

A Study of Multiple Causes of Recidivism Among Youth Offenders at Thohoyandou
Female/Juvenile Correctional Centre in the Vhembe District, Limpopo Province

by

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Research project for the
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DECLARATION

I, **Banda Andrew**, declare that the research project hereby submitted by me is my original work and has not been submitted for any degree at any other university or institution. The proposal does not contain other persons' writing unless specifically acknowledged and referenced accordingly.

Signed (Student) Date

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TABLE OF CONTENTS

(a) Declaration	i
(b) Acknowledgements	ii
(c) Abstract	iii
1. CHAPTER ONE: INTRODUCTION AND BACKGROUND	1
1.1 INTRODUCTION AND BACKGROUND	1
1.2 PROBLEM STATEMENT	4
1.3 PURPOSE OF THE STUDY	5
1.4 OBJECTIVES OF THE STUDY	5
1.5 RESEARCH QUESTIONS	5
1.6 SIGNIFICANCE OF THE STUDY	6
1.7 DEFINITIONS OF CONCEPTS OF THE STUDY	7
2. CHAPTER TWO: LITERATURE REVIEW	8
2.1 THEORETICAL FRAMEWORK	27
3. CHAPTER THREE: RESEARCH METHODOLOGY	30
3.1 INTRODUCTION	30
3.2 RESEARCH DESIGN	30
3.3 POPULATION AND SAMPLE SIZE	30
3.4 SAMPLING PROCEDURE	31
3.5 LIMITATIONS OF THE STUDY	31
3.6 UNSTRUCTURED INTERVIEW	32

3.7 DATA COLLECTION	32
3.8 DATA ANALYSIS	33
3.9 ETHICAL CONSIDERATIONS	33
3.9.1 Informed Consent	34
3.9.2 Confidentiality and Anonymity	34
3.10 CHAPTER DIVISION	35
3.11 CONCLUSION	35
4. CHAPTER FOUR: DATA INTERPRETATION AND DISCUSSION	36
4.1 INTRODUCTION	36
4.2 THEME ONE: KNOWLEDGE ABOUT RECIDIVISM	36
4.2.1 Factors leading to Recidivism / Re-offending	37
4.2.2 Re-offending Continuously (Habitual Offenders)	38
4.3 THEME TWO: FAMILY SUPPORT DURING INCARCERATION	39
4.3.1 Parental Visits in Correctional Centre	40
4.4 THEME THREE: SOCIAL CONTRIBUTORY FACTORS	41
4.4.1 Drugs and alcohol abuse	41
4.4.2 Violence	42
4.4.3 Gangs	43
4.4.4 Unemployment and Poverty towards Re-offending	43
4.5 THEME FOUR: THE REINTEGRATION OF OFFENDERS BACK TO THE SOCIETY	44
4.5.1 Community Reintegration	45
4.6 THEME FIVE: THE IMPACT OF THE DEPARTMENT OF CORRECTIONAL SERVICES TO OFFENDERS	46
4.6.1 DCS Stakeholders	47

4.6.2 The Effectiveness of Stakeholders in the Department	48
4.6.3 DCS Infrastructure Contributes to Re-offending	49
4.6.4 Separation of Offenders	50
4.6.5 Intervention Plans for Re-offending	51
4.6.6 Prevention of Re-offending	52
5. CHAPTER FIVE: CONCLUSIONS AND RECOMMENDATIONS	54
5.1 Theme one: Knowledge about Recidivism	54
5.1.1 Conclusion	54
5.1.2 Recommendations	55
5.2 Theme Two: Family Support during Incarceration	56
5.2.1 Conclusion	56
5.2.2 Recommendations	57
5.3 Theme Three: Social Contributory Factors	58
5.3.1 Conclusion	58
5.3.2 Recommendations	58
5.4 Theme Four: The Re-integration of Offenders back to Society	59
5.4.1 Conclusion	59
5.4.2 Recommendations	60
5.5 Theme Five: The Impact of the Department of Correctional Services	60
5.5.1 Conclusion	60
5.5.2 Recommendations	61
6. REFERENCES (BIBLIOGRAPHY)	62
7. APPENDIX	65
(a) Proposed budget	65

(b) Work plan

68

ABSTRACT

This research was conducted in the Thohoyandou Correctional Centre within the Female/Juvenile place found in the Thulamela Municipality in the Vhembe District. It is approximately 200km to the north of Limpopo Provincial capital of Polokwane. It focuses on finding out factors that influence offenders to re-offend again, investigate recidivism among youth offenders and identify some of the problems relating to recidivism. The research consisted of juvenile offenders incarcerated in the Thohoyandou Correctional Centre within the juvenile area. Both groups of sentenced male and female juveniles participated in the study. The research used non-probability sampling. Purposive sampling was used to gather information within the Thohoyandou Correctional Centre. The research used interviews and focus group interviews as methods of collecting data. The interviews were conducted using English and Tshivenda then the responses were translated from Tshivenda to English. The researcher interviewed young offenders who have offended and re-offended. The researcher used grounded theory as a method to analyse data. This method helped the researcher to generate theory from the data collected.

KEY WORDS: Multiple Causes, Offenders, Recidivism, Female / Juvenile, Correctional Centre.

CHAPTER ONE: INTRODUCTION AND BACKGROUND

1.1 INTRODUCTION

Recidivism is defined as the act of a person repeating an undesirable behaviour after he/she has either experience negative consequences of that behaviour or has been treated or trained to extinguish that behaviour (McKean & Ransford, 2004). It is also used to refer to the percentage of former prisoners who are rearrested for a similar offence. It is also referred to as the lapse into criminal activity and is generally measured by a former prisoner's return to prison following a new offense. Rates of recidivism reflect the degree to which released inmates have been rehabilitated and the role correctional programs play in reintegrating prisoners into society. The rate in recidivism in the United States of America is estimated to be about two-thirds, which means that two-thirds of released inmates will be incarcerated within three years. High rates of recidivism result in tremendous costs both in terms of public safety and in tax dollars spent to arrest, prosecute, and incarcerate re-offenders. High rates of recidivism also lead to devastating social costs to the communities and families of offenders, as well as the personal costs to the offenders themselves. Due to these severe costs, programs for inmates and released inmates that reduce recidivism can be cost-effective even those that have modest rates of success (United States Bureau of Justice Statistics, 2002).

According to the United States Bureau of Justice Statistics of 2002, the most recent recidivism study estimated the recidivism patterns of about 400,000 persons released from state prisons in 30 states in 2005. Two studies (Social Policy Research, 2004 & Office of Crime Statistics and Research, 2005) come closest to providing national recidivism rates for the United States of America. One tracked 108,580 state prisoners released from prison in 11 states in 1983. The other tracked 272,111 prisoners released from prison in 15 states in 1994. The prisoners tracked in these studies represent two-thirds of all the prisoners released in the United States for that year. The relationship between illiteracy and criminal behaviour was established long before the Walnut Street Jail opened in Philadelphia in 1790 and remains as one of the major issues in corrections today. Jenkins found that 85% of the incarcerated population did not graduate from high school, and statistics from the US Dept. of Education indicate that 65% of inmates are illiterate.

A 1994 recidivism study estimated that within 3 years 51, 8 percentage of prisoners released during the year were back in prison either because of a new crime for which they received another prison sentence or because of a technical violation of their parole. According to the Australian Bureau of Statistics of 2006, juveniles' detainees were examined with the findings suggesting that approximately half of all juveniles in detention across Australia have spent time in prison. On at least one prior occasion more than half of those released from detention will be reconvicted within at least six months, and nearly eight in every 10 juveniles released from detention will be subject to supervision (community or custodial) by a corrective services agency within seven years and almost half will be imprisoned as an adult juvenile detainees are likely to be reconvicted of new offences much sooner than adult prisoners (Australian Bureau of Statistics, 2006) .

Similar to the studies of adult offenders, those for the juvenile offender population used convenience samples of police arrestees, court attendees, court convictees and community corrections participants. These studies (Social Policy Research, 2004 & Office of Crime Statistics and Research, 2005) suggest that: around half of juveniles police arrestees have been arrested at least once in the 12 months prior to their current arrest; three percent of police arrestees had spent some time in detention in the past 12 months approximately half of the juveniles appearing before a youth or children's court will have been convicted previously approximately one-third of juveniles appearing in the youth or children's court will be reconvicted before the age of 18, increasing to two-thirds when early adulthood convictions are included. Recidivism should be understood within the context of the life stage referred to as youth (United States Bureau of Justice Statistics, 2002).

The South African Development Communities (SADC) comprises of countries such as Mozambique, Zimbabwe, Zambia, Malawi, Lesotho, Botswana, Namibia, and Swaziland. These are South African neighbouring countries found in the south of Africa. According to the international centre for prison studies 2014, the juvenile prison population in the SADC region since 2009 until to this date is as follows; The Mozambique Prison is under the Ministry of Justice. It has 0.0% juvenile offenders since 2009. The Namibia correctional service has 1.1% juvenile offenders under 19 since 2013. The Lesotho Prison is under the Ministry of Justice, Human Rights and Rehabilitation. The Lesotho Correctional Service has 3.1 juvenile offenders under 18 since 2013. The Botswana Prison is under the Ministry of State President, Defence, Justice and Security. It has 6.6% juvenile offenders under 18 since 2013 (International Centre for Prison Studies, 2014).

The Swaziland Prison is under the Ministry of Justice and Constitutional Development. It has 0.7% juvenile offenders under 18 since 2009. The Malawi Prison Service is a department under the Ministry of Internal Affairs and Public Security. Its operations are provided for under the law of Malawi Chapter 9.02 and the Constitution of the Republic of Malawi Section 17.163. It is regulated by Prisons Act of 1966. The juvenile offenders under the age of 18 since 2014 incarcerated in the Malawi Prison are 7.7%. The Zimbabwe Prison Service is under the Ministry of Justice, Legal, and Parliamentary Affairs. It has 0.5 % of Juvenile under the age of 18 incarcerated since 2014. The Zambia Prison Service is one of the agencies of Zambia's Criminal Justice System, falling under the Ministry of Home Affairs. The service is charged with the mandate of managing and controlling Prisons and Prisoners lodged therein. The Zambian Juvenile offenders under the age of 18 since 2013 are 2.5% (International Centre for Prison Studies, 2014).

When looking at crime statistics in South Africa, and the ages of the perpetrators, offending behaviour seems mostly prevalent among older adolescent and young adults of 18 and 25 years of age. The interpretation of these statistics indicates that the majority of offenders seemed wedged between the sixth and seventh stages of development which, among other reasons led to incarceration. The National Youth Policy Document of 2000 defines youth as any persons between the ages of 14 and 35 years. This is a very broad definition of youth. It is a definition with varied categories of youths, who have been exposed to different socio-political and historical experiences. A 35-year-old youth lived during a period of heightened political conflicts, when he or she was a learner in school, while a 14 year old youth is growing up in an environment when many of the new reforms and achievements of the struggles are being realized (National Youth Policy 2000).

The Department of Correctional Services regards a person between the ages of 14 and 25 years as a youth. Many of these youths form sub-cultures, with no discernible livelihood to turn to, and have resorted to violence and crime for survival. Violence and crime in South Africa has emerged as a major national issue of concern. A number of communities are becoming increasingly criminalized because of the youth gangs proliferating in this country. South Africa is therefore faced with the spectre of a disempowered, anomic youth lumpen – proletariat, which is increasingly beginning to undermine the urban economy and society at large (Tshiwula, 2001: 26).

Many of these youths are alienated by mainstream society and are becoming criminalized. However, irrespective of the age differences the commonality among the 14 to 35 years olds is that they are all perceived as in transition into independent adulthood, such as being

employed, taking responsibility for family life, participating in community decision making processes, and owning property. Many young people however, experience being labelled youth for extended periods and many more never graduate into adulthood. The concept youth remains controversial. It is on the whole a social construction, portraying different meanings to different segments of the population. For some people it portrays a violent undisciplined criminal element in society, for others, it connotes an excluded marginalized segment of the population (Tshiwula, 2001: 26).

The South African government has introduced a Child Justice Act, Act 75 of 2008, defines a child as any person under the age of 18 years. This Act deals with the Child Justice court and the criminal trial of a child. The Child Justice Act provides that a child must be assisted by his parent, guardian or an appropriate adult in child justice court. Section 66 of the Child Justice Act encourages the speedy conclusion of trials with a few postponements as necessary. The range of sentences available to the child justice court include: Community-based sentences, Restorative justice sentences, Correctional supervision, Suspended sentences, Penalties in lieu of a fine or imprisonment, Custodial sentences to a child and youth care centres or prison.

1.2 PROBLEM STATEMENT

There is an increased level of recidivism among youth who are incarcerated. It is the researcher's experience that many of the juveniles in custody often have to return to prison as re-offenders, or because of parole or correctional supervision conditions that have been broken. Furthermore, some youth come from dysfunctional families that also provide fertile ground for acts of criminality. Lack of delivery of basic socio-economic needs, such as employment public infrastructure, social recreational infrastructure and poverty, combined with dysfunctional families also provide the basis that put the youth at risk. Dysfunctional families also provide the circumstances for young ex-offenders to relapse to a life of crime. A complicating factor in the occurrence of re-offending is the fact that the juvenile offender often has to go back to the same community and family circumstances where he was before his incarceration; neutralising all possible positive effects the rehabilitation programmes in the correctional centre may have had on him. A valid concern is that a pattern of re-offending starting at such a relatively youthful age may be the onset of a life-long pattern of crime with all its consequences for a future family (Sickmund, 2012: 11).

1.3 PURPOSE OF THE STUDY

1.3.1 The aim of the study is as follows:

- To investigate the multiple contributory factors of recidivism among youth offenders incarcerated in the Thohoyandou Female/Juvenile Correctional centre

1.4 OBJECTIVES OF THE STUDY

The main objective of the study was to find out factors that influence offenders to re-offend again. The study aimed also to investigate recidivism among youth offenders and to identify some of the problems relating to recidivism.

1.4.1 The objectives of the study are as follows:

- To investigate the contributory factors of recidivism.
- To explore the role of the Department of Correctional Services in addressing recidivism.
- To contribute in the reduction and prevention of recidivism among youth offenders in the society.
- To address the impact of recidivism amongst youth who are incarcerated in the correctional centre.

1.5 RESEARCH QUESTIONS

1.5.1 The research questions guiding this study are as follows:

- What are the contributory factors of recidivism?
- What role does the Department of Correctional Services play in addressing recidivism?
- What can be done to reduce and prevent the rate of recidivism among youth in the society?

- What is the impact of recidivism amongst youth who are incarcerated in the correctional centre?

1.6 SIGNIFICANCE OF THE STUDY

According to Creswell (1994: 244) significance of a study should describe the importance of the study for a selected audience. The study sought to find the multiple causes of recidivism among youth offenders at the Thohoyandou female/juvenile centre. According to Glanz (1994: 27), the most important instruments for the explanation of juvenile misbehaviour and offending in the South African context were abstract from the theoretical and empirical sociological literature on these phenomena. Two particular types of factors or variables were distinguished, namely (i) variables or premises (social class and group) that are embedded in the most important socio-etiological theories of juvenile misbehaviour and offending, and (ii) socio-demographic and other variables (gender, age, the family, the school, unemployment and poverty, alcohol and drug abuse, political instability and violence) that serves as a basis for hypotheses in research on juvenile misbehaviour and offending.

Youth are therefore increasingly challenged by pull factors in society such as peer groups, drug and alcohol use, high-risk leisure time activities, such as train surfing and promiscuous sexual activities, as well as exploitative adults who pay children for sexual favours or traffic them with the promise of a job opportunity. They are also progressively more involved in serious offenses, such as murder, rape, robbery, and hijacking. The endemic drug (e.g. dagga and tik) and alcohol use in South Africa is among youth is a further cause for concern. Youth growing up in informal settlements and other substandard environments are exposed to violence and a culture of wrong doing on a daily basis (Kratcoski, 2012: 70).

Therefore, it is hoped that the study results will benefit all youth who have not yet offended, those who are awaiting trial and those who are incarcerated in the Thohoyandou Correctional Centres and various Correctional Centres around the country not to re-offend again or think of committing crimes. The study will also benefit adult offenders in various correctional centres not to re-offend again.

The study has added a new dimension of knowledge with regard to recidivism within the Thohoyandou Correctional Centre in the Vhembe District of the Limpopo Province. It will also

assist the Department of Correctional Services towards the reduction of recidivism in all their correctional centres around the country. The study will also assist parents, NGOs, youth centres or agencies in addressing issues relating to youth offending within the societies.

1.7 DEFINITIONS OF KEY CONCEPTS OF THE STUDY

Recidivism

Recidivism refers to an act of a person repeating an undesirable behaviour after he/she has either experienced negative consequences of that behaviour. It also refers to the percentage of former prisoners who are rearrested for a similar offense (Bureau of Justice Statistics, 2006).

Youth

Youth is defined as persons of all population between the age of 14 to 35 years of age (National Youth Commission Policy, 1997).

Offender / Inmate

Offender / Inmate means any person whether convicted or not, who is detained in custody in correctional centre or remand detention facility or who is being transferred in custody or is en route from one correctional centre or remand detention facility to another correctional centre or remand detention facility (Correctional Services Act, 1998).

Correctional Centre

Correctional Centre means any place established under this Act as a place for the reception, detention, confinement, training or treatment of persons liable to detention in custody or to placement under protective custody (Correctional Services Act, 1998).

Juvenile

Juvenile refers to any persons or individuals below the age of 18 (Whitehead & Lab, 2013).

CHAPTER TWO: LITERATURE REVIEW

The study will focus on the Department of correctional Services White Paper on corrections of 2005, journals in recidivism, correctional services in focus, careers in juvenile justice system. Recidivism is defined as the act of a person repeating an undesirable behaviour after he/she has either experienced negative consequences of that behaviour or has been treated or trained to extinguish that behaviour. It is also used to refer the percentage of former prisoners who are rearrested for similar offence. Peersen, Sigurdsson, Gudjonsson and Gretarsson (2004:128) concluded that the basic assumption underlying prediction of offending behaviour is that persistent offenders have similar characteristics such as anti-social personality features, which have different behavioural manifestations at different age levels and that the most serious delinquents become the most serious adult offenders. They furthermore concluded that the majority of adult offenders have a juvenile criminal record. Thus, for some offenders there is continuity of delinquency into adult criminal behaviour.

Peersen et al. (2004: 200) also observed that distribution curves of offending consistently show a rise in delinquency from age 10 to a peak between 15 and 18, followed by a moderate decline after the age of 21. It is suggested that a contemporary maturity gap encourages teens to mimic anti-social behaviour in ways that are normative and adjusting. The majority of juveniles refrain from further offending by the age of 18 - 21. Grubin and Wingate (1996:349) make the observation that it is often said that the best predictor of future behaviour is past behaviour. After studying the results of various studies, they noted that recidivism rates in first offenders range from 10% to 21% compared with rates of 33% to 71% in those with past convictions. This implies that once a person has committed a crime, the higher the chance that the criminal behaviour will be repeated. They observed that a follow-up study (1994: 350) of nearly 13 000 offenders of all types released from prison in England and Wales in 1987, for example, found that men with a history of sex offences were more likely to be convicted of a sex offence over the next four years than those with no history of sexual offending. 7% of released offenders with such a history were responsible for 31 % of the subsequent sex offence convictions, which was highly significant finding (Peersen et al. 2004: 200).

The practical importance of this finding in terms of actual numbers, however, is less impressive than the statistical significance would suggest. Of the 926 men with a history of sex offending, just 61 (7%) were actually convicted of another sex offence, and though only 1% of the remaining sample were convicted of a sex offence, in real terms the latter 136 men represented twice as many future sex offenders. Fifteen percent of prison inmates score below 75 on the Wechsler Scale of Adult Intelligence (revised), indicating a substantially higher than average rate of mental retardation; and 70% have no skill or trade education. Recidivism is also disproportionately committed by people from socially excluded backgrounds. According to the Offender Profile Development Manual (Department of Correctional Services, 2004:33) social exclusion is what happens to people as a result of the combination of linked problems such as unemployment, discrimination, poor skills, low income, family background, and other social disadvantages (Reichel, 1994:6).

According to Du Preez (2000:38) the profile of the recidivist demands different development methods in dealing with recidivism. For correction to be effective, therefore, it must be induced on the basis of knowledge about this uniqueness, particularly the motivators of the recidivating behaviour and the environment that encourages it. The relationship between age and crime has been the subject of considerable criminological analysis. It has been suggested that "... probably the most important single factor about crime is that it is committed mainly by teenagers and young adults. According to a National Institute for Justice Paper which was done on violent crime by young people, "age is so fundamental to crime rates that its relationship to the offending is usually designed as the "age of crime".

The curve, which for individual typically peaks in the late teen years, highlights the tendency for crime to be committed during the offender's younger years and to decline as the age advances. Most criminologists concur that there is a direct relationship between age and the propensity to commit crime. Herrnstein (1995: 42), for example, argues that "the typical offender is a young male probably between the age of fifteen and twenty-four." Conviction, offending, re-offending and arrest rates, as well as other information on criminal offenders, show that juveniles throughout the world tend to commit crimes far in excess of their proportion of the general population. That is, in most countries teenagers and young adults are considerably more likely to engage in criminal activities than adults and children. In 1993, the Institute for Criminology at the University of South Africa (UNISA) analysed a random sample of criminal records of some 4 800 offenders who were previously convicted and were again convicted again during 1993. Eighteen (18) of the sampled offenders, most were first convicted while they were in the age group between seventeen and nineteen. This was the

case for all race groups except for white youths who were the most likely to receive their first conviction aged 20 - 22 (Payne 2005: 25).

The specifications by which a sample of offenders is selected and their offending is examined are therefore crucial to understanding the recidivism estimates. They help identify the group of offenders to whom the recidivism results can be generalised, as well as the groups to which they cannot. In the hypothetical example cited above, the recidivism results can be safely said to apply to the participants of the prison-based sex offender treatment program in New South Wales. It cannot, however, be assumed that they can be generalised to other populations of sex offenders, such as those who did not participate in the program, or those who participated in a different sex offender treatment program, or those who were not imprisoned – unless of course samples of these latter groups were included as controls or comparison groups. Although comparative analysis is possible, generalising the results to similar programs operating in different contexts (such as interstate or at different periods of time), should be undertaken with caution (Speir P, 2002: 45).

It is not necessarily the case that research conducted within one jurisdictional or temporal context will be transferable to another. In terms of jurisdictional context, this is because there are different procedures by which policing and criminal justice services are delivered, different laws under which offenders can be charged and prosecuted, and different data systems used to capture the relevant information. In terms of temporal context, this is because the criminal justice system is not static, but is subject to significant and sometimes rapid change. Over time, criminal justice policies, policing practices, laws and data recording methods change, each having the potential to impact the ability to generalise recidivism results across different temporal contexts (Speir P, 2002: 45).

Understanding the context of the research is about understanding the limitations imposed by the parameters of the research in terms of who is observed, when and where. Using this formula, recidivism research can be deconstructed and an appreciation of the extent to which the results may be generalised across different offending populations, jurisdictions and time periods developed. While the earlier example of offenders involved in a sex treatment program is hypothetical, it is not far from the reality of recidivism research. Following are two examples from the Australian research literature, to illustrate how context has significant implications for the interpretation and generalisation of recidivism results. In 2004, the AIC conducted a

recidivism study to examine the effectiveness of an Australian Federal Police operation in the Australian Capital Territory (Makkai et al. 2004: 97).

Operation Anchorage used intelligence-led, targeted policing to apprehend known recidivist offenders in an effort to reduce local property crime. The research was commissioned by the ACT Department of Justice and Community Safety to determine the effectiveness of the operation, in conjunction with changes in the ACT *Bail Act 1992*, in prolonging an offender's return to offending. The results of the study suggested that, by targeting recidivist property offenders, police could have a real impact in reducing property crime rates, primarily through the incapacitation effects of incarceration. The context of the research – the question of who, where and when – provides an interesting dimension to the interpretation of the results. For example, the study focused on a sample of property offenders apprehended during a policing operation in which the police intentionally targeted high volume offenders. Although shown to be successful for these offenders, the same cannot be said of low volume or first time property offenders, or offenders who committed other offences, such as good order or violent offences. The study was conducted in the ACT, a metropolitan region with particular suburb and population characteristics (Ratcliffe, 2001: 241).

There is no reason to expect that the same effect would be achieved had the operation been conducted in the metropolitan regions of Sydney, Melbourne or Brisbane where key suburban characteristics vary. The timing of the operation was coordinated with changes to the ACT *Bail Act 1992* that modified the presumption of bail for recidivist offenders. This meant that a recidivist offender apprehended by the police would not be granted bail a second time, but would be remanded in custody. The study clearly showed that a significant contributing factor to the success of the operation was the greater use of incapacitation through incarceration. Given this, it would be difficult to conclude that the same policing operation would have been effective and the same recidivism rates achieved if the changes to the Act had not been introduced.

Juvenile detainee recidivism and Juvenile detainee self-reported prior arrest

There is no systematic national data collection which provides information about the prevalence of prior imprisonment among juvenile detainees. Recently however, the Australian Institute of Health and Welfare established a national minimum dataset for juvenile justice. It collects data on juvenile contact and multiple episodic contacts with the juvenile justice system (Austrian Institute Health and Welfare 2006), although the results were not yet available at the

time of writing this report. As with adult prisoners, juvenile detainees are a select group of offenders who can be relatively easily identified through their participation in a custodial corrections order. For this reason, both self-reported and administrative analyses have been conducted to measure the extent of their recidivism and contact with the criminal justice system. Further to the adult male and adult female studies, the Austrian Institute of Criminology (AIC) also surveyed a sample of 467 juvenile detainees in all Australian states and territories (Prichard & Payne 2005: 58).

Conducted in 2005 the study used a similar self-report approach to examine the extent of the juveniles' prior detention history. It showed that: fifty-five percent reported a history of at least one episode of prior detention thirty-four percent of the juveniles were detained within the 12 months before their current sentence and there was an average of 14 months since the last episode of sentenced detention of those juveniles who had been detained previously, there was an average of three incarceration episodes (times sentenced to detention and not including remand). For comparative purposes, the adult male and adult female data have been aggregated and presented alongside the juvenile data. In all, similar proportions of both samples reported prior detention – 55 percent compared with 59 percent – and both juveniles and adults report an average of three prior incarceration episodes. This is an interesting finding given that prior incarceration history is defined in all three studies as the lifetime experience of prior imprisonment. It is interesting because, as an artefact of age, the juveniles have had less opportunity to be incarcerated than their adult counterparts (Putnins, 2003: 138).

This result suggests a more serious or prolific offending profile among the juveniles that would lead to a speedier return to custody. This is partly confirmed by the fact that juvenile detainees were more likely to report returning to prison much earlier than the adults – 14 months compared with 55 months. In addition to the prior imprisonment estimates, the juvenile study also examined the retrospective self-reported offending history for a number of different offences in the six months prior to detention. Some additional analyses of these data for five selected offence types: vandalism, motor vehicle theft, break and enter, assault and robbery. The results suggest that of the juvenile detainees: more than two thirds had committed at least one of these offence types at a frequency of once a month or more, while 57 percent were engaged at a frequency of once a week or more sixteen percent of juvenile detainees reported committing assault at a frequency of once a week or more – this was the case for 30 percent of juveniles committing break and enter offences (Putnins, 2003: 138).

Juvenile detainee reconviction and re-imprisonment

According to Putnins (2003), the study was based on the retrospective analysis of offending and detention. It provides limited information about the levels of recidivism likely to be experienced by juveniles as they are released from detention. Two prospective studies of juvenile detainees are now examined. The first was conducted in South Australia and measured the rate of post-release reconviction amongst juveniles. The study examined the offending records of 447 youths admitted to detention centres in South Australia and measured recidivism as any proven (i.e. court adjudicated) offence that occurred within six months of release. The results showed that between 60 and 68 percent of the juveniles were reconvicted within six months of release from detention. The second study was conducted by the Victorian Department of Human Services (2001: 7) which defined recidivism as 'the reappearance of juvenile justice clients in court leading to the further proven offence and supervised statutory order or sentence'. In this study the results showed that of the 373 juveniles released from a custodial order in 1997 (Youth Residential Order or Youth Training Centre Order), 42 percent were identified as recidivists within one year and 57 percent within two years.

The recidivism rates reported by Putnins (2003) in South Australia are considerably higher than in the Victorian study, especially since the observation periods differed. In the Victorian study, juvenile detainees were observed for up to two years, while in South Australia it was for six months. The most probable explanation for the differences in recidivism rates is in the definition of recidivism itself, where the Victorian study counted only those events where a juvenile was returned to the supervision of the corrective services agency, whereas in the South Australian study it was any proven conviction despite the final sentencing outcome (Putnins, 2003: 142).

Transition of juvenile detainees into adult imprisonment

A study undertaken in Queensland on the nexus between juvenile and adult incarceration is of note. This study examined the likelihood that the juvenile detainee would, once released, be subject to a further order of incarceration as an adult (Buckman, Livingstone & Lynch 2003). The sample consisted of 1,503 young offenders aged between 10 and 17 years who had been ordered to serve a supervised juvenile justice order during the 1994–95 financial year. The

juveniles were observed for seven years ending in 2002. Seventy-nine percent progressed to adult corrections including both community corrections and custodial care and 49 percent progressed to adult imprisonment. As there is little research which prospectively examines the re-contact of juvenile detainees with the criminal justice system, it is difficult to estimate with confidence the recidivism rates for juvenile detainees (Putnins 2003: 84).

Despite this, the available evidence suggests: for approximately half of all juveniles in detention across Australia, the current period of detention is not their first more than half of the juveniles released from detention will be reconvicted within at least six months nearly eight in every ten juveniles released from detention will, within seven years, be subject to supervision – community or custodial – by a corrective services agency as an adult – and almost half will be imprisoned. Not only are there few studies of the recidivism of juvenile detainees, the analysis and methodology of those that have been conducted differ substantially. The self-reported studies are retrospectively and rely on the capacity and willingness of juvenile detainees to self-report their offending and incarceration histories. The prospective analyses of Putnins (2003), the Victorian Department of Human Services (2001) and Buckman, Livingstone & Lynch (2003) measured recidivism using significantly different data sources in different jurisdictions and over significantly different observation periods (Putnins 2003: 84).

Juvenile offender recidivism

The majority of recidivism research in Australia has been conducted with juvenile offenders. However, like studies within the adult offender population, these vary considerably in the methods used to select a sample of juvenile offenders. The key findings from a selected sample of research from the Australian literature are summarised, highlighting similarities and differences.

Juvenile arrestee self-reported prior arrest and imprisonment

Unlike the Australian Institute of Criminology's juvenile study, there is no national systematic collection of self-reported recidivism data for a generalised sample of juvenile offenders. As with adult offenders, identifying and sampling juveniles using self-report is difficult and costly. One study, the Australian Institute of Criminology's project, surveys juvenile police detainees in two NSW police stations: Bankstown and Parramatta. In 2005, 101 juveniles were surveyed,

of whom just over half (50% in Bankstown and 55% in Parramatta) reported having been arrested in the past 12 months. Only three percent reported spending time in detention. The authors caution on the use of these results and their generalisation to the broader juvenile offender population because ‘the police are sometimes able to deal with juveniles away from the police station, parents can refuse access to the young person and the young person can refuse to participate despite the parent agreeing to the interview.’ (Mouzos, Smith and Hind 2006: 25).

Re-arrest of juvenile police arrestees

A cohort study, conducted in South Australia provides a unique opportunity to examine the extent to which a sample of juveniles will have multiple episodes of contact with the police before the age of 18 years. In this study, police apprehension data were used to estimate the proportion of all persons born in 1984 who had been apprehended by the police at least once before the age of 18 years, and for those persons, any subsequent episodes of apprehension. Recidivism in this study was defined as two or more apprehensions before the age of 18 years. Skrzypiec found that approximately 10 percent of the birth cohorts were apprehended once only and seven percent were apprehended on more than one occasion before the age of 18 years. Of all persons apprehended, about 44 percent were apprehended twice, and the average number of apprehensions was 2.7. There are some limitations to the use of police apprehension data, especially when used to measure recidivism among juvenile offenders. First, apprehension data contain information about only those offences committed by an individual that come to the attention of the police. They exclude matters that are not reported or where there was insufficient evidence to warrant an apprehension. Moreover, the police apprehension data may also exclude an offender’s informal contact with the police, such as offences that result in cautioning or diversion. Among juveniles, where both formal and informal cautioning are used most frequently, this is likely to contribute considerably to the underestimation of juvenile offending.

Another South Australian study examined the proportion of police apprehensions attributable to juvenile offenders in a 12-month period. The study used data for all police apprehensions in the year 2000, where recidivism was defined as multiple episodes of apprehension during that time. Unlike the South Australian cohort study, where the sample included anyone from an entire birth cohort who was apprehended, in this study, the sample consisted only of those juveniles who were apprehended in 2000. An apprehension episode was defined as a daily

apprehension event under which one or more charges were listed. The author found that: 5,352 young people aged between 10 and 17 were apprehended in South Australia and accounted for 8,992 apprehension episodes, the majority of these young people (70%) were apprehended by the police only once in the 12 months of 2000 while the remaining 30 percent were apprehended twice or more just over half (52%) of juvenile apprehensions involved multiple charges (Skrzypiec, 2005:168).

These two studies of juveniles provide an interesting mix of results regarding recidivism, especially since both studies were conducted in South Australia and used the same data source. Despite these consistencies the results are somewhat different. Doherty (2002a) suggests that around 30 percent of juveniles apprehended by the police each year will be re-apprehended within 12 months, whereas Skrzypiec (2005) suggests that of all juveniles born in a single year who were apprehended at least once, 44 percent were re-apprehended before the age of 18 years. These differences are most likely explained by the length of the observation – with the cohort study examining recidivism for the juvenile’s entire lifetime (to age 18), while the 2000 snapshot was for a 12-month period only (Skrzypiec, 2005:168)

Reappearance in court of juvenile court attendees

In 1999, the Australian Institute of Criminology released a report into juvenile recidivism using court appearance data from the New South Wales Children’s Court (Carcach & Leverett 1999). A sample of 5,509 juvenile offenders convicted in the 1992–93 financial year was observed up to the four years to June 1997. Because the study used New South Wales Children’s Court records only, the observation varied between offenders from the time of their first appearance to June 1997 or their 18th birthday, whichever came first. To understand the 18th birthday limitation, it is important to recognise that Children’s Court data pertain only to those offences committed before the offender becomes a legal adult.

This means that any offences committed within the four-year observation period, but over the age of 18 years, would be processed through the Magistrates Court and not be included in the Children’s Court data. For an offender whose first court appearance in 1992 was at the age of 11 years, their observation would extend for the full four years and end at the age of 15. The observation period for an offender whose first appearance in 1992 was at the age of 17 ends at this offender’s 18th birthday, less than one year after their first offence. Recidivism in this

study was defined as any new record of court appearance during the maximum four years of observation. The results showed that one in three (37%) reappeared in the Children's Court, where the average time until a subsequent court appearance was 18 months.

Another New South Wales study, conducted in 2005 examined data for a sample of juveniles who appeared in the New South Wales Children's Court for the first time in 1995 (Chen et al. 2005). The sample consisted of 5,476 juveniles who, at the time of their appearance in 1995, were aged between 10 and 18 years. Recidivism was measured as any new offence leading to a court appearance within eight years from 1995. Unlike Carcach and Leverett (1999) this study examined court appearance data for all subsequent appearances in both the Children's Court and Magistrates Court. This means that recidivism information was not censored at the age of 18 years and adult criminal court appearances could also be examined. Moreover, although both studies used a sample of offenders appearing within a single 12-month period, the total observation period used by Chen et al. (2005) was double that used by Carcach and Leverett (1999).

The authors found that after eight years: sixty-eight percent of juveniles reappeared in court (Children's or Magistrates Court) forty-three percent reappeared at least once as a juvenile in the Children's Court fifty-seven percent reappeared at least once as an adult in the Magistrates Court thirteen percent went on to receive a custodial sentence as an adult (Carcach and Leverett 1999: 147).

The threat of Youth

According to Muncie (2009), the terms crime, deviance and delinquency collide to attract critical attention to a much wider set of problem behaviours than is usually afforded to adults. For example, being incorrigible, running away from home, truancy and congregating in groups are considered to be problematic when committed by young people. In the USA, they are commonly termed status offences. Common sense understanding of crime also tend to rely on legal definitions and those behaviours and events that are specified criminal law. There is some underlying consensus about what constitute criminality and what does not. But conceptions of crime clearly vary from place to place and change over time (Muncie, 2009).

Collectively, these processes may not determine public reaction but they remain a key source of political sensitization. In political discourse young people tend to be a parental source of anxiety. Law and order enthusiasts, for example have persistently warned us of new delinquent syndromes in which youth seems to delight in crudity, cruelty and violence. The chief executive of the school curriculum and assessment authority expressed his opinion that a family breakdown, a synthetic pop culture and lack of identity among bewildered youngsters all contributed to a failure of a growing number of pupils. Some young people have little sense of their own worth. Some have little sense of basic values. Some have no sense of identity as members of a community. Some are unaware that they have responsibilities as well as rights (Putnins A, 2003).

The Extent of Offending

The true facts of offending by young people have been and will remain unknowable. Even when an incident is reported to the police, it will not count as crime unless the police record it as such. As Walker (1983, 286) noted, although the police have a statutory obligation to record crimes considerable discretion remains about whether it is considered sufficiently serious to warrant their attention. Coleman and Maynihan (1996, 35) argue that the police recording of crime depends on three broader contexts: The political context at the time of the offence, the organizational context of policing priorities and the situational context of how offence is reported and by whom (Sickmund M, 2002).

Changes in law enforcement and in what the law counts as crime preclude much meaningful discussion over whether youth crime is forever rising. Changes in legislation and in the number of arrests and sentences do not represent actual changes in the level of crime but changes in the capacity of the criminal justice system to process individual cases. More police and more prisons, coupled with the political will and resources to support law enforcement have an infinite ability to increase the amount of recorded crime.

Patterns of Offending and Non-Offending

It remains widely assumed that age is a major indicator of involvement in crime because proportionately more ethnic minority and working – class youth and fewer female youth are dealt with by the youth justice system. It is also believed that the crime problem is predominantly a problem of young males from lower social class and ethnic minority communities. In popular idiom, the truant of today will eventually be the criminal of tomorrow. Individual and family risk factors have been identified by developmental criminology. These factors are;

- Impulsivity
- Attention problems
- Low school attainment
- Poor parental supervision
- An anti-social parent
- A young mother
- A large family size
- Low family income
- coming from a broken family

Children from poorer families are likely to offend because they are less able to achieve their goals legally and because they value some goals (e.g. excitement) especially highly. Children with low intelligence are more likely to offend because they tend to fail in school. Impulsive children are more likely to offend because they do not give sufficient consideration and weight to the possible consequences. Children who are exposed to poor child rearing behaviour, disharmony or separation on the part of their parents are likely to offend because they do not build up internal controls over socially disapproved behaviour while children from criminal families and those with delinquent friends tend to build up anti-authority attitudes and the belief that offending is justifiable. The whole process is self-perpetuating (Muncie, 2009).

Youth Unemployment

According to Muncie (2009) research into the relationship between education, training, entry to the labour market and unemployment has tended to view the process as an orthodox linear transition from school to work and has failed to recognise its social control implications. Any deviation from an ideal progression from full-time education to full time employment is perceived in negative terms: as a broken transition, as a failure of certain young people to adjust to the demand of the labour market. Coles, (1995) has argued the traditional careers of young people leaving school and finding employment, leaving families of origin and forming their own and leaving the family home and living independently rest crucially not only on personal decisions but also on prevailing social and economic context.

The basic premise of such programmes was that youth unemployment had risen because of a sudden failure of youth to be suitable candidates for employment. In effect they promoted a blame to the victim ideology. Youth employment was presented as a problem of faulty supply rather than demand: (1) A failure of the educational system rather than market economies; (2) A personal problem of joblessness due to lack of motivation; (3) Experience or skill rather than of precarious labour markets. The primary fallacy lay in the premise that a programme of vocational preparation would enable the young to be better equipped to compete for jobs, without actually expanding real job opportunities (Stafford, 1982).

Muncie, (2009) warned that this form of integrating youth into the labour market would depend on their willingness to accept any alternative to the date. Similarly, Finn (1987) concluded that the aim of youth training was essentially contradictory; to produce a generation of young people who are basically skilled and willing to work but who can also maintain these qualities in suspended animation through any periods of unemployment.

Corrections in the community

Community corrections refer to numerous and diverse types of supervision, treatment, reintegration, control, restoration and supportive programs for criminal law violators.

Community corrections programs are designed for offenders at many levels of both juvenile and criminal justice systems. Community corrections are found in the pre-adjudication level of the justice systems and include diversion and pre-trial release programs as well as treatment programs provided by private sector agencies, particularly for juveniles. As correctional clients enter the justice system, community corrections programs have been developed and designed to minimize their further processing and placement into more secure settings. These pre-imprisonment programs include restitution, community services, active probation, intensive supervised probation, house arrest and residential community facilities such as halfway houses (Latessa E.J & Smith P, 2011).

The assumption underlying this effort is to minimize offender penetration into the justice system is that community correction is more effective at reducing future crime and more cost efficient. Community corrections is certainly no less effective in reducing recidivism than is prison and there is strong evidence that community correctional programs if administered properly, can significantly reduce recidivism. Community corrections continues after incarceration and among the any programs found at this level are split sentences (jail followed by probation), shock incarceration and shock probation, prison furlough programs, work and educational release, shock parole and parole programs and services.

Prison Programs

Existing research on the effectiveness of institutional programs and prisons behaviour has been limited in its scope. Most such programs are analysed in relation to institutional adjustment, disciplinary problems and impact of program participation on the parole-granting process. The few evaluations that included a parole period usually show little if any positive effects regard to recidivism. French and Gendreau (2006) also examined the relationship between participation in prison based programs and misconducts / post-release recidivism using meta-analytic techniques.

Prison-based programs targeting criminogenic needs reduced misconducts by 26 percent and reduced post-release recidivism by 14 percent. Overall, however, there has not been a great

deal of attention given to the relationship among institutional programs, prison behaviour and subsequent success or failure on parole (Makkai et al, 2004).

Work and Education Programs

Two areas that have received some attention are work and education programs for offenders. Although the literature on educational programs can affect offenders' behaviour and recidivism positively, a study by Mackenzie and Hickman examined 12 correctional educational programs for adult offenders. Of the 12 studies, eight (8) produced results suggesting that correctional education may have a positive impact on the rate of recidivism. They also concluded that while there were some inconsistencies in the findings, the preponderance of evidence suggested that vocational educational programs were effective in reducing recidivism. Likewise, the literature on work programs does not convincingly demonstrate reduced recidivism.

Gendreau and Ross (1987), Mackenzie and Hickman (1998) however, provide some principles that should be followed with regard to work programs: (1) they must enhance practical skills, (2) develop interpersonal skills and minimize prisonization and (3) ensure that work is not intended as a punishment alone (Latessa & Smith, 2011).

Parole Conditions

Offenders who are granted parole are required to follow rules and conditions. Failure to do so can lead to re-incarceration. One of the most important conditions of parole is the requirements to report regularly to a parole officer and not leave a prescribed area, such as the country without permission. Offenders who fail to report or whose whereabouts are unknown are called absconders (Latessa & Smith, 2011).

The Juvenile Crime Problem

The juvenile crime rate is considered a problematic aspect of the crime problem. Youth under age 18 now commit almost one in six of the most serious crimes in the nation and account for nearly one-half of the arrests for arson and about one-quarter of the arrests for robbery, burglary, larceny, theft, motor-vehicle theft and property crimes. Once arrested many youth are then processed through the juvenile justice system. Much of the juvenile crime in the 1980s and early 1990s was due to the emergence of crack cocaine, juvenile gangs and violence as major aspects of gang culture. These crimes issues and changes caused the society as a whole to rethink rehabilitation, to advocate get tough approaches, to waiver in their acceptance of juvenile courts and to bind juveniles over for trial in adult courts. Fortunately, most juvenile offenders who come to the attention of the juvenile court will receive treatment and non-custodial dispositions. The development of community corrections has led to probation, currently the most frequently used disposition for juvenile offenders (Latessa & Smith, 2011).

The Research on Reducing Recidivism to Prison

There is a longer amount of research about the reasons why people offend which shows a number of factors, sometimes known as criminogenic factors which are common to a lot of offenders. Andrew and Bonta (1994) identified a number of these factors:

Employment:

Some offenders lack skills to get or hold down a job. This makes them more likely to resort to crime to support themselves. As well as specific technical skills, there is a range of general employability skills which offenders lack. These include communication skills, planning and problem-solving skills, being able to work with and manage other people, as well as attributes such as self-confidence, honesty, initiative and motivation which employers look for.

Education

Some offenders have a poor educational attainment either because they dropped out of school or because they have learning disabilities or specific learning difficulties such as dyslexia. This limits the sort of work that is available to them. They may also have missed out on the social skills that children learn in schools, for example learning to work together, resolve conflict without violence and see other people's points of view.

Partner and Family

Stable family support and in particular a supportive partner, tend to protect offenders from committing further crimes.

Criminal Social Networks

Offenders tend to mix with other offenders outside as well as in prison. They may live in the same high-crime areas. They may have other family members who are also offenders and they may socialize with other offenders. Perhaps not surprisingly, prisoners who have these sorts of social networks are more likely to re-offend.

Substance Abuse

Alcohol and drug abuse are related to crime in a number of ways. For example, people are more likely to offend when their judgement or inhibitions have been impaired by alcohol or drugs; substance abuse can interfere with other factors such as employment or relationships which protect people from offending; or offenders may commit crime in order to buy a drink or drugs.

Poor Community Functioning

This heading covers a number of areas such as financial problems, poor accommodation and a lack of social support which can lead to offending.

Personal and Emotional Factors

There are a number of patterns of thinking and behaviour which are known to be more common among offenders. For example, offenders are often impulsive, aggressive or find it difficult to see other people's points of view or solve problems effectively.

Anti-Social Attitudes

Some offenders have particular attitudes or sets of beliefs which encourage crime, for example they may have anti-authority, racist, sexist or other anti-social beliefs which encourage offending.

The link between these factors and crime is complicated. Offenders will not necessarily have all or any of these factors in their background and on the other hand, having any of these factors will not make a person into an offender (Towl, 2003).

Desistance from Crime

In an effort to build on what is currently known about desistance from crime, NIJ issued a directed solicitation in 2012. RTI International, in partnership with Pennsylvania State University's Justice Center for Research, was awarded funds to conduct research that builds on earlier work that examined the main effects of re-entry programming on recidivism.

The research team theorizes that although offender services and programs may have a direct effect on desistance, individuals must decide independently to transform themselves into ex-offenders. Programs and services may facilitate transformation, just as individual transformation — or the lack thereof — may moderate the effects of re-entry assistance.

To examine the cognitive transformation theory of desistance, the RTI-Penn State study involves a long-term follow-up of more than 700 individuals who were originally interviewed between 2004 and 2005 as participants in the Multisite Evaluation of the Serious and Violent Offender Re-entry Initiative (SVORI).

The participants included 582 men, 79 of whom were juveniles at the time of the original interviews, and 168 women. These individuals have extensive criminal histories, and more than 80 percent of the men and 75 percent of the women experienced at least one arrest in the four-and-a-half-year period following their release from prison between 2004 and 2005. Researchers will conduct interviews with participants focusing on cognitive transformation. These interviews will take place about a decade after the participants were first interviewed as part of SVORI and an average of 20 to 25 years after they were first arrested. In addition to conducting interviews for their study, the RTI-Penn State researchers are using existing administrative and interview data from SVORI, as well as current official arrest and re-incarceration data (NIJ, 2012).

Impact of Prison Experience on Recidivism

NIJ researchers examined the impact of the rate of crime prior to prison and how prison affected crime post release. The method was applied to the same datasets used by the Bureau of Justice Statistics for its special report, *Recidivism of Prisoners released in 1994*. NIJ's researchers found that:

- Criminal history prior to incarceration reliably predicted whether or not incarceration would deter re-offending within three years after release.
- For 56 percent of the offender sample, incarceration had the predicted deterrent effect (that is, they did not recidivate within the three-year period).
- Forty percent of the sample reoffended as predicted from their criminal history before incarceration.

- For a small percentage of offenders (4 percent), incarceration had a criminogenic effect, increasing the rate of crime after release from prison.
- Supervision after release did not seem to lower likelihood of re-arrest.

These findings suggest that an analysis of criminal history prior to incarceration may help corrections practitioners identify who is and is not likely to be deterred from post-release reoffending (NIJ, 2012).

Effects of security level assignment in prison

Researchers have established relationships between the security level inmates are assigned during incarceration and the recidivism rate after they are released from prison. The theory is that differential placement may affect post-release crime rates (recidivism) but not necessarily as intended. Higher security prisons are more punitive and, therefore, should decrease recidivism among inmates who have equivalent propensities to commit crime. Research shows, however, that being exposed to inmates who have higher propensities to crime may increase criminal behaviour or reinforce antisocial attitudes (NIJ, 2012).

Impact of Drug Courts on Recidivism

The National Institute for Justice has conducted a major studies evaluating whether drug court programs successfully reduce offender recidivism. The findings by Multisite Adult Drug Court Evaluation show that drug courts do reduce offender recidivism; several factors having to do mostly with treatment and the judge's role need to be present for this result.

1.8 THEORETICAL FRAMEWORK

The theoretical framework is a set of terms and relationships within the problem is formulated and solved. The theoretical framework is also important in exploratory studies, where prior

knowledge is limited and the researcher tries to learn (Terre Blanche & Durrheim, 2006: 98). The theoretical framework of this study interrogates the way in which offenders' lives are affected in terms of them being arrested again after committing crimes. It also seeks to find out how they feel after being arrested for the second or third times and how society reacts to them being re-arrested. The research seeks to find out their reoffending experiences and the impact of offences they committed within their society. The research is informed by theories such as the Juvenile Justice: An introduction, Youth and Crime, Justice Police Journal, Juvenile Justice Administration. All these theories provide insight into how juveniles reoffend after being released from prison or correctional centre. The study theory will be guided by the Juvenile Justice System.

According to Kratcoski (2012: 1), the Juvenile Justice System consist of all those public and private agencies that have some jurisdiction and responsibility for the care -and supervision of children who either have committed offences, have been victims of criminal acts, or have been abused or neglected. The corrections component of the juvenile justice system includes community sanctions, such as probations, restitution, community service, commitment to community residential facilities and commitment to secure juvenile correctional facilities. During the dispositional hearing, the judge will determine the appropriate disposition (sentence) for a juvenile who has been adjudicated delinquent.

The options for dispositions include those that are nominal such as being given a warning, paying a fine or restitution or contributing a number of hours to community services; those that are conditional such as probation or placement in a community treatment centre; and those that are the most severe such as commitment to a secure correctional facility. For some serious delinquent offenses, the judge cannot make the disposition decision because laws require that youths who have been adjudicated delinquent for specified offenses must be committed to a secure correctional facility (Kratcoski, 2012: 407).

The term community corrections refers to the programs and services that are used for the supervision and treatment of youths who have been adjudicated delinquent but who are supervised in the community. Community corrections in a broad sense can be divided into front-end and back-end sanctions. Front-end sanctions refer to those that are given to juveniles before and after adjudication, with the juvenile remaining in the community. Back-

end sanctions are applied to youths who have been removed from the community, placed in some type of residential facility and are now being reintegrated into community.

Probation is defined as a formal disposition given to adjudicated delinquent by a court official (Judge or Magistrate) that allows the youth to remain in the community under court supervision. There are various forms of probation that can be used by those judicial officials who make disposition, decision including: summary probation, in this case, the judge informs the youth that he or she is free to remain in the community under the condition that another offence is not committed. If the youth is brought into the court on another charge and adjudicated on the new offense, the judge would probably give a more secure sanction (Kratcoski, 2012: 410).

Community residential facilities for juveniles are similar in many ways, but they serve different functions. Some of the residential centres, such as group foster homes, service dependent, neglected, or abused children. These are not-at-fault children who need a secure environment with caretakers who will attend their physical and psychological needs. The atmosphere in residential group foster homes should be as close as possible to a normal parent child relationship. The foster parents take on all of the responsibilities of parenting in terms of nurturing and supervising the children (Kratcoski, 2012: 427).

CHAPTER THREE: RESEARCH METHODOLOGY

3.1 INTRODUCTION

This chapter focuses on the research method that was used in this study. It describes how the participants were selected, population of the study, sampling method, limitations of the study, unstructured interview, data collection, data analysis, and ethical considerations.

3.2 RESEARCH DESIGN

Qualitative approach was used in this study. This method was used because it allowed the researcher to collect more information through interview questions. Through the qualitative approach the researcher obtained first-hand information and in-depth information about the problem identified the study. Qualitative approach provides a constructive social reality, focuses on interactive processes or events. Through this approach the researcher gained more understanding of the phenomenon and gathered more information.

3.3 POPULATION AND SAMPLING SIZE

Population is defined as any group that is the subject of research interest (Goddard and Melville, 2001:132), as cited by Mudau (2014). Location refers to a place where something is or could be (Oxford Learners Dictionary, 2015). The study was conducted in the Thohoyandou Correctional Centre found in the Thulamela Municipality in the Vhembe District. It is approximately 200km to the north of Limpopo Provincial capital of Polokwane.

A sample is a finite part of a statistical population whose properties are studied to gain information about the whole (Cresswell 2007). A sample can be defined as a set of people selected from a larger population for the purpose of a survey. The study comprised of sentenced juvenile offenders incarcerated in the Thohoyandou Correctional Centre within the juvenile area. Both sentenced male and female juveniles participated in the study.

3.4 SAMPLING PROCEDURE

Sampling involves decisions about which people, setting, events, behaviours or social process to observe (De Vos, 2002: 15), as cited by Mudau (2014). The study used non-probability sampling. Non-Probability Sampling is defined as a sampling technique where the samples are gathered in a process that does not give all the individuals in the population equal chances of being selected (De Vos, 2002: 45). Purposive sampling was used as a form of gathering information within the Thohoyandou Correctional Centre. The study chose purposive sampling because the participants were offenders who have committed various crimes within the community and have been re-arrested. Purposive sampling was adopted to select participants. This sampling method is based on the researcher's skill, judgement and needs regarding the characteristics of the chosen sample and it relies heavily on the subjective consideration of the researcher (Bless and Higson-Smith, 2000: 16). Only offenders with repeated or re-offending behaviour were targeted. The researcher obtained permission from the Head Correctional Centre of Female/Juvenile Centre so that records of re-offenders could be used to determine the number of offenders who re-offended the most and grouped as such. Records of the offenders were requested at the Thohoyandou Juvenile Correctional Centre's receptions where they are kept.

3.5 LIMITATIONS OF THE STUDY

Limitation refers to a limiting rule or circumstances or a restriction or a legally specified period beyond which an action may be defeated or a property right does not continue (Oxford Learners Dictionary, 2015). Therefore, the limitations of the study included the restriction or challenges that the study incurred during the research. The researcher faced challenges pertaining to the records of re-offending offenders whose names were different to the ones used in a previous crime. Secondly, juveniles who have re-offended and reached the age of 21 were transferred to the male adult prison to serve their jail terms there. Thirdly, time allocation was too little to gather information due to the fact that participants (offenders and officials) have to attend other programmes and that the researcher intended to interview a number of participants but due to time constraints, the number was reduced. Language was also a barrier because offenders who were incarcerated came from a different cultural background such as Sotho, Tsonga, Zulu, and Shona etc.

3.6 UNSTRUCTURED INTERVIEW

Unstructured interview refers to an interview with open-ended questions where the interviewer allows the interviewee to respond as much as he/she can, the interviewer can also make a follow-up question on the response (Neuman, 2003: 178). The researcher used unstructured interview to ask questions to the participants', the reason being that the researcher and the participants could explore more on the matter. This type of interview gave the researcher an opportunity to probe for the views, ideas and opinions of the respondents. The researcher in this interview allowed participants to freely answer questions asked to them without inhibitions.

3.7 DATA COLLECTION

Data collection method refers to a general plan for the collection of data as well as the time schedule one expects to follow (Holloway, 1997; De Vos et al, 2005). Data collection can be done through a variety of data sources. Data for this study were collected through interviews and focus group interviews. Interview is defined as the situation in which answers are directly elicited from subjects by a person who asks for and usually records responses. An interview provides an opportunity for researchers to learn about social life through perspective, experience and language of those living it (Boeije, 2010: 62). According to Neuman (2003), it can also be defined as a special case of social interaction between two persons. The interview as a data collection method assisted the researcher in terms of eliciting and probing information required.

The interviews were conducted using English and Tshivenda then Tshivenda to English. As participants were offenders coming from different cultural backgrounds information gathered was interpreted to the language they understood.

Focus group discussion is defined as the interviewing of several individuals in one setting (Dantzker et.al). According to Bless (2006), it is a form of interview that enables members of a group to share the experiences and to reach some kind of consensus about the problem. Focus group discussion interviews formed part of gathering data. Focus group discussion enabled participants to open up, feel free and share their experiences. Through the permission of the management of the juvenile centre, the researcher used the tape recorder. The tape

recorder was important for the researcher to record the proceedings of the discussions so that whatever information was missed during the discussion would be heard later through the tape and it would be easier to analyse the data.

3.8 DATA ANALYSIS

According to Baily (1987: 127), it is important to analyse data so that the researcher can properly test his/her hypothesis or answer his /her researcher questions; in addition, the researcher can therefore present the result of the study in an understandable and convenient way. The method which was used to analyse data was grounded theory. The method was relevant to the study because offenders' feelings and experiences in this topic were important and explored during the interview. This method helped the researcher to generate theory from the data collected. Data were analysed thematically. This method was a perfect method for the researcher to use when analysing data because the coding system assisted the researcher to compare the information or data collected and come up with his own theory.

3.9 ETHICAL CONSIDERATIONS

Ethics are defined as conforming to the standards of conduct of a given profession or group (Babbie, 2008: 67). In the context of research, ethics are very important in that they address the beliefs about what is right or wrong, proper or improper, good or bad. Frequently sets of principles are drawn up to guide our actions in the field as well as protect the rights of participants in research (Somekh & Lewin, 2006: 114). The sensitive nature of the study made the researcher to consider using the ethical principles for analysis. There are several types of ethics that need to be adhered to in academic research, namely; voluntary participation, no harm to the participants, anonymity and confidentiality, informed consent and right to privacy. The study focused on two ethical principles namely: informed consent, as well as anonymity and confidentiality.

3.9.1 Informed Consent

Informed consent refers to the accurate informing your subject or respondent as to the nature of the research and obtaining his/her verbal or written consent to participate (Babbie, 2008: 74). The researcher sought permission from the Head Correctional Centre for participants to give consent to partake in the study. Informed consent was important because participants or respondents in the study needed to give consent regarding their involvement, that they were participating without any due influence and that the information gathered by the researcher was sensitive and crucial. It entailed informing the respondents about the overall purpose of the research, the main features of its design, as well as any possible risks and benefits from their participation in the research. It involved making respondents aware that their participation was voluntary and that their right to withdraw from the study was guaranteed. Each respondent read and signed an informed consent form, which served as a letter of introduction for the researcher.

3.9.2 Confidentiality and Anonymity

Confidentiality is when the researcher can identify a given person's responses but promises not to do so publicly (Babbie, 2008: 514). Confidentiality is a principle that allows people not only to talk in confidence, but also to refuse to allow publication of any material that they think might harm them in anyway. Anonymity is when neither the researcher nor the readers of the findings can identify a given response with a given respondent (Babbie, 2008: 513). Anonymization is a procedure to offer some protection of privacy and confidentiality.

Confidentiality and anonymity were important in that the participants or respondents in the study were assured that their information will not be disclosed or published and that they will remain anonymous unless they grant permission. Pseudonyms were used in order to protect the participants. Though helpful in the attempt not to identify people, anonymization cannot guarantee that harm may not occur. How people will react to research reports cannot be foreseen in advance. Moreover, not all people in research study can be anonymized and the number to whom this applies is often more than we frequently envisage (Somekh & Lewin, 2006: 24). However, participants were assured that their names will not be revealed and will

remain anonymous during the course of the study unless they instruct the researcher to reveal them.

3.10 CHAPTER DIVISION

Chapter one (1) focuses on the introduction / background of the study, problem statement, purpose of the study, theoretical framework, objectives and research questions; then chapter two (2) entails a review of literature on the causes of recidivism. Chapter three (3) outlines the research design and methods, population of the study, sampling procedure, data collection, data analysis, limitations of the study, and ethical considerations. Chapter four (4) presents the study findings based on interaction with the respondents. Chapter five (5) entails a discussion of the findings, conclusions and recommendations.

3.11 CONCLUSION (SUMMARY)

In this study several key concepts were discussed namely, introduction and background to the topic, literature review, theoretical framework, problem statement, research questions, aims and objectives, research design, study population, sample and location, ethical considerations, limitations of the study, description of key concepts of the study, chapter division, conclusion and references or bibliography. These concepts assisted the researcher to conduct and fulfil his research.

CHAPTER 4: DATA INTERPRETATION AND DISCUSSION

4.1 INTRODUCTION

This chapter focuses on the data obtained from the interviewed respondents about multiple contributory factors of recidivism among youth offenders incarcerated in the Thohoyandou Female/Juvenile Correctional Centre. The data were obtained using unstructured interview for all the respondents. The majority of respondents were between the ages of 18 to 21 and the researcher classified all respondents as A, B, C, D, E and so on in protecting their identities.

4.2 THEME ONE: KNOWLEDGE ABOUT RECIDIVISM

Recidivism is defined as the act of a person repeating an undesirable behaviour after he/she has either experienced negative consequences of that behaviour or has been treated or trained to extinguish that behaviour. It is also used to refer to the percentage of former prisoners who are re-arrested for a similar offence. Peersen, Sigurdsson, Gudjonsson and Gretarsson (2004:128) concluded that the basic assumption underlying prediction of offending behaviour is that persistent offenders have similar characteristics such as anti-social personality features, which have different behavioural manifestations at different age levels and that the most serious delinquents become the most serious adult offenders. Offenders released during the year were back in prison either because of a new crime for which they received another prison sentence or because of a technical violation of their parole.

The majority of respondents who were asked have these to say about recidivism; “Recidivism is when a person commits an offence, gets arrested, sentenced to serve a prison term, released from correctional centre and re-arrested for committing another crime”.

“Recidivism is when someone has committed a crime for the first and sentenced; then again he / she commits another crime for the second time”. (Respondent B)

“Recidivism or Re-offending refers to coming back to prison more than once for crimes committed”. (Respondent A)

“Reoffending refers to getting arrested and sentenced more than once or either for committing the same or different crime”. (Respondent C)

The study shows that the majority of offenders who have been re-arrested are aware of recidivism since they themselves are not first-time offenders. These have been attested by respondents A-C as indicated by their responses above.

4.2.1: Factors leading to Recidivism / Re-offending

The majority of respondents were asked about their experiences of being re-offenders and this is how they responded. “The offender re-offends because of poor family background which does not provide for their financial needs such as food, clothing, school fees etc”. Others said they have re-offended because of peer pressure from friends. Friends they met while serving their sentenced influenced them to commit further crimes when released. Substances abuse such as alcohol and dagga intake also played a role in re-offending. Lack of parental care led to other offenders re-offending after being released because their parents never afforded them moral, physical and financial support instead they blamed them for the crimes they committed. Social reintegration is a challenge because the community they come from do not appreciate them when they are released from the correctional centre, they put a criminal stigma to them and refer them as criminals therefore they felt more comfortable when they are in a correctional centre”.

“I was under the influence of substance abuse wherein I did not think clearly which led to me committing crime. When I am drunk I normally bully other people around me”. (Respondent F)

“I do not stay with my parents due to the fact that I have impregnated a girl therefore my parents chased me out of their house which resulted in me staying with my girlfriend and committing crimes in order to fend for her and my unborn baby.” (Respondent D)

“I’m here for the second time and I have been arrested for assault. I was involved in a fight with my brother-in-law of which I injured him with a bottle”. (Respondent E)

The responses narrated by the respondents above clearly testify that youth are therefore increasingly challenged by pull factors in society such as peer group, drug and alcohol use, high-risk leisure time activities, such as train surfing and promiscuous sexual activities, as well as exploitative adults who pay children for sexual favours or traffic them with the promise of a job opportunity. They are also progressively more involved in serious offenses, such as murder, rape, robbery, and hijacking. The endemic drug (e.g. dagga and tik) and alcohol use in South Africa among youth is a further cause for concern. Youth growing up in informal settlements and other substandard environments are exposed to violence and a culture of wrong-doing on a daily basis.

4.2.2: Re-offending Continuously (Habitual Offenders)

The respondents have this to say about reoffending continuously; “Correctional Centre provides us with meals, educational programs, health care services and religious care programs for free. During spare time we play recreational sports activities such as soccer, rugby, athletics, chess, cards, etc. but these programmes do not take away the fact that we have committed crimes time and again and we are considered as re-offenders. It is really painful to be in prison knowingly that I have left my family behind and I should be looking for job”.

“No, I am not enjoying being here, I feel pain when I am here because I was doing my final year as a boiler maker and maybe I would have been looking for a job rather than to sit here gaining nothing”. (Respondent A)

“I do not enjoy staying at this place, I am always thinking of my family”. (Respondent H)

“If I was at Bosasa I was going to say I am enjoying but since I am here I am not enjoying life at all. Being here is very difficult because we do not have a choice in anything even the food we eat is not enough”. (Respondent D)

The responses from respondents A, H and D show that there is an element of remorse among the offenders for their actions and that they are willing to change from their deeds if given a second chance. Through the interview conducted with the respondents the researcher found out that the respondents were guilty of the crimes they committed and were willing to be rehabilitated or put through restorative programmes.

4.3 THEME TWO: FAMILY SUPPORT DURING INCARCERATION

All institutions require visitors to present acceptable identification. Many institutions limit the items that can be taken into the correctional centre. To prevent visitors bringing contrabands such as drugs, weapons, money, cameras, cell phones etc. into the correctional facilities, all closed facilities require searches of persons and belongings. The way offenders interact with family members will strongly impact the continuation of these visits and maintenance or enhancement of family ties. Research shows that female offenders strongly harbour the importance of loving their children and guiding their appropriate social, behavioural and attitudinal development (Leflore & Holston, 1990). Even male offenders serving very long sentences most of whom were unmarried fathers with little or no contact or knowledge of their children’s whereabouts still perceived themselves as fathers and wanted to improve their parenting skills (Silverman, 2001).

The researcher obtained information from youth or juveniles who committed crimes staying with their parents or single parent. The respondents have this to say about the views of their parents; “Our parents never concerned themselves about what we do with our lives. They

never provide any advice or share any positive idea to us. Some of us are raised by our grandparents who do not advise us when we commit these crimes”.

“I do not know what they think about me and because since I have been arrested I have not seen them not even once. I am only living with my mom and she never came to visit me nor to come during my court appearance therefore I do not know what she is thinking or whether she is angry with me”. (Respondent I)

“My parents were so disappointed after I got arrested and since then they never visited me”. (Respondent G)

“I do not know since my parents have never visited me. They both stay in Johannesburg, maybe the distance of the prison is too far. It’s like they have abandoned me as I was raised by my grandmother”. (Respondent J)

The response by respondent G clearly indicate that he has all the support he needed when faced with the challenges through his parents but he chose to ignore them and commit crime that is why he also acknowledges that they are disappointed by his actions.

4.3.1: Parental Visits in Correctional Centre

The respondents have these to say about the views of their parents visits to the Correctional Centre; “Our parents do not frequently visit us, mostly we are visited by our sisters, brothers, uncles, aunts, cousins etc. Sometimes they do not visit at all and it’s frustrating to us”.

“People who come to visit me in prison are my brothers and sisters, my parents do not visit me at all and I do not blame them since they warned me about crime and bad friends and I did not listen to them”. (Respondent L)

“Yes, they sometimes visit me. It makes me sad because I expect them to visit me frequently and they do not which feels like they are punishing me”. (Respondent F)

“They used to come and visit but now they are no longer coming and I do not blame them because I keep coming back to jail time and again”. (Respondent K)

The interaction that the researcher had with the respondents revealed that the parents deserted their children either because they are far away from their place of incarceration or because they are tired of warning them about their criminal attitude or they feel that they need to be taught a lesson through jail time. However, it also shows that juvenile offenders do take some responsibilities through the response by respondent K who confirms that his action of re-offending might have played a role in his parents no longer visiting him.

4.4 THEME THREE: SOCIAL CONTRIBUTORY FACTORS

There are various social factors that contributed to juvenile delinquency which led to juveniles committing crimes namely drug and alcohol abuse, violence, gangs, unemployment and poverty etc. The researcher conducted face-to-face interview with offenders who are victims of these social ills and gave the responses presented in 4.4.1 below.

4.4.1 Drugs and alcohol abuse

The majority of respondents had these to say about the drugs and alcohol abuse “We re-offended because we were unable to cope with the communities’ demands especially the high alcohol intake and drugs”.

“Yes, I was under the influence of substance abuse more especially alcohol”. (Respondent M)

“Yes, I was under the influence of alcohol because the crime I committed I was at the tavern”. (Respondent N)

“No, I was not under any influence but sometimes I used to smoke dagga which influenced me to commit crimes”. (Respondent L)

The responses clearly show that more juveniles are into drugs and alcohol intake. They spend more time drinking and smoking on a daily basis be it after school, on weekends and during holidays.

4.4.2 Violence

One of the respondents who falls under the age of nineteen years had this to say about violence. “I committed violent crimes because my father physically abused me like a slave when I was young”.

“I raped and killed a person because I have anger and vengeance inside me and no longer feel pain when committing crime” (Respondent K)

The response is indicative of family background wherein fathers who were previously abused by their parents vented their anger on their children. Instead of showing compassionate love, care and humanity, they did the opposite.

4.4.3 Gangs

Some of the respondents who were interviewed had these to say about being in a gang. “We joined the gang in order to seek protection and make quick money”.

“I joined the gang in prison because I wanted to be safe and protected” (Respondent H).

“I am a second in charge of the gang that we formed it in prison, the aim of the gang is to go and commit heists and make money after being released from prison” (Respondent G)

“I was a first-time offender when I was introduced to a gang and since then I feel safe when inside prison” (Respondent L).

The explanation by all the respondents informs the researcher that gangs are prevalent inside the correctional centre and further continue to exist outside the prison as indicated by respondent G.

4.4.4 Unemployment and Poverty towards Re-offending

The study revealed that unemployment and poverty contributes negatively in the upbringing of youth within the community and this in turn contributes towards re-offending. Youth who are not working are likely to commit more crimes than youth who are working. Poverty also contributes towards youth who commit crimes due to the fact that they are looking for money and food to feed themselves. The researcher conducted face-to-face interviews with the participants and their responses were as follows:

“Yes it does contribute because you may find that it is a family wherein there is no income that is being received, no one is working maybe they are receiving R300 for child grant which cannot provide the needs for the whole family.” (Respondent D)

“Yes because most people who have beeng arrested are of a low socio-economic status.” (Respondent A)

The responses from participants D and A clearly indicate that indeed unemployment and poverty escalate the crime rate in the country. According to Muncie (2009), children from poorer families are likely to offend because they are less able to achieve their goals legally and because they value some goals (e.g. excitement) especially highly. Children who are exposed to poor child rearing behaviour, disharmony or separation on the part of their parents are likely to offend because they do not build up internal controls over socially disapproved behaviour.

Some offenders lack skills to get or hold down a job. This makes them more likely to resort to crime to support themselves. As well as specific technical skills, there is a range of general employability skills which offenders lack. These include communication skills, planning and problem-solving skills, being able to work with and manage other people, as well as attributes such as self-confidence, honesty, initiative and motivation which employers look for.

4.5 THEME FOUR: THE REINTEGRATION OF OFFENDERS BACK TO THE SOCIETY

According to Silverman (2001), reintegration is an approach that emphasizes community-based residential and non-residential alternatives to incarceration. He further states that only hard-core offenders require imprisonment and that non-dangerous offenders can be effectively and more economically supervised in the community. This allows these offenders to maintain ties with family and friends and benefit from community programs and services not available in prisons. These programs also help to relieve prison overcrowding and they are less costly to operate. Offenders who are granted parole are required to follow rules and conditions.

4.5.1 Community Reintegration

The respondents had this to say about community reintegration; “The communities have no problem in accepting us back it is just that any crime which is committed we are the first to be suspected and accused of committing it. Some community members went as far as labelling us criminals wherever we are going”.

“Not anymore because when I applied for parole, the Chief said that as a community they have forgiven and accepted me but I should complete the whole sentence. This means that I don’t have a problem being reintegrated back to the community”. (Respondent J)

“I am not sure but I think I will have a problem because I was denied parole because I committed another crime in the community while on parole”. (Respondent I)

“I am not quite sure whether I may have challenges or not since I am not aware of what would happen when reintegrated back to the community”. (Respondent F)

From respondent J the community has accepted him back but he must first serve or complete his sentence whereas respondent I has violated his parole condition and must serve his sentenced fully. The researcher has identified that the problem with re-offenders is that they do not use their privilege offered to them effectively and efficiently instead they use the opportunity of parole to engage in other criminal activities. Failure to do so can lead to incarceration. According to Latessa and Smith (2011), one of the most important conditions of parole is the requirement to report regularly to a parole officer and not leave a prescribed area, such as the county, without permission. Offenders who fail to report or whose whereabouts are unknown are called absconders.

4.6 THEME FIVE: THE IMPACT OF DEPARTMENT OF CORRECTIONAL SERVICES TO OFFENDERS

The development of the penitentiary was based on the idea that imprisonment would reform offenders by instilling in them a new sense of morality and purpose. This original notion was later modified in response to a growing belief, espoused primarily by positivists, that criminal behaviour was caused by traits within the offender, as well as conditions in their environment.

Many felt that providing offenders with a variety of services and programs (e.g. education, job training, psychological assistance), labelled as rehabilitation during their incarceration would improve their ability to cope with external conditions and thereby reduce the probability of future criminality. Rehabilitation was emphasized as a justification for imprisonment programs with an emphasis on providing offenders with opportunities to deal with their problems and improve their academic and work skills (Silverman, 2001).

This section looked at the way in which programmes offered by the Department of Correctional Services either bear fruits or not in terms of reforming offenders who spend their times there. In this regard Respondent K had this to say:

“The Department of Correctional Services is helping a lot because there are programmes that we have here at prison such as gangsterism, substance abuse etc. secondly there are Pastors who come here to preach and give us advice on how to change our lives”. (Respondent K)

From the response by respondent K, the researcher believed that indeed there are programmes which assist offenders to change or be rehabilitated within the correctional centres, it is up to the offender whether to take it positively or not.

However, there are other offenders who the researcher interviewed with regard to DCS programmes and this is how they responded; “Re-offending programmes offered by the Department of Correctional Services are helpful, useful and empowering. We learn almost everything within the centre such as educational, recreational and behavioural. These programmes change us in a positive way and prepare us to face a new start / beginning in our community”.

“Yes, it does help us because it ensures that nobody enjoys their stay in prison” (Respondent N)

“Yes, pastors, social workers play a role in helping us to change and become reformed or renewed when released”. (Respondent E)

Through the responses from N and E it does confirm that the Department of Correctional Services is on the right track in terms of ensuring that offenders who are incarcerated get the best rehabilitation programmes that aimed at reforming them. It is a pleasing thought when the majority of offenders acknowledge that rehabilitation programmes are offered, however, more has to be done in terms of these programmes so that not only a few offenders are rehabilitated but the majority should, so that less crime and less re-offending is achieved.

4.6.1 DCS Stakeholders

The Department of Correctional Services is not alone in the fight against rehabilitation, there are various stakeholders who were permitted by the department to come and share their contribution towards rehabilitation. Through face-to-face interview with participants about these stakeholders, this is how they responded; “The Stakeholders within the Department of Correctional Services indeed play a huge role in rehabilitating us. We have pastors who often visit us all the time to come and give us motivational and spiritual upliftment. They teach us how to look at life in a positive way and stop committing crimes”.

“Yes, pastors who come to prison help us a lot in terms of motivating and uplifting us spiritually”. (Respondent C)

“Yes, there are doctors who come to give us treatment they also advise us to refrain from committing crimes and focus on our educational goals”. (Respondent M)

“Yes, pastors always tell us to change, repent and look at life in positive way. They encourage us that it is not the end of the world”. (Respondent F)

The fact that pastors are allowed to come and render religious programmes is a positive step towards the rehabilitation of offenders. The key factor is for the Department to ensure that at least the majority of offenders do attend these programmes.

4.6.2 The Effectiveness of Stakeholders in the Department

The study revealed that the majority of respondents had this to say about the stakeholders who render the service within the Department. “Stakeholders that come and see us are pastors and doctors who provide us with programmes such as religious and health care wherein we congregate almost twice a week. These programmes help us in terms of rehabilitation. Sometimes youth groups or organisations do visit us to motivate and render awareness campaigns that involve HIV/AIDS and substance abuse”.

“Yes, there are stakeholders who help us to be rehabilitated through teaching us to refrain from committing wrong things”. (Respondent B)

“Yes, the stakeholders are effective in rendering their programmes to us, we are grateful and motivated by what they offer us on a daily basis”. (Respondent I)

“They are helping us a lot because we get to know and learn through their programmes”. (Respondent J)

It is reflected by all respondents from B to J that stakeholders within the Department exist and are useful in terms of providing rehabilitation programmes. According to Silverman (2001), rehabilitation may include a variety of services and programmes. In this case pastors are part of the collective in terms of ensuring that the Department achieves its goal.

4.6.3 DCS Infrastructure Contribute to Re-offending

The study revealed that there are various challenges pertaining to the Departmental infrastructure which contribute to reoffending. Offenders indicated that Departmental infrastructure do contribute to reoffending due to the fact that all offenders who have committed various crimes such as rape, robbery, assault, theft etc. are placed or accommodated on the same communal cells which perpetuate offenders to plan or discuss means and ways of making more money through crime.

“Yes, infrastructure does play a role but sometimes a person needs to be fully matured not to commit a crime again”. (Respondent O)

According to respondent O it is not about the structure or the condition of the Correctional Centre only, it is all about the offender him/herself whether he/she accepts to change or be reformed through rehabilitation programmes. The responder believes that it starts with the offender him/herself to acknowledge his/her failures and accept to be assisted.

Another respondent who was interviewed had different views with regard to the Department structures and responded in this way:

“Yes because when we are locked up during the night we discuss and share criminal ideas on how to rob and break into people’s houses”. (Respondent C)

Respondent C feels that the Department is failing the offenders in terms of grouping or accommodating them in the same communal cell irrespective of which category of crime they have committed. According to this respondent, he bemoans the fact that when they are housed in one roof there are strong possibilities of forming gangs that will continue re-offending. He strongly condemns the idea of placing offenders in the same cell who committed different crimes.

The Department of Correctional Services has its own policy and regulations that govern its day to day administrative and service rendering to offenders, however these regulations seem to be more difficult to cope with to some or majority of offenders. This is seen in the following comment:

“The infrastructure does not play a role, what is difficult is the living conditions of the prison which are not good at all, the conditions contribute in making a person a hardened criminal”.
(Respondent A)

From what respondent A is indicated it proves that there are certain limits that the Department has made which restrict offenders from doing what pleases them and make them adhere to these conditions. In so doing it becomes difficult to some offenders to cope hence respondent A felt that it is difficult for him to stay in prison.

4.6.4 Separation of Offenders

The majority of respondents had this to say about separation of offenders. “The Department does not separate first-time and second-time offenders instead all offenders who committed crimes are placed in the same cells. This is very frustrating because first-time offenders are helpless, scared and unsafe to be accommodated with offenders who have experienced being in prison, that is why when the first time offenders re-offend it is because they have being taught by the old ones”.

“No, we are not separated but stay together with other offenders on the same cell”.
(Respondent D)

“No, they are placed in the same cell regardless of whether this one is the first-time offender or reoffender”. (Respondent L)

“No, they place us in the same communal cell”. (Respondent F)

Most of the offenders who were interviewed felt that the Department of Correctional Services is not doing justice to first-time offenders when they are being placed in one cell with other habitual or repeated offenders. Their views are that first-time offenders will be easily manipulated and influenced to commit more crimes when released from prison. They felt that the Department should create a separation cell irrespective of lack of resources or infrastructure.

Their arguments are that first-time offenders are harmless, clueless, innocent and not familiar with the prison environment. They also argue that some first-time offenders have lesser sentences which range from a month to 24 months. They believe that if the Department of Correctional Services can address this issue the goal of less re-offending will be achieved.

4.6.5 Intervention Plans for Re-offending

The majority of participants had these to say about intervention plans for re-offending “Youth should be given job opportunities, be advised by older people, be educated and treated equally with youth who have not committed crimes.”

*“Youth should be given enough advice by older people who are more experienced in life.”
(Respondent H)*

“They should be given job opportunities and be treated equally with those who have not committed any crime.” (Respondent O)

“The government should provide those juveniles with education so that when they have been discharged they can go to university and get a better job.” (Respondent K)

“I don’t think it does even though there are not enough jobs in South Africa one can start a business and make money for oneself.” (Respondent B)

The respondents’ views largely blame the government’s efforts towards providing education to the needy children. They feel that children from all social economic backgrounds should be given an opportunity to get a free education.

4.6.6 Prevention of Re-offending

The respondents had these to say about prevention of re-offending; “The Department of Correctional Services is providing programmes such as religious care, recreational, educational, social worker, psychological which assist in teaching us how to refrain from re-offending. These programmes also encourage us to go back to school, focus on our educational achievements and do away with crime”.

“Going back to school is the best solution to prevent crime for those who have been arrested. For those who have been out there it is better if they focus on school work which will keep them busy from everything that they might think of doing”. (Respondent C)

“I think there should be an increase in the availability of jobs in order to prevent crime. Unemployment is a major cause for crime”. (Respondent E)

“I think youth should be orientated about prison and its culture so that they can know it and fear going there”. (Respondent K)

The respondents believe that prevention can be attained if the government focuses more on the development, such as creation of jobs for youth. The youth are the future leaders of tomorrow therefore they need to be well looked after. However, respondent K has a different view in terms of the prevention of recidivism. He believes that youth should be exposed to

prison environment through visitation and workshops so that they should be aware as to what kind of the place it is.

CHAPTER 5: CONCLUSIONS AND RECOMMENDATIONS

This chapter focuses on the conclusions that have been drawn from the study and recommendations made. These conclusions and recommendations are made from the five main themes that emerged during the discussion. Recommendations were made for the Department of Correctional Services, youth, communities and finally, recommendations for future research. The findings of the study discussed in chapter 4 have addressed the objectives of the study and the research questions have been answered.

5.1 Theme one: Knowledge about Recidivism

5.1.1 Conclusion

The study's findings are that offenders who have re-offended knew about what they were doing when they were re-arrested and detained. The information coming from the study is that all of them understand what recidivism is all about. However, there respondents had different views as to why they re-offended. One respondent said he suffered from recidivism because he was under the influence of substance abuse in the form of alcohol whereas the other one said he was involved in a fight with his brother in law.

The study showed that youth are faced with increasingly challenging pull factors such as substance abuse (drug and alcohol intake), peer pressure and high leisure time which influence them to commit crimes. There is also the problem of youth who are growing in informal settlements and other substandard environments which exposed them to violence and the culture of wrong-doing on a daily basis. Peersen, Sigurdsson, Gudjonsson and Gretarsson (2004:128) concluded that the basic assumption underlying prediction of offending behaviour is that persistent offenders have similar characteristics such as antisocial personality features, which have different behavioural manifestations at different age levels and that the most serious delinquents become the most serious adult offenders.

5.1.2 Recommendations

Rehabilitation of offenders should not be prison-based only but should also focus on addressing community issues where offenders come from. There must be workshop, seminars between the Department of Correctional Services and the communities which will enable both parties to be well equipped in dealing with issues relating to offenders and fast-tracking the process of community reintegration when offenders are released on parole.

Recommendations for the Department of Correctional Services

- The Department must conduct road shows within the communities pertaining to the services they render.
- Education to offenders should be compulsory.
- Policy relating to parole should be reviewed for offenders who violated the parole.
- Employment skills which are taught at FET colleges should be introduced to offenders.

Recommendations to Youth Offenders

- Youth offenders must refrain from excessively indulging in alcohol intake when released from prison.
- Education must be compulsory to every youth offender irrespective of his/her financial status.
- Recreational activities should take centre stage during school holidays to keep these youth busy.

Recommendations to the Communities

- The communities should support the Department of Correctional Services in terms of rehabilitation and avoid protecting their ill-disciplined children.
- The communities must not neglect their children when they are arrested, support is important in times of need.

- The communities must avoid smuggling unauthorised items such as cell phones, dagga, and drugs into the Correctional facilities.

Recommendations for Future Researchers

- Researchers should explore more on the contributory factors such as poor family background and substance abuse which led to offenders re-offending.

5.2 Theme Two: Family Support during Incarceration

5.2.1 Conclusion

Conclusion can be drawn from the findings of the study. The study has indicated that the majority of respondents are faced with the challenges of their parents who do not visit them in the correctional centres. Lack of visitation by parents compound more stress and loneliness to the part of the respondents. They felt that their parents have neglected them and did not care whether they are in safe custody, released on parole or served their sentenced to the fullest.

The study further indicated that some of the respondents felt that parents are not the only ones to take the blame when they do not visit them. The respondents believed that parents have warned them prior to the committal of crimes but they did not listen therefore the blame lies upon them. They felt that they should acknowledge the absence of their parents and allow themselves to be rehabilitated from their mistakes and make peace with their parents and victims through a restorative programme of the Department.

5.2.2 Recommendations

Recommendations for the Department of Correctional Services

- It is recommended that the Department should emphasize more on the restorative programmes in order to promote unity between the offenders and the victims.
- The Department should intervene through the social workers when they discovered that there are offenders who are not visited.

Recommendations to Parents

- It is recommended that parents should pay visits to their children irrespective of their differences.

Recommendations to Youth Offenders

- It is recommended that youth offenders should learn to listen to their parents and accept their poor background position at home.
- That youth structures within the communities should focus on educational campaigns that will enhance culture of learning within families.

Recommendations for Future Researchers

- Future researchers should explore the Department role in terms of the effectiveness of the restorative justice programmes.
- It is recommended that future researchers should also explore the effectiveness of youth structures within the communities in terms of their programmes.

5.3 Theme Three: Social Contributory Factors

5.3.1 Conclusion

Social factors played a serious role in terms of youth offenders committing more crimes when they are released back to their communities. The use of drugs and alcohol and poor family background seems to take centre stage when coming to most crimes committed by youth offenders. Children from poorer families are likely to offend because they are less able to achieve their goals legally and because they value some goals (e.g. excitement) especially highly (Muncie 2009),

5.3.2 Recommendations

Recommendations for the Department of Correctional Services

- It is recommended that the Department should conduct more sessions of drugs and alcohol to offenders.
- Those stakeholders that render services to the Department should also dwell more on the drugs and alcohol sessions.
- The Department should offer labour skills to disadvantaged youth offenders in order for them to be employed when released.
- The Department should offer all offenders educational knowledge from ABET to FET learning.
- The Department should enforce church services to all offenders irrespective of their religious denomination.

Recommendations to Youth Offenders

- It is recommended that youth offenders should abstain from drugs and alcohol usage.
- Youth offenders should be incorporated to the youth structures within the communities so that they can impart their prison experience to other youth who were never incarcerated.

Recommendations to Communities

- It is recommended that youth structures should visit correctional centres in order to get a glimpse of the prison.
- Schools should also form part of the group that visits the correctional centres at least once in a year.

Recommendations to Future Researchers

- Future researchers should focus more on the youth structures that deal with youth issues. Such studies may reveal ways in which youth addresses drugs and alcohol, sexual abuse, peer pressure, teenage pregnancy, school drop-out, delinquency and other matters which youth are engaged in.

5.4 Theme Four: The Re-integration of Offenders back to Society

5.4.1 Conclusion

Reintegration plays an important role in the life of the offenders. This is where an offender feels that he is going to be re-united with his family as part of his sentence will be served at home. Silverman (2001) indicated that reintegration is an approach that emphasizes community-based residential and non-residential alternatives to incarceration. the majority of offenders believe that this is a critical stage of their life because they do not know what they will face back at the communities when released to go and complete their remaining sentences at home. Some feel that they are not welcome back; others feel that they are labelled names such as “bandit”; others feel that they are rejected by their family members and they do not have life outside prison.

5.4.2 Recommendations

Recommendations to the Department of Correctional Services

- It is recommended that the Department should emphasize more on the Victims’ Offender Dialogue (VOD).

- That prior to the release of the offender the Department should have a session with the victims of crime together with the offender.

Recommendations to Communities

- It is recommended that community structures such as Youth, SANCO, and Churches should assist the reintegration of offenders back to the community.

5.5 Theme Five: The Impact of Department of Correctional Services

5.5.1 Conclusion

The findings of the study indicate that the Department is the core and role player of the offender. When the offender is rehabilitated from the wrongs that he has done it must be the Department which has acted. The department has various rehabilitation programmes aimed at reforming and rehabilitating the offenders. It is through these programmes that offenders are trained, developed and empowered as envisaged by the communities.

The study showed that offenders who re-offend are not re-offending because they are not looked after or not offered programmes, they offend because they are not willing to adapt or learn to be rehabilitated. They do not attend programmes or educational lessons or participate in recreational facilities. They seem to be in contempt of the correctional services' environment.

5.5.1 Recommendations

Recommendations to the Department of Correctional Services

- It is recommended that the Department should enforce all rehabilitation programmes to all offenders.

- The Department should re-look at the accommodation of first-time offenders and re-offenders.
- The Department should evaluate and assess their facilities or infrastructures.
- Those stakeholders who render services to offenders should be well equipped, trained and knowledgeable about their services.
- It is recommended that those officials who work with offenders receive re-training, sessions and workshops in order for them to adjust to the modern way of dealing with the offenders.

Recommendations to Future Researchers

- It is recommended that future researchers should explore more on the rehabilitation programmes, and with other stakeholders in assessing whether they add value to the rehabilitation of offenders.

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