<br>➤ 47.83% approached NICRO                      |
| Development of Skills                   | ➤ 83.83% of clients under went training   |
| Reintegration into community            | ➤ 18.18% stated that the community put pressure on them                                     |

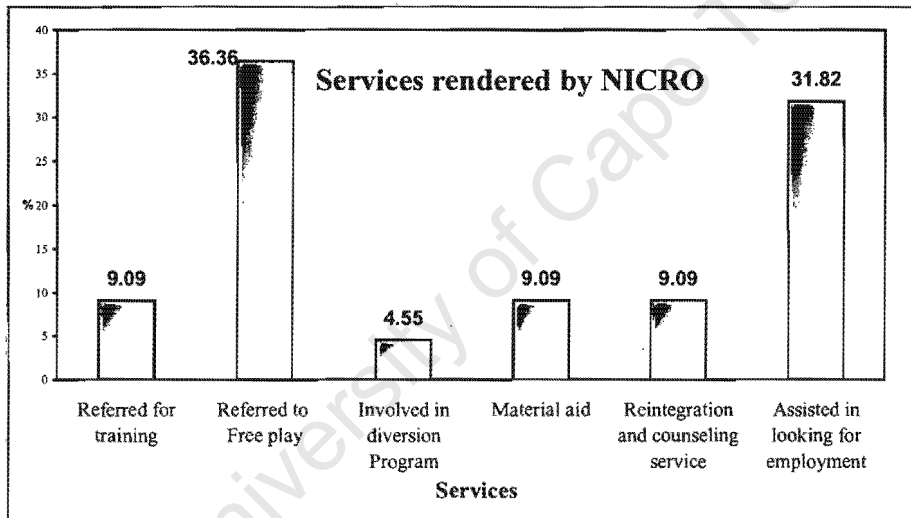
Respondents were asked what they did to deal with the challenges they faced upon release from prison. The researcher found that respondents were vague and were not able to clearly explain the actions they took to deal with the challenges they faced. With regard to problems in the marital relationship, respondents stated they tried but their spouse would not cooperate. When probed and asked exactly what they did, respondents were not able to give a clear answer. However on practical issues like skills development and finding employment, they were clearly able to articulate their actions to deal with these challenges. The findings revealed that none of the respondents spoke about seeking the assistance of social workers to deal with the challenges they faced upon release from prison. Later in this chapter when asked why they approached NICRO, most respondents stated that they were seeking employment.

The researcher found that in her experience of dealing with ex-prisoners, most would focus on the need for employment immediately upon release from prison. They did not verbalise their emotional needs but focussed on the practical needs. This could indicate that ex-prisoners have limited problem-solving skills. It is

therefore necessary to focus on the need for employment so that they can meet their basic needs for food and shelter before assisting them with their other issues. Counselling session should thus focus on assisting the ex-prisoner to verbalise his/her's problems and then develop the necessary skills and support structures to solve or find solutions to problems, like marital strain, trauma of imprisonment and so forth.

#### 7.4.7 Services Received By Respondents

Figure 8



- *NICRO:* 100%
- Department of Manpower: 4.55%
- Other (referred to Free Play by NICRO): 9.09%
- Number assisted finding employment: 31.82
- Counselling services received by respondents 9.09%

The above information indicates the type of services respondents received from NICRO. The glaring issue from the above figure is that only 9% of respondents received counselling. Reflecting on the trauma of imprisonment and the fact that it fails to rehabilitate prisoners and it also fails in preparing them for release back into the community, means that counselling services should be a crucial part of

the reintegration process. The focus on just finding employment is not the only solution to effective reintegration. Heins (1990:21) reviewed the Apex Employment project, which finds employment for ex-prisoners. Importantly the Apex experience has found that the first job usually breaks down, and there is a need for continued support before the released prisoner can settle in a job. Heins mentions an important point made by Soothill who analysed the Apex Employment project (Heins, 1990: 21), "... but that concentrating on the particular activity of finding employment for ex-prisoners without considering any other factors is likely to have limited economic returns. And what this study means in a wider framework is that one should abandon a belief in a single or simple solution for the aftercare of prisoners". (Soothill, 1974: 24-29) It is clear that the respondents in this study mainly received assistance with referral for employment. The finding of this study reveals that other services to assist with the reintegration process were lacking.

#### 7.4.8 Respondents' Assessment of NICRO Service:

**Table 18**

Assessment	No	%
Bad	0	0
Unsatisfactorily	7	31.8
Satisfactorily	11	50
Very good	4	18.2
Number of Respondents	22	100%

- 31.8% of clients evaluated NICRO service as unsatisfactorily
- 50% were only prepared to commit to a satisfactorily rating and only 18.2 % saw NICRO intervention as very good or good.

The reason why respondents rated NICRO services as satisfactory is attributed to the fact that they were referred to the Freeplay Energy Factory and that is where the service stopped. Later this issue will be explored further. Respondents did not receive counselling or preparation for placement at the factory. Nor did they receive continued aftercare services.

## **SUMMARY**

A significant number of respondents were released on parole. However, Parole officers did not play a role in facilitating the reintegration of respondents back into society. Upon release the biological family, especially parents were the main support structure for released prisoners. None of the respondents received support from the community upon release. . The main challenges identified by respondents upon release were accommodation, marital relationship, relationship with children, financial security, finding employment, reintegration process and alcohol and drug addiction. Respondents did not approach social agencies to assist them in dealing with their relationship or adjustment problems, but only requested assistance with finding employment. In turn, the social agency, in this case NICRO is being used as an example, failed to carefully analyse the needs of respondents when they requested employment and thus placed them in employment without carefully assessing if they had other needs with regards to their reintegration process.

## 7.5 RESPONDENTS' VIEWS ON THE CAUSES AND THE REDUCTION OF CRIME

### 7.5.1 Respondents' Views on Reducing Crime

*This table reflects the views of the respondents with regards to what in their opinion could reduce recidivism.*

**Table 19**

<b>Respondents' Views on Reducing Crime</b>	<b>No</b>	<b>%</b>
Stable house	4	8.16
Support in community	0	0.00
Family support	6	12.24
Positive community environment	1	2.04
Positive friends	3	6.12
Accommodation	0	0.00
Permanent employment	13	26.53
Financial security	2	4.08
Crime prevention courses	0	0.00
Counselling services	1	2.04
Material aid	0	0.00
Encouragement to change life of crime by family	5	10.20
Religious services	1	2.04
Involvement in extra – curricular activities – i.e. sport	1	2.04
Assertive decision making	7	14.29
Anger Management/ confrontation skills	1	2.04
General life skills	4	8.16
<b>Total Number of Responses</b>	<b>49</b>	<b>100</b>

- Regarding Positive home circumstances 8.16% of responses given by the respondents indicates that a stable home environment and family support (12.24%) could prevent future crime

- 7.2% respondents stated that support by social service, religious and other formal resources could assist in preventing crime
- 30.61% stated that permanent employment and financial security would prevent criminal involvement
- In terms of life skills 14.29% of clients stated that development of assertive decision making skills would enable them to resist future criminal involvement

The table reflects that the role of the family and community in assisting released prisoners in not returning to crime is crucial. Employment and financial security are seen as the most important factors in reducing recidivism. It should be noted that respondents were of the opinion that having employment is not the only factor, which will reduce crime. Some of the views are reflected in the following statements made by respondents:

*“As long as I have employment, I will not commit crime.”*

*“The Church –when the priest preaches I listen. Church is against crime. My family and their support and encouragement”*

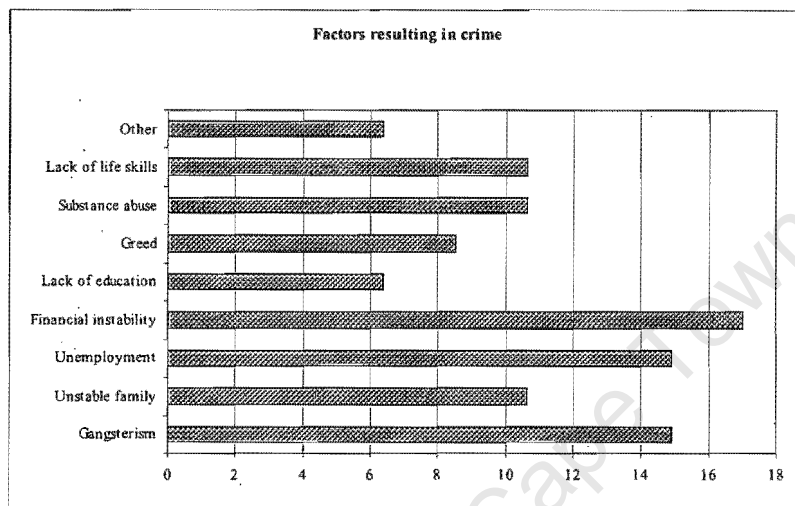
*“To have a life time job. If I do not have a job I will get wrong ideas.”*

*“Family support is important”.*

It is evident from the views of the respondent that a wide range of interventions is necessary to reduce crime. Employment is seen as one part of an integrated strategy that is required to reduce crime.

### 7.5.2 Respondents' Views Regarding Factors Resulting in Crime

Figure 9



- 17.02 of respondents felt that financial instability contributed to crime and 14.89% that lack of employment also contributed to crime
- 10.64% felt that substance abuse was a contributing factor; 10.64% - lack of suitable life skills and 2.04% that lack of anger management skills specifically contributed to crime
- 14.89% indicated gangsters specifically as contributing to unstable community life.

Interestingly unemployment again is not seen as the sole contributor to committing crime. According to the respondents other factors will also lead people to commit crime. These are substance abuse, lack of life skills, unstable community and gangsterism. Again this ties in with the above point (7.2.4), which explores factors that would prevent crime. Employment is seen as an important element in crime prevention but not the only factor. Factors or conditions that cause crime and prevent crime are linked in this finding. Therefore reintegration programmes should be multi-faceted when assisting ex-prisoners in their reintegration process in the community.

## 7.6 REINTEGRATION AND EMPLOYMENT

### 7.6.1 Number of Companies Approached for Employment

Table 20

Number of Companies Approached	No	%	Total %
One	5	23.81	61.91
Two	3	14.29	
Three	5	23.81	
Four	2	9.52	14.28
Five	0	0	
Six	1	4.76	
Seven	0	0	23.81
Eight	1	4.76	
More than eight	4	19.05	
<b>Totals</b>	<b>21</b>	<b>100%</b>	<b>100%</b>

- 61.91% approached an average of three companies for employment. 14.28% approached four to six companies and 23.81% approached six to seven companies for employment.

The above could indicate the present South African unemployment problem. The high unemployment rate results in ex-prisoners experiencing more difficulty in securing employment. Many companies have to be approached in order to secure employment. The above could also indicate that the opportunity presented by the Freeplay Factory for respondents meant that they did not have to continue seeking employment. If the opportunity for employment with Freeplay Energy were not available, the scenario would have perhaps presented differently. Perhaps respondents would have approached a far larger percentage of companies in order to secure employment.

### 7.6.2 Outcome of Employment Contacts

**Table 21**

Outcome of Employment Contacts	No	%
No vacancies/jobs	11	34.38
Undertook to contact when vacancies - never did	4	12.50
Casual employment	6	18.75
Short term employment	1	3.13
Secured position	1	3.13
Position at Freeplay	2	6.25
Started own business	1	3.13
Did not get job because of criminal record	6	18.75
<b>Total Number of Responses</b>	<b>32</b>	<b>100%</b>

- 34.38% of respondent were informed that no vacancies were available and 12.5% were informed that they would be contacted when vacancies occurred, however they were not contacted.
- 21.88% of clients obtained casual or short term employment
- 18.75% were refused employment at various companies they approached due to their criminal record.

Significant here is that 18.75% were refused employment because they had criminal records. Ex-prisoners do not only have the problem of a lack of skills in obtaining employment but also they have the added burden of having a criminal record.

The literature review part of the research makes mention of NACRO's survey in 1996 which found that over sixty percent of the respondents were unable to secure employment because of their criminal records. NACRO which is an agency that focuses on the reintegration of ex-prisoners into society in Britain makes mention

of the fact that “*Most countries which have legislation to deal with the rehabilitation of offenders, either seal, expunge or destroy the criminal record of rehabilitated offenders*”. (NACRO, 1995: 17) quoted by Greg Erasmus (1996: 4) in his Honours dissertation, *Relationship Between Criminal Records and the Employment of Rehabilitated Offenders in South Africa*.

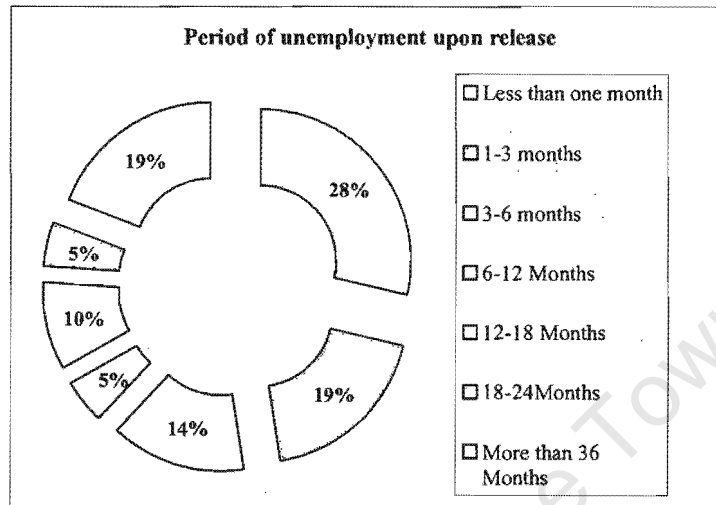
Erasmus (1996: 5) mentions the fact that in the United Kingdom, the Rehabilitation of Offenders Act of 1974 has the effect of enabling ex-offenders, who have not committed offences for a specified number of years, to under certain conditions seek employment without fear of discrimination.”(Apex Trust Report, 1989: 6).

Erasmus (1996: 16) mentions an interview held with the senior Human Resource Manager at De Beers in Cape Town; who stated “*he was not aware of companies in South Africa that has formal guidelines which are used to evaluate the relevance of criminal records to the jobs in their companies*”. Another study mentioned by Barnes and Teeters (1959: 547) reflects on research done by the Randen Foundation to ascertain the prevalence of discrimination against ex-prisoners. Four hundred and seventy five employers were part of the study. Three hundred and twelve employers stated that they would not employ ex-prisoners and one hundred and one stated they would employ skilled ex-prisoners.

It is therefore necessary that opportunities be created to assist employers to employ rehabilitated ex-prisoners. This finding also reflects the need to lobby government to create incentives for employers to employ ex-prisoners.

### 7.6.3 Period of Unemployment Upon Release

Figure 10



- 28.57% of the respondents obtained employment within one month of release
- 38.10% clients were unemployed for a period of between one month and one year
- 33.33% were unemployed for periods of between one year and more than three years.

A significant proportion of respondents did not secure employment for a long period of time that is between one month and thirty-six months or more. One could infer that their criminal records make it difficult for them to secure employment. This could also be attributed to the South African economy and the rising unemployment rate. Again one could say that there are possibly limited opportunities for respondents to apply their vocational skills training.

#### 7.6.4 *Income /Financial Support During Period of Unemployment*

- 81.82% of respondents stated that they did receive income whilst unemployed

Financial support/income was received from the following sources:

Family:	50%
Started own business:	9.09%
Friends assisted:	18.18%
Returned to stealing:	4.55%
Did casual jobs:	13.64%

Again we see the pattern emerging, where 50% received financial support from families when they were unemployed. A significant number had casual employment and thus were able to have some financial support to meet their needs. Some respondents admitted to returning to stealing. It is not known if the percentage that returned to crime to supplement their income is higher as respondents could have been ashamed to admit this.

#### 7.6.5 *Ex-Prisoners Views on Employment, Crime and Crime Prevention*

- 63.64% of respondents stated that stable employment would prevent offenders from committing crimes
- 36.36% stated that full time employment does not automatically prevent crime and that many offenders have employment but still commit crimes.

The question put to respondents was the following: *Do you believe that being employed prevents people from committing crime?* This question was to ascertain their views generally regarding this issue. However one could assume that the

responses given are likely to reflect their own experiences to some extent. The following responses were recorded:

*“Yes, having money prevents people from committing crime. Can deal with personal problems better because of employment”*

*“No, because of a lot of personal problems. Low wages may not satisfy needs and then people steal while employed”.*

*“Yes, having money prevents people from crime”*

*“Yes, if I am unemployed – will be thinking all the time about getting money – leads to desperation. If there is nothing in the house, you will go and look for something”.*

*“Everybody needs money to live”*

*“No, will do crime to have more money”*

*“If you work, you can feed and dress yourself. You do not need to steal”.*

*“Depends on the person, can still steal while employed”.*

*“If not rehabilitated will still continue crime, even when employed”.*

*“Depends on your lifestyle. If you are a drug addict, you will need extra money and you will commit crime even if you are employed”*

*“If community rejects ex-prisoners they will return to crime”*

It is evident that employment plays a crucial role in enabling ex-prisoners to meet their basic needs and assist in their reintegration process. However there is an element that will continue to commit crimes even though they are employed. Some may need to do so to feed a drug habit or to increase their income, as their wage is low. An important point made by one respondent, is that if a person is not rehabilitated, they will continue to commit crime. This view should be carefully

noted. The focus should thus be on the holistic reintegration process of ex prisoners and not just job placement. The findings of this study can thus conclude that having employment does not automatically mean that criminal involvement will stop.

#### **7.6.6 Needs Of Ex-Prisoners Other Than Employment**

Respondents were asked the question: *Apart From Employment – Do Ex - Prisoner Have Other Needs?*

Respondents gave the following responses to the above question:

*“Support from Social Workers and community members. Community members should be involved in the rehabilitation of ex-prisoners”*

*“Need assistance with accommodation problems and drug or alcohol addiction”*

*“There must be somebody to support ex-prisoner in their life. Encourage them to stop crime. Also family must help ex-prisoners with food and clothing”.*

*“Communities must forgive and support ex-prisoners. Also need love from families and support. Families must guide the ex-prisoner”.*

*“Need a safe place to live”*

*“People must accept ex -prisoners as he has paid for his crime”*

*“Having someone that cares about you – someone special – you can talk about your inner feelings and fears. Must have respect from people at home and in the community”.*

*“Ex-prisoners may need help to deal with alcohol problems”.*

*“Need marriage counselling when released from prison. Should also have counselling and advice from Social Worker. Employment is also important”.*

It is evident from the above quotes from the respondents that ex-prisoners have other needs upon release and not only the need for employment. These include the need for community acceptance, family support, counselling services to help deal with relationship problems and drug or alcohol addiction. These are some of the major needs that have to be met in order for the ex-prisoners to be successfully reintegrated into the community. Employment forms part of this package but it does not stand as a need on its own. Counsellors or social workers need to undertake a careful assessment of the ex-prisoner's needs and not only focus on securing employment. Thus the findings of the study reveal that reintegration is a process and that employment is one of the many crucial parts of that process.

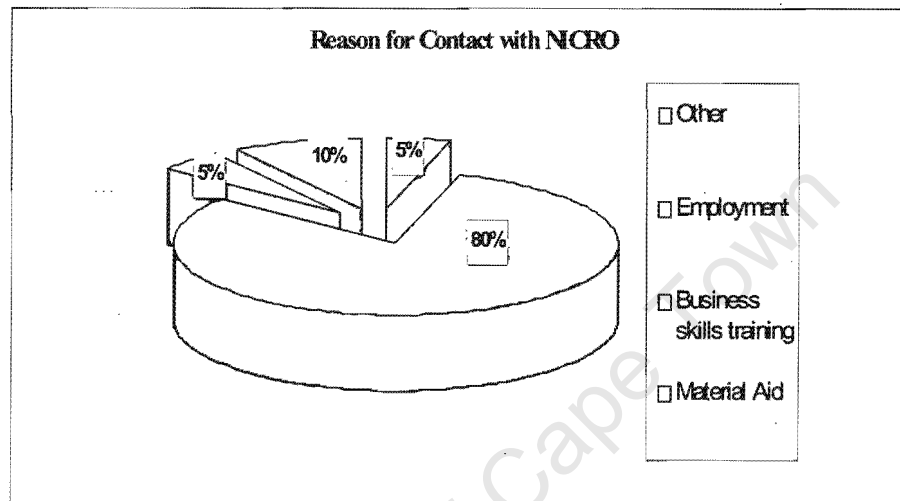
#### **SUMMARY: EMPLOYMENT AND REINTEGRATION**

Some respondents were not able to secure employment because of their criminal record. Most respondents received financial support from their families upon release from prison. It is evident that employment is not the only need but ex-prisoners have other needs like, stable accommodation, support structures, the need for acceptance, assistance with addiction problems and marriage counselling. Most respondents were of the opinion that employment prevents involvement in crime. Some however were of the opinion that some people will continue to commit crime because of other needs, like supporting a drug habit. Therefore employment is not the only solution to effective reintegration.

## 7.7 FREEPLAY ENERGY: EXPERIENCES OF EX-PRISONERS

### 7.7.1 Reasons Ex-Prisoners Contact NICRO

*Figure 11*



The figure speaks for itself. A large percentage of respondents (80%) stated that they approached NICRO for assistance in securing employment. The findings of the research show that ex-prisoners have other needs but they're most pressing and most immediate need is to secure employment in order to deal with the other challenges they face in the community.

Ex-prisoners focus on securing employment as a priority in order to satisfy basic needs for food, shelter, accommodation and clothing. Thus the findings reveal that the main focus of the respondents was on securing employment, although they admitted that they also faced other challenges upon their release from prison. It is clear; therefore, that employment is probably the most crucial immediate need of ex-prisoners after release from prison. It is probably a pre-condition for successful reintegration of ex-prisoners into the community.

### 7.7.2 Services Received From NICRO By The Respondents

*Table 22*

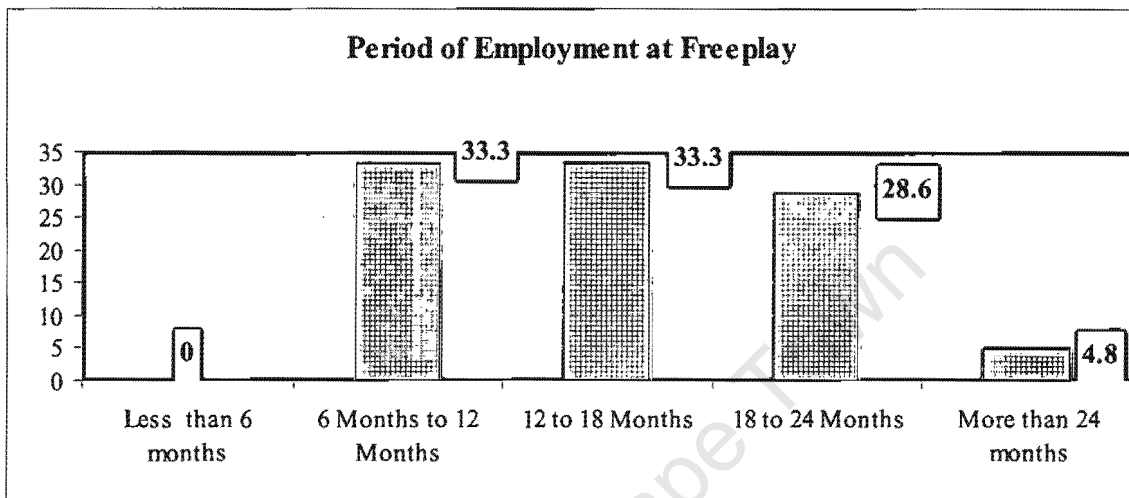
NICRO Services	No	%
No services after placement in employment	19	86.36
Once off contact with NICRO National Coordinator	1	4.55
Once off social work assistance	1	4.55
Material aid from other organisations (referred by NICRO)	1	4.55
<b>Total Number of Respondents</b>	<b>22</b>	<b>100%</b>

- No additional services were made available to 86.36% of clients after they were placed at the Freeplay Energy Factory.

A significant proportion of respondents received no further services from NICRO after they were placed in employment. The literature review alerts the reader to evaluation studies of employment projects for ex-prisoners undertaken by Wilson and Lenihan (1981: 76), which noted that, "*programmes offering employment must also include other services to assist the released prisoner in his or her rehabilitation process*". The fact that respondents did not receive follow up services after placement at the Freeplay Energy factory has also led to problems experienced by the respondents in the work place. This will be discussed further on in this chapter. The literature review also found that there is a need to teach ex-prisoners work related social skills to keep them motivated in their jobs.

### 7.7.3 Period of Employment At The Freeplay Factory

Figure 12



- 66.6% of respondents were employed at the factory for a period of six to 18 months
- 26.6% were employed between 18 and 24 months
- 4.8% was employed for more than 24 months.

Most respondents expressed the view that they were excited at the chance of having employment, although they were experiencing problems with Management. This will be discussed further on in this chapter. When probed if they will leave the factory, most respondents stated that they would remain at the factory as it offered them a sense of security. In 1998 an agreement was signed with NICRO to open another factory that will employ ex-prisoners. The respondents were interviewed in January 2001, that is two years after the opening of the factory.

#### 7.7.4 Problems Experienced By Ex-Prisoners At The Freeplay Factory

**Table 23**

Nature of Problems Experienced	No	%
Discrimination/attitude towards ex prisoners	8	19.05
Racial discrimination	4	11.90
Nepotism	10	2.38
Attitude and treatment by management	1	23.81
Management ignores request for talks/grievances	5	14.29
Production pressure	1	9.52
Accused of stealing	1	2.38
Attitude and treatment by colleagues	6	2.38
Working environment	1	2.38
No respect shown by colleagues	1	9.52
Personal problems of respondent	4	2.38
<b>Total Number of Responses</b>	<b>42</b>	<b>100%</b>

- 42 responses indicated that most respondents experienced more than one problem in the work place
- 19.05% of responses indicate that respondents experienced discrimination towards them in the work place.
- 38.10. % of responses indicates that respondents experienced problems with management's attitude and treatment of them as employees.
- 34.28% of the problems stated by respondents could be described as discriminatory practices, (racial, discrimination against prisoners and nepotism)

The following direct quotes from respondents reflects the problems experienced in the workplace and adds more depth to the above quantification of the findings of this study:

*"No equality. Management shows no respect for staff. Workers cannot talk to management about their problems- they are blocked"*.

*"Management does not listen to workers. They treat us like donkeys "*.

*"Supervisor does not treat me well"*

*"People here take us as prisoners. Lots of work with low wages. There is no communication between supervisors and us"*.

*"Production Manager is rude to me. Does not know how to talk to me"*.

*"Racial discrimination. Coloureds are treated better than blacks. They get the promotion first"*.

*"Stresses as they push you hard for production. Feel pressured at work"*.

*"Treatment is bad. Lots of apartheid. Supervisor shouts at you. Supervisor said – you are monkeys"*.

*"We are in prison in the factory as we are treated badly. Manager of production does not talk to staff in a good manner"*.

*"Racism – we are called 'kaffirs'. They do no speak nicely to you. They do not rehabilitate people. Treated like we still in jail"*.

*"Sometimes treated as if we still in prison. Example, manager's talk in a rude way to us. Unfair rules – if you are late you have to explain"*.

*“Pushed for work far beyond your limit. You get shouted at”*

*“The Human Resource Manager does not support us or talk to us”.*

After listening to the problems experienced by respondents, it prompted the researcher to interview those managers and supervisors who are directly responsible for the units where the ex-prisoners work.

There are various levels of problems reflected in the above statements. Future research needs to investigate whether the prison experience impacts on the ex-prisoner as an employee. Respondents indicated that unfair practice was implemented with regards to late arrivals. However, all work situations have rules that workers should abide by in order to ensure that things run smoothly in the work environment and to ensure maximum productivity.

The researcher is of the opinion that respondents have difficulty in taking instructions from supervisors as they related this to their prison experience. In prison they were ‘commanded’ all the time. The need to achieve maximum production is an aspect that the respondents did not understand. They interpreted instructions as being pushed too hard. It seems that they could be experiencing difficulty when working under pressure.

The prison does not prepare the offender for work outside prison. The researcher is also of the opinion that the direct line managers of the respondents could not cope or understand the ex-prisoner as an employee. Ex-prisoners come to the work place after having been damaged and brutalised by their prison experience.

Later in this chapter the views and perceptions of the Freeplay Energy factory managers will be discussed. This lends a different angle to the above findings. Respondents experienced factory managers as discriminating against them because they were ex-prisoners. Later the findings will show that the managers

perceived ex-prisoners to be difficult and they had difficulty in coping with ex-prisoner employees

### 7.7.5 Respondents' Relationship with Other Staff

**Table 24**

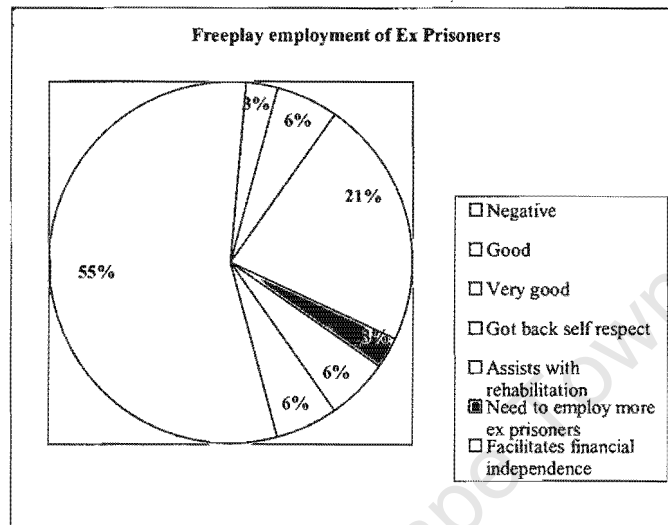
Staff Category	Very Good	Good	Poor	Very Poor
Work colleagues	45.45%	54.55%	0%	0%
General Manager	18.18%	36.36%	18.18%	27.27%
Supervisor	45.45%	27.27%	13.64%	13.64%
Human Resource Manager	0%	4.55%	13.64%	68.18%

- Respondents generally had positive relationships with work colleagues and supervisor
- 45.45% of respondents described relationship with the General Manager as less than satisfactorily
- 81.82% described relationship with the Human Resource Manager as poor to very poor.

This table reflects a contradiction as in 7.74 most respondents complained about the bad treatment from their supervisors and managers a significant percentage of respondents complained about problems they experienced with their line Managers. Most respondents stated that the relationship with the Human Resource Manager was poor. It should be noted that the Human Resource Manager could play an important role in assisting ex-prisoners in adjusting to a structured work environment. It will be noted later that most ex-prisoners had difficulty in adjusting to the work environment. In turn Manager at the factory did not put programmes in place to assist ex-prisoners as employees in their adjustment to the work environment.

### 7.7.6 Respondents' Views on Freeplay Employing Ex-Prisoners

Figure 13



- 55% of respondents stated that the project was good and 21% stated that it assisted them in their rehabilitation process
- 6% also stated that the project facilitates financial independence and a further 6% stated that it gave them back their self-respect.

A significant remark made by some of the respondents was that being employed gave them back their self-respect. Some also believed that it assisted with their reintegration process. Therefore one cannot doubt the value of employment as one of the important components of the reintegration process.

### 7.7.7 Respondents' Views on Areas that Need Improvement

Respondents were asked for their opinions with regards to areas that need to be improved in order to make the Freeplay Energy Project more effective.

**Table 25**

<b>Areas Requiring Improvement</b>	<b>No</b>	<b>%</b>
Follow-up by NICRO required	12	33.33
Management style should change	9	25.00
Discrimination should stop	3	8.33
Employment should be permanent	1	2.78
Percentage of prisoners needs to be increased	2	5.56
Need for further training programmes	3	8.33
Promotion process should be checked	4	11.11
Support and care for ex-prisoners should be provided	1	2.78
Management's human resource skills should be developed	2	5.56
<b>Total Number of Responses</b>	<b>37</b>	<b>100%</b>

- The follow-up conducted by NICRO is seen as the single most important area that needs improvement: (33.33% of responses)
- 25% of the responses pointed out the need for an improvement in terms of management style – this was the second most important area requiring attention.

Respondents expressed the view that improved follow-up services from NICRO were required. Ex -prisoners found that once they were placed at the Freeplay Energy factory, services stopped. Research done by Wilson et al (1981: 7) as reflected in the literature review in Chapter Four concluded that holistic services need to be offered for employment programmes to be effective, and that services should not stop following job placement.

Another significant issue reflected in Table 25 is that 25% of responses reflected that the respondents experienced problems with the management style and felt that significant change in this regard is required. This area needs further exploration, as the focus of this study was not on the management of ex-prisoners as employees. It is possible that the managers at Freeplay Energy Factory did not understand the world of the ex-prisoner. Managers may not have taken into account the traumatic prison experience, or the lack of generic work skills on the part of the ex-prisoners. It is highly likely that these managers expected ex-prisoner employees to attain the same level of productivity as their other employees.

The researcher is of the opinion that it would be realistic to recommend that managers take cognisance of the effects of imprisonment and work at developing support programmes for ex-prisoners as employees in order to enhance their work skills, improve their work ethic and improve productivity.

The following quotes from the respondents add more depth to the finding with regard to improving the project:

*“NICRO workers must check on how we are doing in our jobs”*

*“Management style should change as they do not communicate with workers”/*

*“Need somebody at the factory who will deal with the problems of ex-prisoners”.*

*“Training programmes on how to use money and how to cope with a drug problem should be introduced at the factory”*

*“Workers must be involved in decision making”*

*“Managers must learn to handle ex-prisoners”*

*“Supervisors should be sent on a training course on how to deal and work with ex--prisoners. NICRO should have group sessions to discuss problems at the work place. This will help us cope with our work”.*

The findings of this study reveal, clearly, that respondents have valuable input and suggestions for the improvement of the performance of this project.

### **7.7.8 Respondents’ Suggestions on The Design of Reintegration Programmes**

Respondents were asked for suggestions with regards to the design of reintegration programmes. The researcher asked for their suggestions because in practice, social agencies most often design programmes without asking for or considering input from ex-prisoners themselves. It will also give practitioners insight into what ex-prisoners believes should constitute a reintegration programme.

**Table 26**

<b>Suggestions</b>	<b>No</b>	<b>%</b>
Training and preparation should start in prison	2	3.7
Additional education and skills training	25	46.3
Include recreation	6	11.11
Assistance with development of support system	5	9.26
Involve ex -prisoners in counseling of released prisoners	4	7.41
Material aid	1	1.85
Life skills training	6	11.12
More job creation/ more companies involved	5	9.26
<b>Total Number of Responses</b>	<b>54</b>	<b>100%</b>

- 46.3% of responses indicate that most respondents viewed education and training programmes as vital components for reintegration.

- Life skills training would also be included in a reintegration programme that is 11.12% of responses indicate this.

Respondents were asked to give their suggestions, should they be given the opportunity of developing a reintegration programme for ex-prisoners. They were requested to take their experiences into account.

The respondents identified skills programmes as an essential component of any reintegration programme. The research participants also stated that recreation programmes, job creation, material aid, development of support systems and the counselling of ex-prisoners by ex-prisoners should form part of the reintegration process. The suggestion that ex-prisoners should counsel other ex-prisoners, gives one food for thought. It is standard practice to have a trained social worker, which has never experienced the trauma of imprisonment, to render counselling services to ex-prisoners. After having received training in counselling skills, ex-prisoners could well fulfill the role of counsellor.

#### 7.7.9 Respondents' future plans

**Table 27**

<b>Future Plans</b>	<b>No</b>	<b>%</b>
Unsure if they will continue to have job	2	6.90
Working towards stable family life (marriage and children)	6	20.69
Further own education	3	10.34
Develop own small business	8	27.59
Continue at Freeplay	1	3.45
To continue to be employed	2	6.90
More possessions - house car etc	3	10.34
Occupational skills training	3	10.34
Get involved in church activities	1	3.45
<b>Total Number of Responses</b>	<b>29</b>	<b>100%</b>

Most respondents had difficulty in answering questions about their future plans. The researcher used probes and her skill as a counsellor to encourage them to respond and think about their future. The following became evident:

- 20.69 % of the responses showed that the respondents wanted to get married and have children. This is not surprising as the majority of the respondents were single
- It is interesting to note that 27.59 % of the responses reflected a desire on the part of the respondents to start their own business and achieve economic independence
- 10.34% of the responses indicated a need for further education. A further 10.34% of the responses showed that some respondents were eager to acquire occupational skills training
- Respondents did not tend to talk about career path development.

It was evident that most respondents when asked about their future plans, found difficulty in answering the question. This could be attributed to the fact that most respondents focussed on survival and their immediate needs. They were thus unable to think of the future. It is therefore necessary to assist ex-prisoner to think and plan their future. Especially with regards to financial planning, career path development and skills development.

## 7.8 FREEPLAY MANAGERS' PERCEPTION ON EMPLOYMENT OF EX-PRISONERS

Most of the respondents complained about the poor treatment received from the managers at the Freeplay Energy Factory. This prompted the researcher to interview those managers who were directly involved with the section of the factory that employed ex-prisoners. The Chief Executive Officer was also interviewed as he signed the agreement with NICRO to employ ex-prisoners at the factory. The Director Production, the Production Manager, three factory Supervisors and the Human Resource Manager were interviewed.

### 7.8.1 Managers' Perceptions of Crime Reduction

**Table 28**

<b>Managers' Perceptions of Crime Reduction</b>	<b>No</b>	<b>%</b>
Judicial system that works is needed	1	7.69
More effective police/ more police	2	15.38
Capital punishment to be re-introduced	1	7.69
Restore respect for law and order	1	7.69
Attention to crime prevention	1	7.69
Better paid police	1	7.69
Skills training for police	1	7.69
Crime prevention / awareness programmes	2	15.38
Create employment	3	23.08
<b>Total Number of Responses</b>	<b>13</b>	<b>100%</b>

The views expressed by the managers of Freeplay Energy Factory on strategies for crime reduction reflects the general public opinion.

- If one adds the views of managers with regards to better policing, effective police and skills training for the police, it will give a percentage of 30.76% of

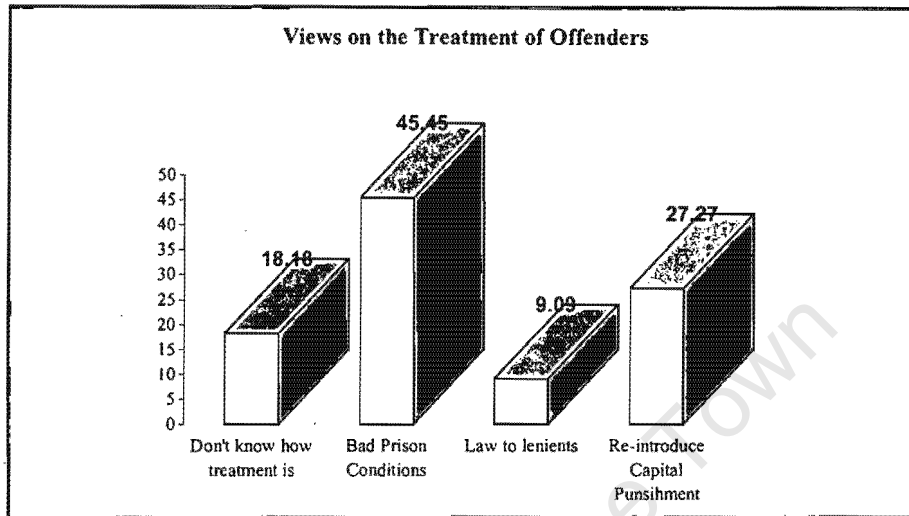
respondents, who are of the opinion that the police have a crucial role to play in reducing crime.

- A significant proportion (23.08%) is of the opinion that employment opportunities will reduce crime.
- 15.38% are of the opinion that more effective policing will reduce crime.
- 7.69 % states that law and order needs to be restored and 7.69% believes that bringing back capital punishment will reduce the crime levels in South Africa.

The opinions given by the manager of Freeplay factory with regards to what is needed to reduce crime, reflects the opinions of the general South African public. managers believe that more effective policing will reduce crime and that re-introducing capital punishment will also have an impact. A significant percentage of responses given also focussed on creating employment as a form of reducing crime. The opinions of the Managers indicate that a multi faceted approach is required to reduce crime. That is the creation of more jobs, crime prevention programmes, effective policing, a judicial system that works and skills training.

### Views Regarding Treatment of Offenders

Figure 14



- Figure 14 reflects that 18.18 % of managers were not aware of how prisoners were treated.
- 45.45% were aware that prison conditions are bad and that this has a negative effect on offenders.
- 9.09 % of managers believe that the law is too lenient. A significant proportion.
- 27.27% believe that capital punishment should be re-introduced. (In the previous table only 7.79 % of opinions expressed believed capital punishment should be re-introduced)

A significant percentage of managers did not know how prisoners were treated.

The tendency of believing that the law should be harsher on criminals is also reflective of societies opinion. Many South African's believe the crime problem can only be resolved by harsher sentences and that capital punishment will reduce violent crimes. Often the researcher would come across community members who refuse to listen to talks on restorative justice and that offenders need to be given a chance by society to re-build their lives. There is a need to develop education programmes for communities and business with regards to the value of reintegration programmes.

### 7.8.2 Managers' Views on Reintegration of Ex-Prisoners

**Table 29**

<b>Managers' Views on Reintegration of Ex-Prisoners</b>	<b>No.</b>	<b>%</b>
Prisons needs more programmes to prepare offender for rehabilitation /release	3	50.00
Should be mentioned in labour law in terms of employment equity	1	16.67
Employers should be forced to employ ex-prisoners	1	16.67
Employment can restore self image	1	16.67
<b>Total Number of Respondents</b>	<b>6</b>	<b>100%</b>

The above table reflects the views of managers at the Freeplay factory with regards to the reintegration of ex prisoners.

- 50% of the respondents believe that more rehabilitation programmes are needed to prepare prisoners for release
- An interesting point made by one manager that the labour law in terms of employment equity should include a clause that includes ex-prisoners as a category of employees.
- One manager also mentioned that employers should be forced to employ ex-prisoners.

Some of the views on the rehabilitation of ex-prisoners are reflected in the following statements, which are direct quotes form the managers of the Freeplay Energy Factory:

*"Prisoners should be given an opportunity to join society again. Prisoners should be mentioned in the labour law as disabled people are. They have a right to be employed. Industry should be forced by law to have a quota of employed ex-prisoners"*

*“If a crime is committed they should be punished. South African law is very lenient. Prisons do not help most offenders as they come out and commit crime again”.*

*“It is important to work on the rehabilitation of ex- prisoners. Need to have more rehabilitation programmes”.*

*“When I started working at the factory, I used to be scared of murderers”*

*. Rehabilitation should work with the individuals and motivate them not to turn to crime”.*

*“Need to create employment. Rehabilitation will not work if ex-prisoners do not have employment”.*

Some of the above opinions are in contradiction to the opinions of managers when they were asked their views about crime reduction and the treatment of offenders in a more general manner, at the beginning of the interview process. Their views as discussed in point 7.7.1 and point 7.7.2 reflect a more punitive angle. However, their responses to the above question (which specifically asked their opinion on the reintegration of ex-prisoners) reflect that they are of the opinion that there is a need to work on the reintegration of ex-prisoners, and that ex-prisoners should be given a chance. It is possible that the managers were more subjective in their opinion as ex-prisoners were working at the factory and they were directly responsible for them. It is also possible that the fact that researcher works for NICRO, and that the organisation is in partnership with Freeplay Energy, could have influenced their responses.

### 7.8.3 Managers' Perceptions of the Role of Employment in Reintegration of Ex-Prisoners

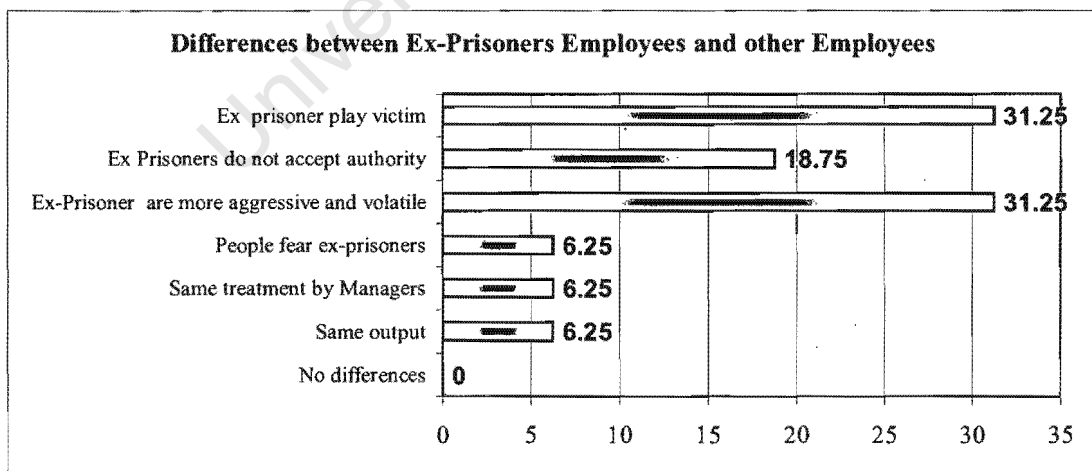
**Table 30**

<b>Managers' Perceptions of the Role of Employment in Reintegration</b>	<b>No</b>	<b>%</b>
None	0	0.00
Prevents re-offending	4	50.00
Plays a pivotal role	4	50.00
<b>Total Number of Responses</b>	<b>8</b>	<b>100%</b>

- The managers were all of the opinion that employment was crucial for the reintegration of ex-prisoners.

### 7.8.4 Managers' Views Regarding Differences between Ex-Prisoner Employees and Other Employees

**Figure 15**



The above figure reflects that all managers were of the opinion that there is a difference between ex-prisoners who are employees and those employees who do not have a criminal record.

- 31.25% stated that ex-prisoner employees played the role of victim.
- 18.75% were of the opinion that ex- prisoners do not accept authority
- 31.25% stated that ex-prisoners were aggressive and violent.
- 6.25% were of the opinion that people feared ex- prisoners
- 6.25% treated ex-prisoner employees like other employees
- 6.25% were of the view that ex-prisoners had to produce like other employees without a criminal record.

The researcher presents the direct transcripts of the opinions expressed by the managers regarding the question whether there is a difference between ex-prisoners as employees and those employees without a criminal record. The following gives the reader further insight into the opinions on this issue:

*“Ex- prisoners are very aggressive. They do not like to take instructions. Some ex- prisoners who are gang members continue to have conflict with other ex prisoners who are rival gang members. They always say ‘ we are not in jail’ and then refuse to abide by factory rules”.*

*“There is a perception that there is a difference. People fear for their safety. Found that when there is a problem at the factory ex prisoners are more aggressive and volatile. They take criticism personally”.*

*“As employees no distinction is made between those that are ex-prisoners and those that are not. Output, productivity and commitment are expected of all workers”.*

*“Ex-prisoners often play victim and say they are being reprimanded because they are prisoners. They live in the past often talking about their bad experience in prison. Some ex-prisoners are very aggressive, they often threaten the supervisors, saying ‘they are not afraid to go back to jail”.*

*“Some ex-prisoners wanted special attention because they are ex-prisoners. They lack confidence and are aggressive. Some are manipulative. However not all ex-prisoners fit into this category”.*

*“Ex- prisoners are more emotional. They take things personally if reprimanded at work. Ex -prisoners often play victim by referring to their experience in prison and how they suffered”.*

The above clearly indicates that ex- prisoners as employees are perceived by their supervisors to have serious problems. For instance their prison experience, which has already caused pain and trauma, seems to impact on their ability to cope in the work environment. Ex- prisoners as employees also seem to have difficulty in accepting and relating to authority. This could be attributed to the fact that in prison they have no option or choice but to accept authority.

The opinions expressed by the managers should be compared with the opinions of ex- prisoners in point 7.6.4 with regard to problems in the work environment. Ex-prisoners perceived managers as treating them differently, as if they were convicts. Managers perceive ex-prisoners to be difficult employees because of their prison experience. Both managers and ex-prisoner employees need to undergo training courses to assist them in relating to one another and more opportunity for communication and exchange of views.

## 7.9 MANAGERS' PERCEPTION ON THE PERFORMANCE OF THE FREEPLAY FACTORY

### 7.9.1 Strengths of Freeplay Energy Factory

*Table 31*

Strengths	No	%
Teamwork	2	20.00
No discrimination / distinction between workers	3	30.00
Chance for ex-prisoners to rebuild life	4	40.00
Reduce crime	1	10.00
<b>Total Number of Responses</b>	<b>10</b>	<b>100%</b>

- 20% regarded teamwork as one of the strengths of the factory
- 30% were of the opinion that there was no distinction made between ex-prisoners as employees and those that were not and that this in itself is strength
- 40% stated that being employed at the factory gave ex-prisoners a chance to re-build their lives
- 10% were of the view that it reduced crime.

The strengths of the factory reflect that employment plays a crucial role in the reintegration process of released prisoners, and that it also reduced the chances of further criminal behaviour. Teamwork was also seen as another strength of the factory. A further strength was that ex-prisoners were not treated differently from other employees without a criminal record.

### 7.9.2 Weaknesses of Freeplay Energy Factory

Table 32

Weaknesses	No	%
Not enough done about counseling and support services	2	18.18
Assumption that ex-prisoner can be left in work place	1	9.09
Employers education of prisoners	1	9.09
NICRO does not do enough re preparation and support clients	1	36.36
Many times prisoners are not ready to be part of structured work environment	4	18.18
Employers education on the criminal justice system	2	9.09
<b>Total Number of Responses</b>	<b>11</b>	<b>100%</b>

- 18.18% of the responses reflected the opinion that counselling and support services for ex-prisoners were lacking
- 9.09% of the responses indicates that the assumption that ex-prisoners do not need to be more closely supervised than other employees was also a weakness
- 9.09% reflected that employers need to be educated on how to manage ex-prisoners because this was lacking: it led to strained relationships between management and employees
- 36.36% of opinions given, viewed the fact that NICRO does not prepare clients for employment as leading to ex-prisoners having difficulty in the work place
- 18.18% of responses reflects that ex-prisoners are often not ready to be part of a structured work environment
- 9.09% were of the opinion that employers needed education on the criminal justice system.

It is evident from the above that there is a need to prepare ex-prisoners for employment in a structured work environment. Their prisoner experience fails to inculcate good working habits, as they do not insist on this while the prisoner is in prison. Social services offered to ex-prisoners focused primarily on job placement and thus failed to meet other needs that ex-prisoners had concerning their rehabilitation and reintegration process. Follow up services after the ex-prisoner is placed in employment is crucial in order to ensure that he/she adjusts to a structured work environment and that other social problems experienced by the ex-prisoner are also dealt with. Another weakness of the project is that it was assumed that ex-prisoners could cope in the work environment without strict supervision. It is evident from the problems experienced by ex-prisoners in the work environment that they require strict supervision in order to assist them in producing good work.

### 7.9.3 Suggestion to Improve Performance of Freeplay Factory

**Table 33**

<b>Suggestions to Improve Performance</b>	<b>No</b>	<b>%</b>
No suggestions	1	7.14
NICRO and the factory should work more closely to prepare and train ex- prisoners	2	28.57
Less interference from NICRO re' ex - prisoners complain	1	7.14
More individual focus on workers to help with coping with work demands	1	14.29
Development of skills training programme	1	7.14
Offer counselling services	3	7.14
Education & awareness about ex-prisoners	4	7.14
NICRO should prepare and support ex - prisoners before job placement	1	21.43
<b>Total Number of Responses</b>	<b>14</b>	<b>100%</b>

- 7.14% of the responses indicate that no further improvements were necessary.
- 28.57% of the responses indicated that in order to improve the performance of Freeplay Energy Factory Project the partnership with NICRO should be improved. It was felt that the factory and NICRO should work together to prepare and train ex-prisoners.
- 7.14% stated that NICRO should not be involved with complaints from ex-prisoners. The respondents expressed the opinion that these complaints should be verified before action by NICRO is taken
- 14.29% were of the opinion that more individual focus on workers should be undertaken to help them to cope in the work environment
- 7.14% stated that skills development programme was needed and 7.14% were of the opinion that counselling services should be offered to improve the project
- 7.14% recommended that staff needed to be trained and educated about ex-prisoners
- A significant proportion of the responses (21.43%) reflected the opinion that NICRO should prepare and support ex-prisoners before they are employed at the factory.

The reader should note that although NICRO is mentioned, comments would apply to any other organisations that have employment projects for ex-prisoners. A report by the US Department of Justice on the impact of employment programmes by Wilson et al (1981: 10) found that most employment programmes for ex-prisoners failed to address the needs of ex-prisoners after they were placed in employment. The programmes also failed to develop career paths for ex-prisoners. An important opinion expressed above is that the partnership between NICRO and Freeplay Energy Factory should be strengthened. This means that NICRO should be involved in conjunction with the factory to assist ex-prisoners in adjusting to the work environment. NICRO could also train managers and supervisors in how to deal with ex-prisoners as employees.

## **SUMMARY: FREEPLAY MANAGERS' PERCEPTION ON THE EMPLOYMENT OF EX-PRISONERS**

The managers at the Freeplay Energy factory expressed their views on ways of reducing crime by focusing on the need for effective policing, employment opportunities, re-introducing capital punishment and crime prevention. When managers were asked general question related to crime they tended to focus on more punitive measures. However, when asked about what their views were on the reintegration of ex-prisoners, all managers were of the opinion that they must be given a chance. This contradicts their initial response to the general questions on crime prevention. Managers were of the opinion that employment was crucial for reintegration of ex-prisoners. There is no doubt that there are differences between ex-prisoners as employees and those employees who do not have a criminal record. The main weakness of the employment project is that it failed to prepare ex-prisoners for employment and that no support services were rendered after they were placed at the factory. It is also evident that ex-prisoners experienced difficulty in adjusting to a structured work environment. In turn the supervisors and managers at the factory did not know how to handle ex-prisoners as employees.

## **CHAPTER EIGHT**

# **CONCLUSIONS**

University of Cape Town

## 8.1 INTRODUCTION

There is no quick fix solution to reducing crime in South Africa. Reintegration can have an impact on the reduction of crime by preventing recidivism. Furthermore, reintegration is a process over which more control can be exercised than any of the other factors, which have been linked to the prevention or, for that matter, the cause of crime. Government, civil society and the business sector should, therefore, focus on reintegration as a valuable and viable method of reducing crime levels in this country. This study has provided valuable insights in respect of the experiences of ex-prisoners in prison and upon release from prison. It has also provided the reader with insights into how released prisoners cope in a structured work environment and the open community. Further it provides the reader with an understanding of how employers view ex-prisoners as employees.

This study has found that reintegration is a process and that employment is a crucial element in this process. Whilst employment has merit, it should, however, not be considered in isolation as it is not the only element that facilitates the reintegration of ex-prisoners. Despite it playing an important role in reducing the incidence of crime, employment is not the magic formula to 'cure' criminality.

The literature review in chapter two focussed on legislation passed since 1994 and subsequent policy frameworks, which alerts the reader to the rights of ex-prisoners to rehabilitation programmes. It then explored imprisonment and attempts from within the prison system at rehabilitating prisoners and preparing them for employment. It was found necessary to discuss the effects of imprisonment as the focus of this study has been on ex-prisoners, and the prison experience unavoidably has an impact on their lives, their attitudes and the success or failure of their reintegration. Reintegration of released prisoners was discussed in broad terms with particular focus on the role of employment in the reintegration process. The partnership between Freeplay Energy and NICRO was placed in context for the purpose of this study, as the research participants were referred by NICRO to Freeplay Energy where they were employed.

## **8.2 Development of Policies Toward Offender Reintegration**

Since 1994 the new democratic government has had many challenges to deal with in order to improve the quality of life of the poor and marginalized people. One of the many challenges is the issue of crime and ways to reduce the levels of crime. Thus government brought about new legislation and amended old laws. This is mentioned in detail in Chapter Two. The emergence of the National Crime Prevention Strategy, the Constitution, the White Paper on Safety and Security, the amended Correctional Services Act and the White Paper on Social Development, all make mention of the need to rehabilitate ex-prisoners. However, the challenge remains in the practical application of these various policy frameworks and legislation. It is evident that the Constitution, which is there to protect the rights of all South Africans, fails to protect the rights of prisoners. An interesting remark made by one of the Freeplay Energy managers at the time the research was conducted was that employers should be forced by legislation to employ a certain quota of ex-prisoners. This notion was not reviewed in the chapter on policy frameworks, but will form part of the recommendations suggested later on in this chapter.

## **8.3 Imprisonment**

The literature review indicates that prisons have failed in their goal of positively changing the behaviour of offenders. Sykes (1970), Barnes and Teeters (1959), Foucault (1979) and Rothman (1990) are all of the opinion that prison causes damage that is difficult to undo when the prisoner is released and returns to society. The use of imprisonment as a form of punishment for criminal behaviour is still the most popular form of punishment in South Africa. Thus prisons are overcrowded and lack adequate resources, which in turn does not produce conducive environments for the rehabilitation of prisoners. Employment opportunities are minimal and training programmes only reach a very small percentage of prisoners. Prisoners are not prepared adequately for life in the open community, nor are they provided with adequate skills to cope with life outside prison. Employment in prison is seen as doing "hard labour". It thus fails to inculcate good work habits and ethics in prisoners.

There is a need for a new attitude on the part of policy makers and the public generally towards the role of prisons. Prisons are often isolated from communities. Some international models mentioned in this study indicate a new way of thinking with regards to improving the role of imprisonment in the reintegration of prisoners. The 'open prison system' is one of the new models of imprisonment that teaches prisoners skills that would prepare them for life outside prison.

The findings of this study corroborate what emerged in the literature review: respondents stated that imprisonment was a traumatic and damaging experience and, in their opinion, failed to rehabilitate them. The findings of this study also conclude that prison does not prepare the respondents for employment upon release. One of the major findings of this study is that ex-prisoners have difficulty in coping with the pressures and demands of the open labour market.

It is concluded that prisons fail dismally in rehabilitating prisoners or in preparing them for reintegration into the community. In fact imprisonment has a disabling effect in terms of released prisoner's capacity to adjust successfully to the complex and demanding open society.

#### **8.4 Reintegration**

The basis of the rehabilitative ideal is that people have the potential to change and live a life free from crime.

It must be reiterated that prisoners are released into society damaged by the system. Ideally the rehabilitation process should begin on the day the offender enters the prison system. However, it is evident from the findings of this study that this is not the case. Society is thus left to deal with the damaged ex-prisoner following his/her release. Society cannot distance itself from assisting ex-prisoners with their reintegration process as these offenders come from society and eventually return after they have served their term of imprisonment. The study has shown that successful reintegration of ex-prisoners requires the support of family and communities. Furthermore, the findings indicate that

the biological family of the ex-prisoner is the most important support network upon release from prison.

The findings also highlighted the fact that most respondents believed that having employment was an important need to be met upon release from prison. The relationship between unemployment and crime was explored through the literature review and by this study. Many in society are of the opinion that unemployment is no excuse to commit crime. However, according to Wilson et al (1981) and Box (1987) unemployment is a contributing factor to crime. While studies explored by Crow (1989) found that there is a link between unemployment and crime, he cautions that it is not the only factor that causes crime. Based on the data collected from the research participants this study has shown that unemployment can lead to crime. The majority of the participants indicated that financial need was the reason for having committing crimes. However, it must be noted that when asked if employment prevents crime, respondents were of the opinion that having employment does not automatically mean that people would not commit crime. The findings reveal that even if ex-prisoners were employed the need to feed a drug habit or greed could result in them committing crime. Nevertheless, employment is a key factor in enabling a person to lead a socially constructive life.

The findings of this study show that employment is not the only crucial element in the reintegration of ex-prisoners. It concludes that other factors such as support services, family and community support and spousal support, in particular, play an important role in the reintegration of ex-prisoners. The findings of Rotman (1990), Box (1987) and Wilson et al (1981) endorse this. The researcher cautions that there is a need for further scientific research to analyse the relationship between unemployment, crime and other related factors.

This study also explored some innovative international employment models for prisoners and ex-prisoners, showing that these programmes have proven to be effective in reducing the rate of recidivism. The study of these programmes alerts the reader to another interesting perspective: such prisoners and ex-prisoner employment programmes should not focus exclusively on technical skills training. Generic work skills such as motivation, coping with work demands and behaviour in the work place should also be taken into

account. This is especially relevant because the study revealed that respondents experienced problems in the workplace. This will be discussed later in the chapter.

This study did not attempt in any way to evaluate the Freeplay Energy Factory project. It explored the views of ex-prisoners with regards to the role of employment in their reintegration process. However, it emerged from the findings that research participants experienced problems in the workplace and that the management of Freeplay Energy factory had problems with managing ex-prisoners as employees. The findings showed that ex-prisoners had difficulties in the work place with limited skill to resolve these difficulties. They were unable to cope with work pressure and had difficulty in relating to authority, that is their direct line managers. It was discussed in Chapter Four that employment projects should not only focus on technical skills but should also concentrate on developing the generic work skills of ex-prisoners. This will enable them to cope in the work environment. The findings also revealed that respondents received no follow-up services after being placed in the job. The US Department of Justice programmes, mentioned in Chapter Four, highlight the importance of focussing on a range of services and not only on job placement. These services range from life skills, to remedial classes and a range of supportive services.

The Freeplay factory employment project is used as an example in this study. As such the findings can be used as a pilot for future employment projects of this nature. The secondary aim of the project was to explore the views of the Freeplay management staff regarding the reintegration of offenders through employment. The findings showed that the Freeplay management team lacked an understanding of criminal justice issues. It also found that management was out of their depth and unable to effectively manage ex-prisoners as employees. Furthermore, it was evident from this study that ex-prisoners exhibit problem behaviour in the work place. This was not the focus of the study and would therefore require further research.

It can be concluded that the reintegration of ex-prisoners does not stop once they are placed in employment. There is a need for follow-up services and continued support of the ex prisoner in the work place. Ex-prisoners should be prepared for employment by teaching them generic work skills as well as technical skills. It can also be concluded that

employers must be trained in how to deal with ex-prisoners and also understand the issues related to criminal justice.

As indicated previously the viewpoint of ex-prisoners (those who have experienced the prison system and undergone the reintegration process) is of crucial significance. They are the best people to provide input on the design of reintegration programmes. Subsequently this study, which is mainly qualitative in nature, solicited the view of the research participants on programme design and focused on their actual life experiences. This study concludes that ex-prisoners can and should influence the design of reintegration programmes.

The development of partnerships between business and social service organisations is a new concept that is gaining momentum in South Africa. Although not the main focus of the study, it shows that there is value in building partnerships to address social problems. The project, Corrections Clearing House, mentioned in Chapter Four achieved its goals of implementing viable reintegration programmes through the formation of partnerships with relevant organisations. The Freeplay Energy Factory project is unique in South Africa. The partnership established between NICRO and Freeplay Energy is the only one of its kind in this country. This venture does not simply provide jobs for ex-prisoners; it is also a for-profit business, which, by its very nature, has to show high levels of production.

The findings of this study are not conclusive regarding the partnership between NICRO and Freeplay Energy Factory. While this partnership has merit, there is a need for further research to analyse its nature and to determine its strengths and weaknesses.

The study focused on the experiences of ex-prisoners in the workplace and how this impacts on their reintegration. However, from the findings it emerged that the NICRO-Freeplay partnership was problematic in that both organisations have failed to render holistic services to facilitate the reintegration of ex-prisoners through employment.

The findings of this research conclude that the factory, Freeplay Energy, focuses on productivity and fails to adequately meet the other goal: the reintegration of ex-prisoners.

NICRO, the social service organisation, places ex-prisoners in employment after which their services cease. This results in a lack of social welfare services, such as counselling, when problems are being experienced by ex-prisoners who find difficulty in coping with the demands of employment.

The study further concludes that in order to facilitate the successful reintegration of ex-prisoners into society, employment projects should form part of a holistic package of services. For example, should an ex-prisoner have a drug or alcohol addiction problem, services should be geared towards dealing with this problem before s/he is placed in a job, and should continue while the person is in employment. The findings clearly indicate that if ex-prisoners are not adequately prepared for employment or do not receive follow up services when placed in employment goal of the reintegration process is defeated.

## 8.5 RECOMMENDATIONS

### 8.5.1 Policy and Legislation

- Non-governmental organisations should play a more active role in monitoring the observance of internationally recognised human rights instruments, such as the United Nations Standard Minimum Rules for the Treatment of Prisoners. Non-governmental organisations must advocate penal reform.
- Written policy for the employment of ex-prisoners should be included in the Employment Equity Act. Each company should have a policy, which stipulates that a percentage of the work force should comprise ex-prisoners.
- The Skills Development Act, which calls for the development of skills of the workforce, should also include an ex-prisoner category.
- A percentage of the skills levy should be set aside for the training of ex-prisoners and the development of employment projects for ex-prisoners.
- Government, organs of civil society and business need to work together to implement the plans set out in the National Crime Prevention Strategy to effect successful offender reintegration.

### 8.5.2 Imprisonment

- The present problem of overcrowded and under-resourced prisons should be addressed by both non-government organisations and the Department of Justice as a matter of urgency. Justice should ensure the use of alternative sentencing options for those prisoners who have committed minor offences. Because of its ineffectiveness in reducing recidivism, and its socially and psychologically damaging nature, imprisonment should only be used as a last resort, for those offenders who pose a serious threat to society. Non-governmental organisations should advocate and lobby for this change to take place in order to reduce the prison population, and to

render imprisonment more humane and more effective in terms of offender rehabilitation.

- A new attitude on the management of prisons is required. International models of the 'open prison system' should be explored in order to offer prisoner's rehabilitation services that reflect the realities of life in the community.
- The Department of Correctional services should increase both staff and organisational capacity to ensure that all prisoners have access to training and development programmes within prisons.
- The Department of Correctional services should form partnerships with industry in order to create employment opportunities for prisoners and ex-prisoners.
- Inter-sectoral partnerships should be developed. The Departments of Arts and Culture, Labour and Social Development could all contribute to rendering services to prisoners to assist with creating opportunities for employment and for social skills development. The Department of Arts and Culture could be involved in teaching prisoners to make cultural products, which could be sold to the tourism industry.
- Prisoners should be paid a fair wage for work produced. A percentage of this wage should be given to the family of the prisoner in order to reduce their dependence on state welfare.
- The Department of Correctional Services should recognise prisoners as workers with full rights.
- Prison labour should be treated as part of the South African workforce and not as a separate entity.
- Prisoners should learn both technical skills and generic work skills in order to prepare them adequately for employment upon release.
- Prison labour should be seen as a tool for offender reintegration and not as a form of punishment. This can only be achieved if the Department of Correctional Services change current labour practices so that these are in line with the real world outside of prison.
- All prisoners should be released from prison with a well prepared, written reintegration plan when they are released from prison. This process can be

undertaken in partnership with non-governmental organisations to ensure a continuation of support services.

- An inter-governmental task team should be formed to improve prison conditions in order to prevent the major social and psychological damage to inmates.
- Training of prison personnel should be a priority in order to improve their management of prisoners and the prison system.

### **8.5.3 Reintegration**

- Ideally the reintegration process should begin on the day the prisoner is incarcerated and continue upon his/her release from prison.
- In order for reintegration to be effective, programmes must contain a wide spectrum of services, such as counselling, trauma debriefing, problem solving skills, technical and generic work skills and support services in order to facilitate the effective reintegration of ex prisoners.
- Debriefing counselling to assist the released prisoner in dealing with the trauma of imprisonment should form an important element of reintegration services.
- Community reintegration support groups should be formed in order to support the released prisoner. These support groups can be composed of representatives from the community, the family, the church pastor or priest, the parole officer and a social worker.
- Mentors should be trained from the community to monitor the released prisoner's reintegration plan and support him/her in achieving the goals set out in the plan.
- Reintegration programmes should be informed by research. Measurable outcome must be identified and determined in order to evaluate the impact of such programmes.

#### 8.5.4 Ex-Prisoner Employment Programmes

- Employment programmes, that is job placement, for ex-prisoners should not be focussed on exclusively and should not be the only form of intervention offered.
- Employment programmes should offer a range of services, such as counselling, social skills development, programmes dealing with conflict and resolving problems encountered by the released prisoner.
- Employment programmes should also focus on offering generic work skills to ex-prisoners.
- When ex-prisoners are placed in employment, follow up services should be offered to ensure that they cope with the work environment.
- Employers who employ ex-prisoners must be trained on how to manage ex-prisoners as employees. They should also be educated in terms of criminal justice issues.
- In order to reintegrate ex-prisoners successfully and offer employment programmes, forming part of the reintegration process, a multidisciplinary approach is required. This approach will pool resources in order to provide a comprehensive and holistic approach to the reintegration of ex-prisoners.
- Partnerships between social service organisations and the business sector must be encouraged in order to offer ex-prisoner's employment opportunities and a chance to re-build their lives.
- The Department of Justice, like the US Department of Justice, should provide funding to the Department of Labour to develop employment programmes for released prisoners.
- Because of the paucity of information available there is a need for research institutions in South Africa to form partnerships and conduct research into the issues affecting the reintegration and employment of ex-prisoners.
- A social audit of reintegration and employment programmes in South Africa should be undertaken. The impact of these programmes should be

evaluated in order to develop best practice models, which can then inform practice.

- Follow-up services, such as continued counselling and support services must be offered to ex-prisoners when they are placed in employment.
- Ex-prisoners should be involved in the design of reintegration programmes. They have experienced life in prison and have knowledge that would lend more depth to the programmes designed by social service organisations.

#### **8.5.5 Future Research Opportunities**

- There is a need to conduct research in South Africa that could be generalised by using an experimental and control group to evaluate the impact of employment programmes on the reintegration of ex-prisoners and whether participation in such programmes results in a reduction in crime on the part of such participants.
- Further research should be conducted to ascertain why ex-prisoners have difficulty in adjusting to the formal work environment.
- Research is also needed to determine whether ex-prisoner's traumatic prison experiences impact on how they cope in the work environment and the open society generally.
- Evaluation research is needed to evaluate the impact of best practice models in respect of reintegration and employment programmes for ex-prisoners.
- Future research is needed to explore the relationship between unemployment and crime. Questions for which there are no definitive answers are: Does employment prevent further crime? Why do employed people still commit crime?
- Research is also need on whether unemployment results in high levels of property crimes.

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