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INTERNATIONAL TRAINING COURSE
“EFFECTIVE RESETTLEMENT OF OFFENDERS BY STRENGTHENING
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INTRODUCTORY NOTE

It is with pride that the United Nations Asia and Far East Institute for the Prevention of Crime and the Treatment of Offenders (UNAFEI) offers to the international community the Resource Material Series No. 82.

This volume contains the work produced in the 145th International Training Course, conducted from 12 May to 18 June 2010. The main theme of the 145th Course was “Effective Resettlement of Offenders by Strengthening ‘Community Reintegration Factors’”.

Since the 1990s, scientific trends measuring the efficacy of rehabilitative programmes for offenders from the viewpoint of ‘what works’ have spread in many countries. As a result, many have come to believe that adequate treatment can change offending behaviours and reduce the possibility of repeat offences. Particularly, programmes based on cognitive behavioural theory have come to be widely utilized in both institutionalized and community-based settings. However, it has become gradually apparent that these programmes alone are not sufficiently effective unless coupled with programmes aimed at strengthening community reintegration factors, such as stable accommodation, basic skills (literacy and numeracy), employment, and budgeting/debt counselling. Strengthening these factors reduces the possibility of repeat offences, increases the possibility that cognitive behavioural programmes are successfully completed, and could complement and reinforce the efficacy of such programmes. The Japanese government’s *White Paper on Crime 2009* statistically demonstrates lower rates of repeat offences for offenders who have proper employment, who have stronger ties with family members, or who have a guarantor who swears supervision of the offender in court.

Strengthening community reintegration factors cannot be appropriately implemented by a single agency. Co-operation with a wide range of agencies, organizations and individuals is indispensable. The Japanese government’s *White Paper on Crime 2007* states that “a multidisciplinary approach” for wide-ranging support is to be carried out with the close collaboration of the criminal justice agencies and other relevant agencies responsible for employment, welfare, education, health and medicine and so forth. For the international community, the Bangkok Declaration, adopted by the United Nations on the occasion of the Eleventh United Nations Congress on Crime Prevention and Criminal Justice recognizes the role of individuals and groups outside the public sector in contributing to the prevention of and fight against crime. Strengthening community reintegration factors, through establishing co-operation with such a wide range of agencies, organizations and individuals in both the public sector and the private sector, is, however, difficult to accomplish, and it is a great challenge in the treatment of offenders at present.

Based on the above, this course aimed to clarify the current situations and problems existing in participating countries’ treatment of offenders systems, mainly in terms of ways of strengthening community reintegration factors. It also aimed to study good measures to improve these kinds of treatment for offenders, including ways of co-operating with concerned agencies, organizations and individuals in the public sector and the private sector, and by doing so, aimed at further promotion and development of the administration of both institutional and community-based treatment of offenders in the participating countries.

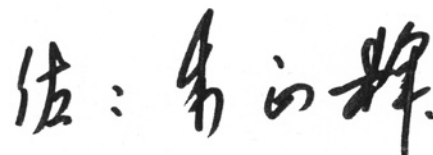
In this volume, papers contributed by visiting experts, selected individual presentation papers from among the participants, and the Reports of the Course are published. I regret that not all the papers submitted by the Course participants could be published.

I would like to pay tribute to the contributions of the Government of Japan, particularly the Ministry of Justice, the Japan International Cooperation Agency, and the Asia Crime Prevention

Foundation for providing indispensable and unwavering support to UNAFEI's international training programmes.

Finally I would like to express my heartfelt gratitude to all who so unselfishly assisted in the publication of this series; in particular, the editor of Resource Material Series No. 82, Ms. Grace Lord.

December 2010

Handwritten signature in Japanese calligraphy, reading "佐々木 昌之".

Masaki Sasaki
Director of UNAFEI

VISITING EXPERTS' PAPERS

THE EFFECTIVE RESETTLEMENT OF OFFENDERS BY STRENGTHENING 'COMMUNITY REINTEGRATION FACTORS'

PART ONE

Steve Pitts*



I. INTRODUCTION

A. The Importance of Effective Resettlement

The effective resettlement of offenders is a critical matter – one that affects not only offenders, but their victims, families and, directly and indirectly, communities and society as a whole.

Successful resettlement means fewer offences, fewer victims, more settled communities and the potential for ex-offenders to contribute more beneficially to society. The benefits are not only personal and social: financially, in the United Kingdom, we have estimated the cost of offending by prisoners to be about £11 billion per year. We also estimate that offending, and the response to offending, by one individual can be as much as £1 million over a lifetime.

And yet we also know that it is possible to improve resettlement and reduce reoffending. Our most recent research shows that we can reduce reoffending by between 10 and 30%, against a predicted rate, according to the approach we take. We also know that what works best are approaches that:

- (i) improve offenders' basic skills;
- (ii) improve employability (but note that improved employability must in turn lead to real jobs, and be sustained); or that
- (iii) help offenders to think and see the world and their place in it more constructively and with hope.

Of course, in order to sustain employment people also need somewhere secure and stable to live.

By addressing effective resettlement through community reintegration, we are therefore addressing the key issues. The number of prisoners with '*criminogenic*' employment and accommodation needs in England and Wales – that is, needs which research indicates are relevant to reoffending – are about 65% and 43% respectively. But most offenders are socially disadvantaged and have multiple barriers to employment. This is an important issue for correctional services. But it is clearly also an important issue for others: criminal justice agencies cannot solve employment and accommodation problems alone. We need to work with partners – public, private and third sector. I want to talk about all three.

But first a personal note: I believe strongly in the power of partnership. I also extend that belief to international partnership. I observe that we appear to be witnessing an increase in the pace of development of work in justice – and much of that increase is led by sharing experience and learning across international borders. We all want to improve the effectiveness of resettlement: this course was an excellent opportunity to achieve this goal through sharing our approaches and our learning mutually.

B. Paper Overview

A word about the structure of my paper:

- (i) I would like to begin with an overview of my organization, the National Offender Management

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- Service, or NOMS – its aims and structure;
- (ii) I will follow this with a brief introduction to our partnerships in order to make the link between partnerships and structure;
 - (iii) Third, I will speak about the sentencing frameworks. Naturally these play a significant part in shaping the work that NOMS delivers;
 - (iv) Next, the Reducing Re-offending Framework, which embraces the assessment of offender risks and needs, case management and interventions;
 - (v) All the foregoing provides the background and support for work on reintegration, social inclusion and resettlement. We have invested a great deal of effort and energy in this direction. I would like to expand on this area in the paper, speaking in some detail about developments I feel sure will be of value and interest, including our ‘pathway’ approach to tackling offender reintegration and reoffending, and approaches to motivating change;
 - (vi) Following a look at this broad picture I am going to focus on the crucial areas of employment and accommodation;
 - (vii) Next, I describe our partnerships in detail. I think you will be interested in our range of partners: public, private and voluntary. I plan to discuss both strategy and policy and a good number of case examples illustrating different, challenging and I hope useful approaches;
 - (viii) Finally, I will conclude with a brief look at some of our very latest developments. These are intended to take us a significant step further in engaging and supporting communities in working together – to reduce reoffending and to increase reintegration. My last points will look at some trends in evaluation. I suggest it will become increasingly important in most of our countries, as we compete internally for limited funds, to demonstrate our impact and our value for money.

The overall approach in this paper is therefore to start with the larger picture and then to move progressively to case examples and the detail.

II. THE NATIONAL OFFENDER MANAGEMENT SERVICE

A. What is NOMS?

The National Offender Management Service (NOMS) is new. It was created in April 2008 as an executive agency of the Ministry of Justice with the goal of helping prison and probation services work together effectively and efficiently to manage offenders throughout their sentences.

The Director General of NOMS is responsible to the Lord Chancellor and Secretary of State for Justice and sits on the Board of the Ministry, chaired by the Permanent Secretary. The responsibility of the NOMS Agency, on behalf of the Secretary of State, is to deliver the sentences and orders of the courts of England and Wales by:

- commissioning adult offender services in custody and the community from public, private and third sector organizations;
- providing the public prison service; and
- overseeing the Boards and Trusts which provide the public probation services.

The Agency is responsible for ensuring the number of proven offences committed by adult reoffenders is reduced by 10% between 2005 and 2011. By delivering this it will contribute to the wider Ministry of Justice Departmental Strategic Objectives which outline what the Ministry of Justice will deliver to the public by 2011.

In operating through providers and partners in the public, private and third sectors, NOMS endeavours to manage offenders in an integrated way. What work needs to be done – and who does the work - is based on evidence and driven by ensuring value for money for the public.

NOMS manages offenders throughout both their custodial and community sentences, working with around 260,000 offenders a year. We carry out prison sentences in England and Wales: there are 135 prisons, of which 124 are run by the public sector and 11 by private contractors. We also manage offenders on community sentences, and provide services to offenders, victims, witnesses and the courts. There are

42 probation areas – areas which have recently become Trusts – a change designed to provide an increased level of independence and clear accountability for delivery, whether by the Trust or through its partners.

NOMS aims to help offenders change their lives in order to reduce their chances of reoffending. NOMS met or exceeded 27 of 28 national performance targets and the number of reoffences committed fell 11.1% between 2005 and 2007. The number of reoffences classified as serious fell by 9.8% over the same period. Like most government departments around the world we are required to make efficiency savings. We met our £81 million efficiency savings target for 2008/09 with an even larger savings target of £171 million for 2009–2010.

B. Delivering to the Public

NOMS is an Agency of the Ministry of Justice. As such we are responsible for one of the four Departmental Strategic Objectives (DSOs): DSO 3 – to protect the public and reduce reoffending. DSOs are in turn reflected in NOMS' responsibility to deliver two Public Service Agreements or PSAs:

The first is PSA 23 – Making Communities Safer. PSA 23 involves cross governmental priority action of reducing reoffending through the improved management of offenders and involves a reoffending reduction target of 10% by 2011.

The second is PSA 16. PSA 16 is to increase the proportion of socially excluded adults in settled accommodation and employment, education or training. Significantly, this PSA is led by the Cabinet Office. Note that both PSAs involve NOMS working together with other Government departments and are drivers for collaboration. This collaborative approach is reflected in partnerships with other sectors which I will turn to later.

NOMS manages the achievement of PSAs through delivering to annual targets for the employment of offenders under supervision, at termination of order or licence, and upon release. Targets are both numeric and based on a percentage of orders: for example, last year we were required to ensure that 14,430 offenders under supervision in the community found, and sustained, employment. This target was exceeded by more than 2,000 people into work - the number being 16,982. We were also required to ensure that 40% of offenders were in employment at termination of their order or licence. The figure achieved was 45%. A lower figure of 26% was applied to prisoners at the point of release, a figure met precisely.

In relation to accommodation, targets include the percentage of offenders in settled or suitable accommodation at the end of their order or licence and upon release. The targets are 70% and 80%, with an achievement of 78% and 86% respectively. Whilst we can take some satisfaction in achieving these results, the real value of sharing them is that they provide an excellent example of partnership – between government departments and with private and third sector organizations. These partnerships simply could not have been achieved working on our own.

Much more will be said about these partnerships later. Our work to deliver targets also leads directly to the next part of the paper on organizational structure.

C. Organizational Structure

The NOMS organizational structure is new. NOMS, like the Ministry of Justice of which it is an agency, has been established following a major programme of structural change. Change is intended to create, amongst other things, increased clarity and accountability between the Government's national strategies for community safety and reducing reoffending and the responsibility of NOMS to deliver 'on the ground'. Delivery is organized through ten Directors of Offender Management, or DOMS, nine for each of the English regions and one for Wales. DOMS have the task of achieving results and value for money through commissioning public, private and third sector stakeholders and delivery partners. This work includes requiring operational prison and probation services to deliver regional reducing reoffending strategies.

Regional strategies are therefore a cascaded version of national strategies which are agreed inter-departmentally by a range of Government departments responsible for areas such as education, employment, housing and health, as well as justice. The *national* cross-Government Reducing Re-offending Board is the

most senior level example of a partnership to reduce reoffending.

Just as strategies are cascaded, so are budgets devolved to DOMS so that they can use them to meet regional need – work which is delivered in collaboration with other government services and other sectors at the regional or Welsh level. *Regional* partnerships involve private or third sector services working alongside the public services to resettle offenders. The 135 prisons and 42 Probation Trusts are in turn able to form *local* partnerships to address locally identified needs.

The point I wish to emphasize is that partnerships are at the centre of every aspect of delivery, at every level – central, regional and local – and with every sector, whether public, private, or the third or voluntary sector.

D. Statutory Partnerships

I would like to take a moment next to describe some of the statutory or public partnerships before turning later to private and voluntary sector partnerships.

Community Safety Partnerships, or CSRs, are a new arrangement in place only since April 2010. They bring together police, local authorities (including their responsibility for housing), fire and rescue, health and probation, together with suggestions for working with prisons, other parts of the criminal justice system including Youth Offending Services, and the voluntary sector, to reduce reoffending. Budgets devolved from central government departments are then combined by agencies closer to the ground, working in partnership to meet identified patterns of need. CSRs are a good example of this model in operation:

CSR member organizations work together to deliver work according to the *ASPIRE* model, first developed by the probation service. *ASPIRE* provides partners with a relatively simple model for co-operation. The five co-operative *ASPIRE* steps are:

- Assess profile of reoffending in the area *including social exclusion data*;
- Strategically Plan for action;
- Implement the plan, drawing on case managed intervention, mainstream and commissioned services;
- Review performance;
- Evaluate success to review outcomes and value for money.

CSPs place a statutory duty on organizations to co-operate. This duty is set out in Section 108 of the Policing and Crime Act 2009. I would like to quote the argument put forward in support of this approach: “Success in reducing reoffending can only be achieved by local partners working beyond traditional organizational boundaries. More effective partnership working as a result of these changes will help to reduce crime and reoffending, protect the public and improve public confidence in the criminal justice system, the police and in other local partners, in a way that allows people to see and feel the difference in their local communities”.

The CSP Executive Summary continues: “Adults and young people convicted of offences are often some of the most socially excluded within society. The majority of offenders have complex and often deep-rooted health and social problems, such as substance misuse, mental health problems, homelessness, high levels of unemployment and possibly debt and financial problems. Tackling these problems is important for addressing the offender’s problems and providing ‘pathways out of offending’, and to break the inter-generational cycle of offending and associated family breakdown”. CSPs therefore give local expression to the national aim of reducing reoffending through reducing exclusion.

Because CSPs are so new, it is not yet possible to provide examples of completed projects. But I can provide examples of work delivered as a result of the preceding Crime and Disorder Act of 1998. The 1998 Act created Crime and Disorder Partnerships (CDRPs). A national dissemination programme, known as the Beacon Scheme, has subsequently celebrated and promoted some of the most successful and innovative partnerships. Four of the areas selected for Beacon status focussed on creating safer communities through reducing reoffending. All have had to demonstrate six ‘hallmarks’ of excellence:

- Empowered and Effective Leadership;

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- Visible and Constructive Accountability;
- Intelligence-led Business Processes;
- Effective and Responsive Delivery Structures;
- Engaged Communities;
- Appropriate Skills and Knowledge.

Examples of partnership practice, facilitated by the multi-agency community approach, include:

- (i) The Safer Sunderland Partnership: Sunderland is the largest city in the north-east of England. The Sunderland project aimed to improve the rate of young offenders engaged in education, employment or training. Sixty local businesses were approached, many of them corporate victims of crime. Offenders were then placed with them to provide unpaid work and gain work experience, so contributing to restorative justice. As well as the skills specific to the employment sector, the offenders learnt basic aspects of employment including timekeeping and dress. By 2008 Sunderland achieved 91% of young offenders in education training or employment, exceeding the national average by 20%.
- (ii) A scheme in the City of Leicestershire involves companies in offering two-week mentored support to young offenders in what is often a first step in experiencing employment.
- (iii) Another scheme in Sunderland engaged young offenders in the design and development of projects to reduce reoffending. This provided a positive learning experience as well as producing useful intervention materials including DVDs on the effects of substance misuse and knife crime.
- (iv) The Sunderland partnership also piloted a scheme for the male perpetrators of domestic violence. A development of the multi-agency approach includes a hostel for eight men who are removed from the domestic home and receive interventions to reduce violence, whilst at the same time agencies work with the victims, and the children in the 98% of cases in which children are also involved.
- (v) Tower Hamlets London – Safe Exit Diversion Scheme. This scheme works with women involved in street prostitution through linking criminal justice services, local authorities and third sector organizations. Following an holistic assessment of needs, women can be referred to one of 12 agencies. Well over 50% of women referred completed the scheme and had their cases discontinued.
- (vi) The “Be Safe Bolton” scheme demonstrated the benefits of information and intelligence gathering and was able to ensure police and reintegration resources were targeted at offenders with the highest risk of harm or conviction. Local agencies have identified “Single Points of Contact” for prisoners approaching release. The intelligence focuses improvement work on localities with high crime rates, and helps identify the most successful approaches. It was one of the first to involve residents in deciding the focus of community service work by offenders. Known as “Community Payback”, more than 50% of community service work is targeted following “Community Walks” on which residents decide on priorities to improve local safety. “Alley-gaters” to prevent run-throughs by groups of young people were one of the first developments.
- (vii) Other schemes addressing offender employment include “Community Hubs” in Tower Hamlets, London which links employers and employment support. Prisoners are, where possible, met at the prison gate. Ex-offenders are engaged in the meeting service and in delivering the employment programme, a model which also develops their own skills and helps them make life changes. The scheme employs male and female ex-offender mentors, and also tries to address specific faiths. Other schemes map the offenders’ experience in gaining work and then involve partnership agencies in working together to improve the process.

CSPs are only one example of agencies working together at the local level. Other statutory partnerships work with specific groups of offenders, including MAPPA partnerships to co-ordinate work with those offenders that present a higher risk of harm, and PPO partnerships working with Prolific and other Priority Offenders. Others target drug mis-users or deliver intensive case management with recently released prisoners who have served short sentences.

“Intensive Alternative to Custody” projects work closely with courts. They may combine community service work, electronic monitoring, group work programmes, and police surveillance, the aim being to divert offenders from custodial sentences.

E. NOMS: Some Facts and Figures

About 50% of NOMS' total budget is spent on public prisons, about 5% on private prisons (another example of work with the private sector), and 23% on probation services. The probation caseload is about 250,000, and the prison population, about 83,000 in 2009, has just passed 85,000. Both these population figures need to be seen in the context of a 'flow' through the system: during 2008, there were 134,000 first receptions into custody and 205,000 started Probation Service supervision.

About 5% of prisoners are female and 14% are foreign nationals. The majority of prisoners are sentenced for offences involving violence, sexual offences, robbery or burglary. The largest number are serving sentences of more than four years, although short-term prisoners, serving less than 12 months, account for a large proportion of receptions and discharges – about 60,000 per year, in spite of the relatively small proportion in prison at any one time. The majority of short-term prisoners spend six weeks or fewer in prison, a length which poses difficulty in arranging purposeful activity.

It is clear that many countries face similar problems in relation to reducing their prison population. These include 're-balancing' custodial sentences in favour of sentences served partly or wholly in the community, reducing reoffending, and demonstrating value for money. There is also an increasingly global set of guidance and regulations, and of course more movement of people. These issues in common reinforce the value of international sharing and learning.

But has the 'science' of transfer kept up with the *pace* of transfer? Working closely with the European Union and international networks such as the European Probation Organisation (the CEP), we have begun, through pilot projects and research, to explore what contributes to successful transfer. This is a topic in its own right, but it will of interest to know that some of the emerging evidence points to the importance of adaptation, to culture as well as legal framework, of learning from failure as well as success, and of transferring ideas rather than detailed methods. We have also seen that *how* a method is delivered can be as important, even more important, than the method itself – and that the vital ingredient of motivated staff and leaders needs to be backed up by opinion formers – the judiciary, media and politicians. It may also be beneficial to resist too fast an implementation of a promising practice. 'What works' may become 'What works and who works, where and how?'

III. THE SENTENCING FRAMEWORK

A. The Sentencing Framework

The England and Wales sentencing framework, like the effective practice and resettlement frameworks which follow, has a relatively recent genesis. The framework was designed with support of resettlement as one of its aims.

1. The Purposes of Sentencing

The 2003 Criminal Justice Act sets out the five purposes of sentencing:

- the punishment of offenders;
- the reduction of crime (including its reduction by deterrence);
- the reform and rehabilitation of offenders;
- the protection of the public; and
- making reparation by offenders to persons affected by their offences.

A number of important principles underpin the sentencing framework. These include the need to ensure that sentences are fair and proportional to the offence, and that sentences of imprisonment are delivered in a seamless fashion from prison to the community as a 'whole sentence'. Purposes of sentencing should be addressed in both the *custodial* and *aftercare* stages of the sentence. This principle directly supports the resettlement framework.

2. The Question of Offence Seriousness

Whilst courts are obliged to have regard to these principles, sentence will generally be determined according to *seriousness* of the offence. Seriousness is made up of:

- *harm* caused by the offence; and

- *culpability* of the offender in committing it.

There is also a presumption that recent and relevant previous convictions make an offence more serious.

Thresholds of penalty are based on seriousness:

- offences that are so serious that only custody will represent a sufficient response;
- offences that are serious enough to warrant a community sentence.

In cases where neither of these thresholds is reached then a fine or a discharge will be appropriate.

3. Prison Sentences

The structure of prison sentence depends on sentence length. Implementation is progressive:

- (a) Sentences under 12 months (currently no supervised licence). The intention is:
 - A custodial period of 2-13 weeks; a licence period of 6-9 months;
 - Court sets licence conditions;
 - Includes executive recall.
- (b) Sentence of 12 months' imprisonment or longer:
 - Are served half in custody and half in community;
 - A Case Manager agrees an intervention plan and conditions;
 - Includes executive recall.
- (c) Intermittent and Suspended (court handles breach) options;
- (d) In the case of a life sentence, or indeterminate and extended sentences for serious and public protection cases, the Parole Board decides the release date.

The intention of the Act is that many of the options applicable to community sentences are also available on post-release licence.

4. Community Sentences

Since the implementation of the Criminal Justice Act 2003, there has been a single community order for offenders aged 18 or over that can comprise up to 12 requirements depending on the offence and the offender. These are:

- unpaid work (formerly community service/community punishment) – a requirement to complete between 40 and 300 hours' unpaid work;
- activity – for example to attend basic skills classes;
- programme – there are several designed to reduce the prospects of reoffending;
- prohibited activity – requirement not do so something that is likely to lead to further offences or nuisance;
- curfew – electronically monitored;
- exclusion – not much used as no reliable electronic monitoring yet available;
- residence – requirement to reside only where approved by a probation officer;
- mental health treatment (requires offender's consent);
- drug rehabilitation (requires offender's consent);
- alcohol treatment (requires offender's consent);
- supervision – meetings with probation officer to address needs/offending behaviour;
- attendance centre – three hours of activity, usually on Saturday afternoons, for between a minimum total of 12 hours and a maximum of 36 in total.

Typically, the more serious the offence and the more extensive the offender's needs, the more requirements there will be. Most orders will comprise one or two requirements but there are packages of several available where required. The court tailors the order as appropriate and is guided by the probation service through a pre-sentence report.

IV. THE EFFECTIVE PRACTICE, OR ‘WHAT WORKS’, FRAMEWORK

NOMS has introduced three systems to reduce reoffending:

- An Offender Assessment System (OASys) – designed to assess risk and needs and to inform case management;
- The *National Offender Management Model* – intended to manage offenders safely and effectively, including managing prisoners consistently from prison to the community;
- *Interventions* - including unpaid work, employability programmes, and accredited programmes to address a wide range of offending-related or ‘criminogenic’ needs including ‘thinking skills’, domestic violence, sex offending, and drug or alcohol misuse.

The effective practice framework flows naturally from the sentencing framework. Although they may at first appear only indirectly related to resettlement, closer examination shows a direct relationship.

A. The OASys Assessment System

OASys has been developed jointly by the prison and probation services. It is an IT-based system which assesses offending-related need and risk of reconviction and serious harm. There is on-going validation of accuracy against actual reconviction. The OASys tool also guides individual sentence planning, measures change, and provides management information. Data is aggregated centrally, regionally and locally to support analysis and service planning – of NOMS and stakeholders.

OASys measures a wide range of factors statistically shown to be relevant to offending. These include education, training and employability, accommodation, financial management and income, relationships, lifestyle and associates, drug and alcohol mis-use, emotional well-being, and thinking skills and attitudes.

The risk assessment element measures harm to the public, children, staff, prisoners, offenders themselves, and to adults known to the offender, indicating whether risk is low, medium, high or very high. Action to manage risk is then triggered including through MAPPA arrangements described later.

OASys data may be analysed in many ways: data demonstrates the offending-related needs of a national probation sample by type of need and by gender. The data might also, for example, be analysed by prison or probation caseload or by region or city. Our OASys data shows that the most common needs of offenders, *related to their offending*, include education, employment, with a wide range of other needs including ‘thinking skills’ (such as problem solving), accommodation and drug problems not far behind. This complexity of need makes our work more difficult. This point will be returned to later.

B. The National Offender Management Model

The National Offender Management Model is underpinned by a number of principles intended to support resettlement. These include:

- One Offender Manager, an individual probation officer, who manages the case throughout the sentence (including time in prison) to provide continuity;
- The Offender Manager is community based – even for prisoners;
- One sentence plan is developed for the entire sentence;
- A system of resource “Tiers” allocates resources according to risk and needs;
- The concept of the “Offender Management Team” – all responsible agencies operate to common agreed goals.

The model provides the means by which NOMS ensures the right services are harnessed from within the service and from partners, and delivered to each offender according to risks and needs assessed through OASys assessment.

C. Interventions – The “What Works Core Curriculum”

The third system is referred to as the “Core Curriculum”. This is the suite of interventions most closely associated with ‘what works’ – interventions based on tested independent research evidence of effectiveness.

NOMS 'what works' interventions are based on a process of accreditation. Accreditation is carried out by an independent group of international experts – the "Accreditation Panel". The panel has developed Interventions Criteria against which new approaches are assessed. Key criteria are:

- a clear model of change;
- specified offender selection criteria;
- targeting of offending risk factors;
- employing effective methods;
- skills orientated;
- appropriate sequencing, duration and intensity of intervention;
- motivation and engagement;
- continuity of services;
- maintenance of integrity;
- evaluation and monitoring.

The core curriculum contains more than 20 programmes, and is continuing to expand. The creation of NOMS provides an opportunity to rationalize programmes historically developed separately by the prison and probation services and to build continuity of programme design and delivery. For example, sex offender treatment begun in prison can be reinforced post-release.

The programme range includes cognitive skills, substance misuse, sex offender treatment, violence and emotional management, women offenders, drink impaired drivers, and resettlement. Most are designed for group delivery. However there are also programmes for delivery to individuals, who might for example live in an isolated area where it would be impractical to deliver to a group.

It is important to note that we know from experience and research that programmes are only effective when delivered as intended by well-trained, managed and supported staff. Delivery quality is so important that NOMS has developed detailed guidance, audit and support to ensure these standards are met in prisons and the community.

D. 'What Works' Evaluation

Evaluation evidence is promising. The 2006 Evaluation Cohort allows comparison with year 2000 results. The frequency of reoffending reduced by an average of 22.9%. For offences classified as most serious, the reduction was a reduction of 11.1%. Over the same period, the *proportion* of offenders reoffending fell by 10.7%.

This translates into significantly fewer victims and reduced costs associated with crime.

V. SOCIAL EXCLUSION, COMMUNITY REINTEGRATION AND RESETTLEMENT

A. Development of the Overall Approach

I now move to social exclusion, community reintegration and resettlement.

Genesis of the resettlement and community reintegration framework has followed a similar timescale to the sentencing and 'what works' frameworks. In 2001 the Government's Social Exclusion Unit (SEU) published a report on prisoner resettlement and social exclusion. The findings were startling and showed, for example, that prisoners were far more likely than the general population to be unemployed (67% of pre-sentence prisoners and 5% of the general public respectively), to have no qualifications, to be homeless, and to suffer from mental disorders.

The NOMS reintegration and resettlement framework is based on the Social Exclusion Unit's work. The report, which was researched and prepared in close collaboration with the Prison and Probation Services, proposed a needs-based 'pathway' approach through which offenders' needs are addressed via cross-government agreement and action.

As noted by Maguire and Raynor (2006), the SEU's location in the office of the Deputy Prime Minister gave the recommendations political weight and allowed development of a cross-departmental approach to social inclusion and reducing reoffending. A national strategy and action plan on reducing reoffending (2004) extended the pathway approach to community sentences.

The resettlement framework comprises seven rehabilitation 'pathways' for men and women. Each pathway addresses areas of work critical to resettlement (and to work with offenders in the community). However, when applied to resettlement, the pathways require prisons and probation areas to work closely together to ensure that pathways are continuous from custody to community. The 'pathways' are:

- Accommodation;
- Education, training and employment;
- Health;
- Drugs and alcohol;
- Finance;
- Families;
- Attitudes, thinking and behaviour.

Two additional 'pathways' have recently been added for work with women. The 'pathways' are underpinned by four cross-cutting themes:

- Assessment and Case Management;
- Diversity;
- Public Protection;
- Partnerships.

One of the most far-reaching recommendations of the SEU report encouraged prisons to think in terms of '*mainstream permeability*', the idea that prison walls should not be barriers to prisoner access to mainstream services. Government departments have responsibility for developing policy on offender access to mainstream services. This recommendation has speeded up the introduction of mainstream staff working closely in prisons, often through a system of '*in-reach*' staff co-located with prison staff in resettlement units.

The pathway approach has enabled us to gain a national, regional and local picture of resettlement need and to involve other departments and partnerships based on this accurate picture. When OASys needs are placed within the pathway structure we see that education, employment, thinking skills, relationships (including family), substance misuse, and accommodation are at the top of the list. This provides us with clear and impartial evidence on which to base priorities in strategy, policy and practice.

B. Lessons in Resettlement

In parallel to the work of the SEU, a number of evaluated development projects including the Resettlement Pathfinders (1999- 2003) demonstrated some vital characteristics of effective resettlement.

But firstly, what do we mean by resettlement? In 2001 the UK Association of Chief Officers of Probation defined it thus:

"A systematic and evidenced-based process by which actions are taken to work with the offender in custody and on release, so that communities are better protected from harm and reoffending is significantly reduced. It encompasses the totality of work with prisoners, their families and significant others in partnership with statutory and voluntary organizations."

The pathfinders found resettlement was more effective when:

- The sentence plan is based on sound assessment of risks and needs;
- Intervention begins as soon as possible after sentence;
- Intervention includes attention to attitudes and thinking;
- Attention is given to practical needs, with links to mainstream provision and community facilities;
- Case management is delivered 'through the prison gate' and includes work on motivation.

The echoes of the effective practice framework described earlier will be evident. The Social Exclusion Unit report and resettlement pathfinders were followed by the National Reducing Re-offending Strategy and action plan. These have since shaped resettlement at the central, regional and local levels.

C. The Importance of Personal and Social Factors in Inclusion, Reducing Reoffending and Resettlement

I want to conclude this first paper by describing some new and exciting developments in inclusion, reducing reoffending and resettlement. These focus on the interaction of personal and social factors in supporting change and integration.

1. Desistance

First I would like to draw attention to the rise in understanding of what helps offenders to desist from reoffending. Desistance theory emphasizes long term change over short term control, and the collective interest of the community in integration of offenders. The focus is on supporting offenders to see themselves in a new and more positive light with hope for the future. Desistance theory may argue that individuals need a combination of *motivation, human capital and social capital* in order to succeed. Human capital includes the capacity of the individual to make changes and achieve goals. Social capital includes factors such as employment and supportive family or other relationships.

Successful resettlement therefore depends on helping offenders in all three areas, recognizing that progress in all is unlikely to be direct or continuous. It is said that 90% of offenders remain ambiguous about their future until and even beyond apparently stable reintegration.

2. Motivation

(i) F.O.R. a Change

F.O.R. a Change is a resettlement programme which draws on desistance theory, motivational theory, the proven effectiveness of cognitive behavioural work, and practical support to engage offenders in planning a new future. The aim is to create both confidence and commitment to change. The programme builds on the motivational cycle of change to move individuals through five stages of accepting the need for change, recognizing problems, defining how to overcome problems, developing their own plan for change, and controlling of risks of relapse.

The programme involves 12 two-hour sessions, delivered in groups and individual sessions, with support post-release offered by the probation service or by the voluntary sector. One of the most successful and innovative features of the programmes is the "Community Market Place". This innovative approach involves inviting representatives of public agencies and voluntary organizations into the prison where they set up "Market Stalls" displaying the services they offer. Prisoners are able to walk around the 'market place' and to approach organizations that would be helpful to them, making appointments to follow up these contacts once they are released. Prisoners therefore become active rather than dependent participants in their own resettlement and feel the rewards of their own positive action. This in effect is building social capital, and taken as a whole, the programme aims to improve motivation, confidence and community opportunities.

The F.O.R. a Change programme has been run in several male and female prisons with good success and has received accreditation by the UK's panel of independent experts.

Consideration of this programme will lead suitably to part two of this paper which will consider employment and accommodation strategy, and the partnerships and projects which deliver the strategy, in detail.

THE EFFECTIVE RESETTLEMENT OF OFFENDERS BY STRENGTHENING ‘COMMUNITY REINTEGRATION FACTORS’

PART TWO

*Steve Pitts**

I. NOMS’ PRACTICE AND STRATEGY TO IMPROVE OFFENDERS’ LEARNING, SKILLS AND EMPLOYMENT

A. Why Focus on Learning, Skills and Employment?

NOMS operational data from 2008-2009 for offenders in both custody and the community demonstrates that many unemployed offenders have significant multiple barriers to employment. These include accommodation issues (45%), drug use (33%), alcohol abuse (53%) and emotional well-being needs (40%). Offenders who are unemployed therefore demonstrate higher levels of other need than offenders who are in work. Addressing these barriers must require a multi-agency approach in order to help them resettle and get into a position where they can find and retain work.

Prisoners’ own perception of need, an important indicator of motivation as well as need, found that most said they needed help, with finding employment (48%), getting qualifications (42%) and work-related skills (41%) at the top of the list, followed closely by accommodation (37%). Younger adult offenders put their employment, qualification gaining and work-related skills needs significantly further ahead of other needs.

A number of studies indicate that prison education and vocational interventions are a good use of public resources. Recently published figures (drawing on figures from five US studies from the 1990s) show the net financial benefit to the public sector associated with educational and vocational interventions ranges from £2,000 to £28,000 per offender (or from £10,500 to £97,000 per offender when victim costs are included).

The NOMS’ strategy is wide ranging and includes support along the individual’s learning, skills and employment pathway, through prison industry development, the “Corporate Alliance” to engage employer support, strategic development with other government departments, and recent developments in Social Enterprise and Unpaid Work.

B. Development Examples

1. An Individual’s Pathway: Learning, Skills and Employment

An individual’s pathway with NOMS passes through up to four phases depending on need. Progress is recorded so that key information can be tracked and communicated. The four phases are:

- Addressing Initial Needs and Barriers;
- Supporting Preparation for Employment;
- Progression Routes into Work;
- Risk, disclosure of criminal records.

(i) *Assessment*

Assessment for prisoners serving medium to longer sentences is comprehensive, including the OASys system of risks and needs. Prisoners serving shorter sentences receive a less in-depth assessment commensurate with the time available to intervene. The aim is that prisoners and offenders sentenced in the community receive basic skills screening soon after reception by the establishment or making of an order.

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Key questions, including confidence in writing name, address and phone number provides a rapid indication of need.

Recording assessment is obviously important for planning and accountability. On the Case Assessment and Tracking System (CATS) used in many employment projects, ten areas are assessed red, amber or green according to level of need. The assessment leads directly to an action plan developed on an individual basis by an inter-agency Learning, Skills and Employment team in each prison.

(ii) Supporting Preparation for Employment

Depending on assessed need, support in preparing for employment may begin with *Information* (on Opportunities, Vacancies and Qualifications), *Advice* (on Benefits/Finance and Motivation), *Guidance* (on Needs, Goals and building an Action Plan), and *Job Seeking Support* (on Job-search, and CV and Interview Preparation).

(a) The Virtual Campus

The "Virtual Campus" has been developed over the last three years. The virtual campus allows prisoners carefully controlled access to web-based material including careers advice, CV development tools, advice on managing debts or family difficulties, and accredited course study. It also provides a means of sending secure, checked electronic messages to prospective employers and learning providers post-release. The system offers particular advantages in the efficiency of learning delivery.

(iii) Progression Routes into Employment

Progression Routes into Employment is probably the most intensive area of NOMS employment intervention, in terms both of NOMS and partner contributions and an individual's daily experience of the working day. Programmes address basic skills, softer life/interpersonal skills such as communication, and vocational skills.

(a) Sector Skills Councils

One of the important recent ways in which NOMS has endeavoured to strengthen relationships with business and other sectors is through engagement with Sector Skills Councils. These councils represent different sectors of the employment market. Nineteen different sectors have been approached ranging from arts and engineering to catering. Benefits of the approach include the ability to:

- Track labour market need, changes and skills shortages;
- Ensure prisons deliver courses relevant and current to the sector/home area;
- Identify a preferred awarding body for each sector, to improve consistency between prisons. This can include course, registration and certification costs;
- Develop staff training requirements;
- Improve employer links and processes.

(b) Working Day Realism

Another significant area of development is improvement of the skills and work emphasis in the prison working day. The aim is to make the prisoner's work experience as realistic and industry-relevant as possible, for example, in working hours and interaction with supervisors and other workers.

(iv) Discretionary Funding

Discretionary funding is available to support offenders entering employment. This funding may cover initial living expenses, for example during the period between benefits stopping and receipt of a first wage, work equipment or, in the case of self-employment, business start-up costs. Funding may also be provided for short focused training.

(v) Arts-based Interventions

Arts-based programmes are often delivered, frequently with third sector input, and designed to build skills in informal interaction and self expression.

(vi) Work Experience

Work experience can help address skills lost through time in prison or which the individual may never have had. The experience can provide an opportunity to learn as a team, to get a better understanding of the

‘world of work’, and in some cases build a small cash sum before release. Work experience may be delivered in the community on day release or in a custody-based enterprise – one of the key ways in which industry is directly involved in the work of NOMS. This work may be unpaid or paid at a low wage to reflect the training nature of the work.

(a) Guaranteed Interviews

Guaranteed interviews may be offered by employers to prisoners who meet the minimum requirements for the job or as part of a wider package where a guaranteed interview is given following successful completion of a customized training course.

(b) Employer Fidelity Bonds

Employer Fidelity Bonds are in effect insurance cover provided to an employer by a third sector organization in partnership with commercial insurers in order to overcome one of the barriers commonly faced by offenders.

2. Prison Industries and Other Employment-Related Prison Services

NOMS delivers a range of other services that, whilst not necessarily primarily intended to support skills and employment, are wherever possible employed to that effect. These services include:

(i) *Prison Industries (including Agriculture and Horticulture)*

Prisons facilitate the in-house production and distribution of goods for internal consumption, providing around 10,000 prisoners with employment and training opportunities wherever possible, whilst making best use of available resources. External work opportunities are also sourced, and other opportunities include prison landscapes, outdoor sports facilities, ornamental horticulture and market garden facilities.

Prisons provide offenders with a chance to learn the skills they need to get a job upon release and, as noted previously, NOMS is increasingly looking at making the work undertaken within prisons by prisoners as much like real work as possible.

This involves introducing many prisoners, who either have no, or very limited work histories, to employment and skilling in generic and specific work skills. It also means running employment areas within prisons so far as possible on business lines so that the production of goods and services is demanding.

NOMS is gearing up production so it can take on greater volumes from the Ministry of Justice, in particular in printing and office furniture – there is also potential in cell furnishings and security. NOMS see this as a win-win endeavour: cost savings to the Ministry of Justice and purposeful employment and training for prisoners.

Some examples include:

- 10,000 prisoners are employed in over 300 prison industry workshops (including contract work with private sector partners and industrial laundries) and provide an estimated value of production at some £35m (at market prices). This provides in the region of 12 million hours of activity per year. Prison Industries also generate income of some £5.5m per annum from external sales – mainly through contract services workshops;
- Hundreds more prisoners are involved in reparation/charity workshops, for example repairing wheelchairs, bikes, computers and Braille services;
- Some 3,500 prisoners are involved in food preparation and service – producing and serving over 75 million meals a year; another 500 or so are employed in workshops assembling beverage and breakfast packages for up to 60,000 prisoners per day;
- Up to 1,800 prisoners are involved in land based activities; and
- Significant numbers are involved in domestic work such as cleaning.

NOMS and the Skills Funding Agency work together to embed learning opportunities into these activities and to accredit the skills developed. Wider developments in progressive (small-scale) ‘unitised’ qualifications through the Qualifications and Credit Framework are particularly applicable in the offender learning setting.

(ii) Prisons Information and Communication Technology Academy (PICTA)

NOMS supports the delivery and development of current commercial qualifications in information technology in dedicated workshops to encourage employer engagement and employment in a growing market sector on release. Workshops provide prisoners with an opportunity to follow an individual self-paced vocational study programme in a modern vocational skill, extending studying options after release.

(iii) Prison Radio

NOMS is working towards the development and provision of a national prison radio service with the capacity to broadcast to every prisoner in-cell and at work across the estate. One of the main aims of Prison Radio is to serving offenders' time in custody and preparing them for resettlement.

(iv) Prisoner Retail

Prisoner Retail supplies the products purchased by prisoners. A partnership with a commercial company has introduced service-wide provision under a new ten year DHL/Booker contract. Prisoner purchased products are picked and packed in retail workshops, using prisoner labour (with the exception of the High Security prison estate) providing employment and skills training.

3. Government Departmental Joint Development and Review

Adult offender skills, learning and employment policy responsibility is shared between three Government Departments: Business Innovation and Skills (BIS), Work and Pensions (DWP), and the Ministry of Justice, with BIS leading on skills and DWP on employment. Shared programme arrangements explicitly recognize this and the respective operating arms of these three departments (the Skills Funding Agency, Jobcentre Plus, and the National Offender Management Service) work together at national and local level to implement policy. In keeping with the principles set out in the Social Exclusion Unit Report, the intention is that primary responsibility for meeting offender needs rests with the mainstream government department, the role of NOMS being primarily to facilitate the work of those departments including supporting and motivating offender access to services.

In 2010-11, current plans are for BIS to spend about £168 million on offender learning for those in custody in English public sector prisons. About 85% of that is spent on learning provision through the Skills Funding Agency, with the majority of the balance going via NOMS (including £8 million on prison libraries which form part of this suite of responsibilities) in support and management of learning.

In relation to employability, the DWP delivers support for offenders and other disadvantaged groups such as recovering drug addicts and homeless through the "progress2work" programme (currently worth around £20 million). Offenders also take part in existing mainstream employment support such as the "New Deals" (a Government scheme for unemployed claiming Job Seekers Allowance) and "Pathways to Work" (for health related benefit claimants).

(i) Joint Ministry of Justice and Department for Work and Pensions Review

The review aims to improve co-ordination of services between the two departments. Objectives include to:

- Facilitate improvements to partnership working to ensure that services delivered to offenders are joined-up to achieve the best possible outcomes for individuals, and that these services are communicated with other partners;
- Increase the effectiveness of employment related services in custody and the community by developing a delivery framework that sets out more clearly the roles and responsibilities of both organizations;
- Join up employer engagement activity between NOMS and Jobcentres;
- Facilitate joint data sharing between MOJ/NOMS and DWP/Jobcentre Plus (government employment offices) at a local, regional and national level; and
- Explore the feasibility of a future shared target to drive performance across the two agencies.

4. The Corporate Alliance

The Corporate Alliance is a banner for the Government's employer engagement activities for offenders. It includes partnerships with private, public and voluntary sector organizations to improve the skills and employment outcomes for offenders. It seeks to:

- encourage more employers to employ and support offenders during the process of finding and retaining employment;
- support and disseminate good practice involving employers improving the skills and employment of offenders; and
- use employers to 'market' the Corporate Alliance to other employers.

There are three levels of engagement that enable employers to get involved with offenders in ways that best suit them. These are:

- Level One – activities to support improvement in employability, focusing on donating materials that can be used to train offenders, and donating staff time for interview training, CV preparation, and for mentoring offenders;
- Level Two – activities in support of designing and delivering training programmes, including paid work placements; and
- Level Three – recruiting directly from prisons and probation.

Promotion of the Corporate Alliance at national and regional level has resulted in over 100 employers, who are already involved with offenders or planning to get involved, using their involvement to promote the case with other employers.

To ensure that developments to engage with employers are informed and steered by employers, a Reference Group, chaired by a business leader, consisting of major as well as medium and small employers from the private, public and voluntary sectors has been established.

(i) Business in the Community

Business in the Community (BIC) is an independent business-led charity with more than 830 companies in membership. Through its "Unlocking Talent" programme, BIC aims to develop the skills and talent of the workforce as some of its members work in support of Corporate Social Responsibility. BIC has a specific offender-employment initiative: this work is itself an example of partnership between NOMS and the private sector: work on employing ex-offenders is sponsored by the Barrow Cadbury Trust.

Business in the community has a clear offender-employment perspective:

"Through its member companies, Business in the Community works to improve the ability of ex-offenders to find employment. A good stable job is the single greatest factor in reducing reoffending. Not only does it provide individuals with the necessary resources and self-esteem to improve their lives but benefits all sections of society through reduced levels of crime."

Another perspective addresses direct benefits to the employer: "We share in common with most employers a recurring headache – the recruitment and retention of staff, and we have had to learn to think beyond the traditional recruitment routes. There is undoubtedly a large pool of under-utilized skilled men and women in our prisons who are due for release into your communities, and who are keen and willing to work. Those we have employed have been exemplary employees."

Business in the Community is clear about the business case for employing ex-offenders. Arguments in support of the case include:

- (a) Savings to the private sector through crime reduction: crime costs business £19 billion year; reoffending by ex-prisoners costs £11 billion year. Ex-offenders in work are 33% - 50% less likely to reoffend and some schemes reduce risk to 10%;
- (b) Recruitment cost savings of 40% - 60% have been identified;
- (c) Mentoring ex-offenders brings skills and experience benefits for existing employees, including in management, communication, listening and team building.

(ii) Examples of Corporate Involvement in Training or Employing Ex-offenders

- NOMS prisoner retail contract with DHL/Booker (supply chain management) employs some 500 prisoners in DHL supervised facilities across a number of prisons;

- Travis Perkins (tool hire and builders merchants) opened their first training centre in HMP Stocken in 2009 and has already expanded into another workshop in the same prison with total employment of 90 prisoners. Travis Perkins are now employing prisoners on release around their many sites and are growing their partnership into a second prison, HMP Ford. The workshop in this prison is expected to employ around 50 prisoners by the end of the year;
- Timpson's (shoes) now have two "Academies" (at Liverpool and Wandsworth prisons), demonstrating a strong interest in the rehabilitation of offenders;
- Morrisons (retail) runs a pre-release training course in three prisons leading to employment on release. Significantly, the company achieves an 80% success rate in retention;
- The Compass Group "Rehab" project employs serving female prisoners in a defence establishment where they learn catering and related skills.

(iii) Risk and Disclosure of Criminal Records

Recognizing employers' needs and concerns in relation to risk is a fundamental aspect of gaining employer confidence. NOMS has adopted "Tiered Case Management" which allocates resources and level of punishment, help, support in making changes, and control to four levels according to assessment, which will be multi-agency in the case of the highest risk levels. The four levels are:

- Punish
- Punish and help
- Punish, help and change
- Punish, help, change and control (including MAPPA)

Disclosure of Criminal Records is set out in the Rehabilitation of Offenders Act 1974, updated by the Criminal Records Bureau, launched in 2002. Both an Advisors Guide and an Offenders Guide are available, providing information, and advice on CV preparation and interviews.

II. PARTNERSHIPS WITH THIRD SECTOR ORGANIZATIONS

NOMS works with a wide range of third sector organizations which provide support pre and post-release addressing education, training or accommodation. Third sector organizations as well as private ones help to bridge the gap between prisons and community.

NOMS works with third sector organizations at national level, regional level and locally. At national level, "Clinks" holds an umbrella organization role, supporting other third sector organizations that work with offenders and their families. Over 900 voluntary organizations are responsible for more than 2,000 projects that provide services to offenders.

As well as supporting third sector organizations, including mentor organizations, Clinks estimates that about three quarters of prisoners would be willing to do voluntary work if it were available. Prisoners provide an increasingly rich source of volunteers – working as peer mentors sometimes alongside paid or other voluntary staff. In total, more than 7,000 volunteers contribute to the rehabilitation of offenders nationally.

A. Strategic Developments for NOMS – Third Sector Work

In October 2008 the Ministry of Justice and the National Offender Management Service (NOMS) published the action plan "Working with the third sector to reduce re-offending – securing effective partnerships 2008-2011". The plan sits beneath the Ministry's Third Sector Strategy published in June 2008 and aims to build on work to reduce barriers to the sector's role in reducing reoffending, protecting the public, achieving safer communities, and tackling social exclusion. It also seeks to enable and promote effective volunteering and mentoring with and by offenders and ex-offenders. Progress against objectives and actions is being monitored by the Ministry of Justice/NOMS Reducing Re-offending Third Sector Advisory Group.

The strategy has three overarching aims:

- (a) to improve third sector 'voice' and partnership working;

- (b) to transform services; and
- (c) to drive up the quality and diversity of volunteering and mentoring.

1. Action Plan Progress

(i) *Improving Voice and Partnership Working*

A new *Reducing Re-offending Third Sector Advisory Group*, has been set up. The purpose of the Advisory Group is to provide advice to Ministers and senior officials on reducing reoffending from a third sector perspective and to present concerns and opinions about future priorities, issues and policies which might affect the sector. The Group has a key role in advising and overseeing progress on the implementation of “Working with the Third Sector to Reduce Re-offending 2008-2011”. The Chair will also sit on the NOMS Reducing Re-offending Policy Board.

The Advisory Group has indicated that it believes the success of the action plan will be judged by:

- “An increase of front-line services to offenders by third sector organizations, including small and local organizations, and Black and Ethnic Minority organizations and faith groups; and
- An increased involvement in design and development of services, and ensuring effective partnerships between statutory, private and voluntary sectors drawing on complementary strengths”.

The Ministry’s *strategic funding to national third sector infrastructure* – Clinks, Action for Prisoners’ Families, and the Development Trusts Association – is now in the second year. The funding has enabled these organizations to support and represent their members and a wider group of third sector organizations to government, NOMS, and the range of agencies working with and funding the third sector to reduce reoffending.

The independent *Arts Alliance* was launched in November 2008. The Anne Peaker Centre is jointly funded by the Ministry of Justice, Arts Council England, and the Indigo Trust to co-ordinate the Alliance. The Arts Alliance aims to provide a strong network and coherent voice for the arts sector working with offenders. The Ministry of Justice has also set up a cross-departmental, cross-sector *Arts Forum* to engage with the Arts Alliance. The Forum enables dialogue between the responsible government departments, Arts Council England, and arts providers and funders with the aim of reducing barriers to and promoting the role of the arts in offender management and rehabilitation.

In November 2009 the Ministry of Justice and the Department of Children, Schools and Families published “*Reducing re-offending: supporting families, creating better futures*”, a framework for improving the local delivery of support for the families of offenders. It sets out how the ‘*Think Family*’ approach can make a difference for these children and families at each stage of the criminal justice system, from arrest to the end of sentence and beyond, if the key agencies work together. The framework was developed in partnership with the third sector and highlights the role of the sector in working with these families and in helping to make the case for investing in them as part of a wider agenda to tackle social exclusion.

(ii) *Transforming Services*

A key development has been the NOMS commissioning strategy, agreed in December 2008, which reflects the commitments set out in “Working with the Third Sector to Reduce Re-offending”, including the importance of harnessing the potential of the third sector, alongside the public and private sectors, to deliver services for offenders. Commissioning will be devolved away from the NOMS centre, to Directors of Offender Management at regional level and to local prisons and probation.

To divert women from custody, the Ministry of Justice is investing £15.6 million through the third sector over two years in additional support services for women.

The Ministry has set up a cross-department/agency working group to promote the role that *social enterprises* can play within criminal, civil and family justice, including offender management and reform. The group organized a national conference which took place on 4 March 2010 to raise awareness of social enterprise within the criminal justice sector and to signpost providers to learning and development opportunities and tools. The group is also exploring the value of developing a social enterprise strategy for the Ministry of Justice. NOMS obtained funding from the Office of the Third Sector to undertake a

programme of 'Action Research' focused on developing work with the social enterprise sector. A number of pilot projects were identified and more followed a mapping and research programme carried out by the Social Enterprise Coalition. The Ministry of Justice and NOMS have been allocated Social Enterprise Ambassadors to help develop our plans and promote the role of social enterprise in the justice system.

(iii) *Volunteering*

A *Volunteering and Mentoring Network* has been set up to promote collaboration between delivery organizations and volunteering infrastructure, encourage diversity and identify good practice, collate evidence, and promote all aspects of volunteering and mentoring to reduce reoffending. The steering group, chaired by "Volunteering England", is currently advising on the production of guidance for organizations involving volunteers and mentors in work with offenders and ex-offenders.

Since March 2009 a *Volunteering and Mentoring e-bulletin* for organizations working with offenders has been sent out from Clinks on a monthly basis to a distribution list of over 2,500 organizations from all sectors.

Clinks *training and resource packs* have been further developed. The "Volunteering in Prison" training pack has been updated and available since September 2008. The "Volunteering with Offenders in the Community" training pack has also been updated and includes material on community safety and victim contact and support. It has been available since January 2009.

2. Work in Progress

Significant other work in conjunction with the third sector is in progress.

In response to the "*Bradley Review on the diversion of offenders with mental health problems or learning disabilities away from prison*", the Government has set up a National Advisory Group of third sector representatives, with a third sector chair. The Chair of the Group will sit on the newly established Health & Criminal Justice Board.

The Department for Communities and Local Government (CLG) has decided that it will not develop a Charter on funding *faith based organizations*, but has set up a *consortium of faith communities* to look at religious literacy training to improve the knowledge and skills of public agencies to work with faith communities. The Ministry's Third Sector Team is working with colleagues in CLG and the "Office of the Third Sector" (OTS – a Department located close to the centre of Government) to support and promote this work in relation to faith-based organizations working with offenders and to strengthen the engagement of faith organizations.

The Ministry has commissioned research into the support needs of the *women's organizations* and projects that deliver services to women offenders and those at risk of offending. This will help to identify how to strengthen support for, and the engagement and sustainability of, the women's sector in reducing reoffending.

With funding from the Lloyds TSB Foundation and building on previous initiatives, NOMS is running a number of roundtables to identify key achievable actions that will strengthen diverse Black and Minority Ethnic third sector (BME) voices in reducing reoffending. This includes a look at the role of infrastructure and what needs developing further to strengthen BME sector engagement at all levels.

A review of existing schemes that *broker the relationship* between third sector organizations and prisons and probation is in progress. It has been agreed that NOMS will lead on exploring brokerage at regional and local levels and that the Ministry of Justice Third Sector Team will help broker relationships between the 'justice' third sector and other Government Departments.

III. EUROPEAN LEARNING

Before turning to projects operating at the local level, it is useful to reflect on some of the lessons from European projects. Offender employment is a high priority for the European Union, and the number of projects delivered across Europe provides a rich source of experience. The European Union has funded 121

development projects – each involving several international partners. The learning has been immense and the projects have also identified important gaps in our knowledge of what gets offenders into work. Gaps in understanding and practice include sustaining offenders in employment, attention to diversity, ensuring that learning is disseminated (not ‘reinventing the wheel’), and ensuring sufficient and reliable evaluation.

IV. SOCIAL ENTERPRISE

A. What are Social Enterprises?

Social Enterprises have the following characteristics:

- They are independently constituted businesses, driven by a business agenda, and aiming to meet social as well as financial objectives;
- They make profits or surpluses that are re-invested into the business to support its social purpose.
- They are socially owned and accountable to a wider community through a membership and democratic structure.

The benefits of social enterprises include cost savings, building links with local communities, innovation and creativity. NOMS research has recently shown that 62% of probation areas are involved in Social Enterprise (about 40% of them connected with Community Payback). About 53% of prisons are involved. However 47% of prisons and 95% of prisoners would like to expand that number.

B. Examples of Projects Operating at the Local Level including Social Enterprises

The following provides an indication of the range of third sector and social enterprise projects working with ex-offenders.

1. “The Clink” – Catering

- “The Clink” is a restaurant at HMP High Down;
- It provides training and employment experience in a high quality restaurant environment;
- Employs 16 serving offenders at any one time as trainees;
- Managed by social enterprise Eco-Actif CIC;
- Profits to pay staff, provide training and qualifications and follow up support;
- Employs ex-prisoners.

2. Leeds City Credit Union - Financial

- Provides access to banking - addressing financial exclusion;
- Includes a simple process involving the prison to overcome the problem of personal identification;
- Operates 500 accounts for prisoners;
- A money management scheme addressing rent arrears, mobile phone contracts and any pre-existing debt.

3. HMP Dartmoor Resettlement Unit

- This project is linked with a high profile public garden – the Eden Project;
- Prisoners, guided by staff of Eden Project, have turned unused open space in the prison into productive vegetable gardens;
- Boxes of vegetables are delivered free of charge to elderly and poor members of local community;
- The project has received many letters of thanks from local people.

4. REACH – Prinknash Monastery Gardens

- This project provides activities to unlock the potential within people who feel socially excluded or who have committed offences;
- The project has transformed an ancient monastery garden which had become overgrown. The garden is now a centre for learning trades and for providing leisure for the members of public or disadvantaged people.

5. “Inside Job Productions”

- Trains women on day release from prison in the professional media.

6. “Cementaprise”

- Cementaprise brings together prisons, the probation service, employers, education and employment services, local authorities and the voluntary sector;
- Together they support offenders in gaining employment in construction industry;
- Offenders are able to ‘taste’ a range of trades and to engage in craft training in short manageable courses, to develop personal skills for employment as well as practical skills and to gain the health and safety certificates that are a requirement for work in the construction industries.

7. “Changing Directions”

High risk offenders will require special attention to ensure the risk they pose is managed. The Changing Directions initiative provides self-employment opportunities for sex offenders, or those who pose a risk to children. The programme involves:

- Delivery of a prison-based enterprise training programme;
- Drawing up of individual business plans;
- Development of a small business support network designed to empower beneficiaries to sustain small businesses.

V. COMMUNITY PAYBACK

A. Community Payback

It is useful at this point to focus on Community Payback. Community Payback, also known as Community Services or Unpaid Work, has the highest profile of all the community sentences in England and Wales. It attracts public awareness, media coverage and political interest. Although the main purpose is to provide punishment and reparation, for some offenders they are also rehabilitative benefits as Community Payback projects can provide an opportunity to develop life and vocational skills that reduce the risk of reoffending.

Up to 20% of the hours can be spent on skills and employment preparation. More than 62,000 offenders successfully completed Community Payback Sentences in 2008-2009. Work may take place in groups or single placements. Projects benefit the community such as by decorating and renovating buildings, tidying local areas, removing graffiti, recycling and working directly with local charities. Beneficiaries may be either in individual placements (such as a charity shop) where the Benefactor provides the direct supervision or more typically in a supervised work group where a “Provider” (for example a probation service or third sector organization) employed supervisor oversees the work.

1. Justice Seen, Justice Done

This initiative aims to increase the relationship between the criminal justice agencies and the community and through this relationship to improve public acceptance of Community Payback. Members of the public may vote on projects they would like to see delivered, using methods such as internet voting or local panels. In some schemes (as noted in Part One of the paper) local people engage in activities to identify needs and projects which will help reduce local reoffending.

Opportunities to vote are publicized through the local media.

2. Project Example – “Create CIC”

Create CIC is a Social Enterprise providing volunteering, training and employment for offenders and former offenders. As part of its work, Create runs Community Payback Programmes on behalf of the local Probation Service. Businesses include catering, housekeeping, and retail. Offenders can get back on the employment ladder and make a meaningful contribution to society. Offenders completing Community Payback with Create have returned to volunteer or secure full-time employment. Create is expanding to new branches through social franchising.

VI. ACCOMMODATION

A. Accommodation Options

Whilst employment is without doubt one of the most effective ways of reducing reoffending, accommodation is not far behind; it is perhaps obvious that anyone without settled accommodation is going to find it difficult to follow the routine necessary for sustained work.

Accommodation options include:

- Public: Local Authority/Associations
- “Supporting People” additional services
- Ex-offender and related needs
- Approved probation premises (Hostels, or Halfway Houses)
- Private sector
- Landlords
- Family
- Friends.

1. Supporting People Arrangements

Supporting People arrangements were introduced in the early 1990s. The underlying principle is that the accommodation support needs of individuals should be funded separately from the accommodation itself. Local Authorities use a devolved budget to fund support needs whether for elderly people, people with disabilities or other groups who need accommodation with some form of additional support.

Ex-offenders may be included in the groups of people qualifying for Supporting People arrangements. This brings availability of a potentially significant range of accommodation and funds to support ex-offender integration and stability. Because the funds are managed by Local Authorities, in consultation with a range of other services, ex-offender needs may be seen in the context of Local Authority responsibilities for public safety. However Supporting People arrangements do not extend to ex-offenders without a specific support need.

2. Accommodation Provision – Custody

- All new prisoners (including remands) have a basic accommodation screening within four days;
- Those with housing issues are referred to a Housing Advisor;
- Remand prisoners and prisoners who will be in custody less than 13 weeks can apply for housing benefit to pay their rent whilst in prison;
- Prisoners who will be homeless will receive advice and support (brokerage) from the prison service or a third sector organization;
- 70% of prisoners have a home they can return to;
- Those who are homeless will usually either be assisted to live with family or friends on release or found accommodation in the private sector;
- Loans or, occasionally, grants may be available for rent deposits;
- Hostels that provide support and advice are available but are not popular with offenders;
- Some 90% of those leaving prison have an address to go to but a significant number do not get there due to drink, drugs, making alternative arrangements, getting lost, etc.;
- ‘Meet & Greet’ mentoring to cover the period immediately after release is being developed to counter this ‘wastage’.

3. Accommodation Provision – Community

- Local Authorities have a duty to accommodate homeless persons unless they have made themselves “intentionally homeless”;
- Most regard committing an offence/being sent to prison as making oneself intentionally homeless;
- They still have duty to advise;
- Many Probation Trusts provide some housing advice, normally through the third sector, but others merely signpost to the Local Authority;

- Most public sector housing is now provided by housing associations and is relatively cheap and of a reasonable standard;
- There are severe housing shortages in some areas of the country leading to short term housing in 'bed and breakfast' establishments.

4. Accommodation Provision – Support

Many of the third sector and other services described earlier provide accommodation related services to ex-offenders, including advice and links to potential accommodation providers.

In order to support links to all sectors – whether in relation to accommodation, employment-related or other needs, “*Gatamate*” has been established as a new national network of voluntary sector organizations that together are aiming for national mentor coverage for offenders leaving prisons. The objective is that any prisoner at risk of leaving prison without support will be able to call on a mentor who can meet them at the prison gate and offer support in the first difficult hours and days following release.

VII. LOCAL COMMUNITY AND VALUE

Two of the newest developments in resettlement bring shared responsibility for resettlement even closer to the community.

A. **Social Impact Bonds**

Social Impact Bonds operate over a six year period and will work with 3,000 prisoners. Investors fund proven third sector providers to deliver an intensive support of prisoners in the community. The aim is that they will reduce reoffending by a minimum of 7.5%. If this target is achieved, the government pays a return to investors depending on the level of cuts in reoffending.

B. “**Total Place**”

“Total Place” is a government initiative that adopts a different approach to community engagement. Local organizations work together in partnership to establish needs and priorities. They look at all the money spent and have permission to organize to deliver services according to their own priorities to achieve the best results and value. Pilot projects include work on offender management, substance misuse and employment.

VIII. CONCLUSIONS

A. **Effective Resettlement: What Works Best and How do we Know?**

The CATS system described previously records employment and accommodation outcomes. This is clearly one of the overriding aims of practice. However, in order to know how well particular approaches work it will be useful to know the starting point as well as finishing point of individual offenders. Some individuals require more help than others in order to achieve stable employment. One way of measuring this is to look at “Distance Travelled”. Collecting this information for lot of individuals can provide an accurate picture of how different approaches work.

Reducing reoffending is also a critical goal, and one towards which improved education, skills and employment are important steps. A more comprehensive approach, perhaps an approach to aspire to, might combine learning, skills, and employment information with data on reductions in reoffending. A European project, the Ex-Offender Community of Practice (ExOCOP) is exploring a European approach to evaluation which might include four or five key measures. The aim would be that as many projects as possible include these measures so that we can identify and share promising ideas more easily. Combining education, employment and reoffending measures is of course another example of partnership work. The desired goal is that joint measures inform and reinforce joint Departmental planning at national and possibly European level.

Finally, at both a United Kingdom and European level, we are also trying to understand more about not only the employment, accommodation and reduced reoffending outcomes, but also the benefit for the individual, family and community as whole.

To put it another way, effective resettlement is a “Virtuous Circle” involving all sections of society working in partnership for the integration of the offender, the benefit of the family and the community, and to reduce reoffending and the number of victims. Effective resettlement is an investment worth making. Sharing experiences will help make effective resettlement an everyday reality.

EFFECTIVE SUPERVISION OF OFFENDERS

Chris Trotter*



The first part of this paper outlines the sentencing options for adults and young people in Victoria, Australia. Much of the factual material is taken directly from Correctional Services Victoria website and the Department of Human Services Victoria website. The second part of the paper focuses on effective practice in the supervision of offenders, including the practices which both motivate and encourage offenders to be involved in programmes and which lead to reduced reoffending. Most of the material from the second part of the paper is taken from material in my 2006 book *Working with Involuntary Clients* (Allen and Unwin, Sydney, also available in Japanese translation, Akashi Shoten, Tokyo) and from a chapter on 'Involuntary Clients in Corrections' published in Rooney R (2009) *Strategies for Work with Involuntary Clients* (Columbia University Press, New York).

I. CORRECTIONS IN VICTORIA

A. Sentencing Options for Adults (18 Years and Over)

Victoria has the following sentencing dispositions in the adult courts. Most Australian states have similar options although there are variations from state to state.

- Imprisonment
- Combined Custody and Treatment Order
- Drug Treatment Order
- Home Detention
- Intensive Correction Order
- Suspended Sentence
- Youth Justice Centre or Youth Residential Centre Orders
- Community Based Order
- Dismissal, Discharge and Adjournment
- Fines

1. Imprisonment

Imprisonment may be for a specific term or may have minimum and maximum terms. If it has minimum and maximum terms then the prisoner becomes eligible for parole following the completion of the minimum term. Decisions about release on parole are made by a parole board chaired by a retired judge. If an offender has not been paroled in the past he or she will usually receive parole immediately after serving their minimum term. If they have had previous paroles this may be delayed; however, a prisoner must be able to show an address to go to following release and have a plan for their parole. Parole may include three months of intensive supervision including community work, cognitive behavioural programmes or work related programmes, drug or psychiatric programmes, or other conditions determined by the parole board.

2. Combined Custody and Treatment Order

A Combined Custody and Treatment Order (CCTO) combines an immediate term of imprisonment, of at least six months, with a period of supervised treatment and urine testing in the community. It is aimed towards offenders whose drunkenness or drug addiction contributed to the commission of their crime.

3. Drug Treatment Order

A Drug Treatment Order (DTO) combines a term of imprisonment with treatment, except the term of

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imprisonment is suspended. A DTO can only be imposed by the Victorian Drug Court, a specialist court set up to deal with offenders with drug addictions. A maximum two year sentence can be imposed as a DTO. Successful completion of the treatment programme means the offender will not have to serve any time in prison; however, if the offender does not comply with conditions he or she may have to complete the term of the order in prison. There are regular meetings with the magistrate and counsellors as well as urine tests for offenders subject to a DTO. A multi-disciplinary team consisting of a case manager, clinical adviser, dedicated police prosecutor, defence lawyer and specialist community correction officers assist the Drug Court Magistrate in the supervision of offenders placed on a DTO.

4. Home Detention

Home detention is a prison sentence that can be ordered to be served at home for up to one year. Offenders and any other person who will be living at the house where the sentence will be served must consent to the home detention order. The offender must agree to comply with any requirements or conditions imposed. Both the courts and the Adult Parole Board may direct offenders to home detention. Serving prisoners may apply to the Adult Parole Board for consideration of home detention as a pre-parole option. Home Detention Unit staff provide assessment reports to the courts or the Adult Parole Board advising of the suitability of the offender for the programme. Violent and sex offenders are not eligible. Family members and potential co-residents must give permission for the offender to serve home detention. Offenders may still participate in employment, and maintain family and community ties, but their freedom is significantly restricted. Offenders are subject to an electronic monitoring system, and must observe a strict curfew and submit to random breath and urine tests. Offenders may be required to undertake programmes to address offending-related behaviour, including attendance at education, training, unpaid community work, or counselling. Offenders have regular face-to-face meetings with their supervising officers, and must accept random home visits from their supervising officer at any time.

5. Intensive Correction Order

An Intensive Correction Order (ICO) is a prison sentence, up to one year, served in the community. It combines supervision, education and rehabilitative programmes and unpaid community work. Additional conditions may be included.

6. Suspended Sentence

A suspended sentence is a prison term of up to three years which is suspended and served in the community although part of the sentence may be served in prison.

7. Community Based Order

A Community Based Order (CBO) is a supervised sentence of up to two years, served in the community, with conditions combining treatment and unpaid community work.

8. Dismissal, Discharge and Adjournment

- (i) A dismissal is when the court finds an offender guilty of an offence, does not record a conviction and dismisses the offender without imposing any other sentencing option.
- (ii) A discharge is when the court finds an offender guilty of an offence and records a conviction but then discharges the offender without imposing any other sentencing option. The difference between a dismissal and discharge is the recording of a conviction.
- (iii) An adjourned undertaking is when the court finds an offender guilty and releases them into the community unsupervised for a period of up to five years. An adjourned undertaking can have conditions attached, with the most common being to be of good behaviour (i.e. not commit further offences) for the duration of the undertaking.

9. Fines

Fines are monetary penalties. A person may also apply to have a fine served as a CBO.

B. Sentencing Options for Young People

Victoria has the following sentencing options for young people (under the age of 18).

1. Caution

A formal caution issued to a young offender by a senior police officer in the presence of a parent following

which no court proceedings are brought.

2. Undertaking

An undertaking is a promise made to the Court to be of good behaviour. It may either be oral or in writing. It may result in re-sentence if not complied with.

3. Good Behaviour Bond

A good behaviour bond means the charge is adjourned upon a child signing a promise to be of good behaviour and to comply with any special conditions imposed by the Court. Non-compliance with a bond may result in re-sentence.

4. Fine

Fine may include costs.

5. Probation

The child or young person is supervised by a probation officer and may be required to comply with special conditions imposed by the Court. The probation officer may be either a paid employee of Juvenile Justice or an honorary probation officer.

6. Group Conference

A group conference is a formal meeting conducted by a mediator and attended by a young offender, his or her parent or guardian and persons affected by the young person's offending. The underlying philosophy is 'restorative justice'.

7. Youth Supervision Order

A youth supervision order is a sentencing order by which a child or young person is supervised by a probation officer and may be required to comply with special conditions imposed by the Court. The level of supervision is generally higher than that involved with a probation order for a specified period.

8. Youth Attendance Order

A youth attendance order is a sentencing order by which a child or young person aged between 15 and 17 is required for a specified period to attend a youth attendance project for a maximum of ten hours per week (a maximum of three attendances) of which no more than four hours may be spent in community service activities.

9. Youth Residential Centre Order

A youth residential centre order is a sentencing order by which a child or young person aged between 10 and 14 is sentenced to be detained in a youth residential centre for a specified period.

II. TREATMENT AND SUPERVISION OF OFFENDERS

Treatment and supervision is offered through most of these sentencing options including prison, treatment orders and community based orders and for youths, for those on probation, supervision orders and attendance orders. Offenders are required to attend for supervision and treatment under these sentences either on a one to one basis or in groups. The treatment may be offered by Community Corrections Officers individually or in groups, or it may be offered by community based non-government organizations. In Victoria these organizations include, for example, the Victorian Association for the Care and Re-settlement of Offenders, Salvation Army, Melbourne City Mission, and many others. There has been a great deal of research about the effective supervision and treatment of offenders, particularly relating to how to reduce reoffending. The remainder of this paper focuses on this research, including a practical example of how the effective practices should be applied.

A. Effectiveness in Work with Offenders

In the 1960s and 1970s practitioners and academics in the field of corrections often accepted the 'nothing works' view in relation to interventions in corrections. An extensive literature review by Robert Martinson and his colleagues (1975) supported the view that casework and other interventions which aim to rehabilitate offenders seem to have little impact in terms of reducing reoffending rates. This view

was supported by literature reviews about casework in general in the 1970s (e.g. Fischer 1973). During the 1980s and 1990s the 'nothing works' view was increasingly challenged. It was argued that rather than corrections interventions having no impact they in fact have an impact but this impact can be both positive and negative. Some approaches or intervention methods lead to reductions in offending and some lead to increases in offending. More recently it has been argued that the more effective interventions can reduce reoffending by as much as 80 percent, with the average effective interventions resulting in 40 or 50 percent reductions in offending (Trotter 1996a, Gendreau 1998, Andrews 2001). Since the early 1990s there have been more and more publications which offer literature reviews and meta-analyses of the 'what works' research. These reviews have argued on the basis of the research that corrections interventions can be successful in reducing reoffending (for example, Andrews et al 1990, Izzo and Ross 1990, McIvor 1990, Mc Guire 1995, Andrews and Bonta 1998, Dowden and Andrews 1999, Trotter 2006, Andrews 2001, Farrell 2002, Hopkinson and Rex 2003, McNeill 2003, Raynor 2003, Wing Hong Chui 2003).

The burgeoning 'what works' literature has been accompanied by an increasing willingness in many places, in both community and residential corrections settings, to embrace rehabilitation alongside a law and order and punishment agenda. Correctional systems in western countries seem to be increasingly punitive, with rising numbers in incarceration, yet at the same time 'what works' conferences and rehabilitation programmes are increasingly part of the corrections landscape.

What do the traditional literature reviews and the meta-analyses tell us about what works? In discussing this I am primarily focusing on what works in the one to one supervision of offenders in community settings. The principles apply generally however to institutional work and to work with groups of offenders.

1. Pro-social Modelling and Reinforcement

I have conducted two studies in corrections, one with juvenile offenders and another with adult offenders, each of which found that probation officers and community corrections officers who scored high on the California Personality Inventory (CPI) Socialization Scale had offenders with lower reoffending rates compared to those who scored low on the inventory (Trotter 1990, 1993, 2000). The Socialization Scale measures the extent to which people have pro-social or pro-criminal attitudes. My studies suggested that the more pro-social officers were more inclined than the less pro-social officers to model pro-social behaviours, to focus on the pro-social behaviours of their clients and to appropriately challenge the pro-criminal comments of their clients. These practices were directly related to lower offending rates. Similar outcomes were found in a study undertaken in Canada in the 1970s, although the Canadian study suggested that it was also important for the probation officer to have high levels of empathy (Andrews et al 1979).

Pro-social modelling and reinforcement has been shown to be effective in a number of other studies and it is included as one of the key components of 'what works' in most of the 'what works' reviews (for example Gendreau 1998, Andrews 2001, Raynor 2003, McNeill 2003). One illustration of the power of simple modelling processes is seen in a study I recently completed in child protection (Trotter 2004). When child protection clients indicated that their workers returned their phone calls, kept their appointments and did the things they said they would do, the outcomes for the clients were much better than when the clients believed that their workers did not do these things. Client satisfaction was greater, worker estimates of client progress were greater and cases were closed earlier. The results could not be explained by client risk levels or other factors. It seems that the principles of pro-social modelling may be important not only with corrections clients but with involuntary clients in general. The pro-social approach which I have used in my research and in workshops with probation officers includes four steps: (1) identifying clients' pro-social actions and comments; (2) rewarding the pro-social actions and comments; (3) presenting a pro-social model; and (4) challenging pro-criminal actions and comments.

(i) Identify Clients' Pro-social Comments or Behaviours

Some examples of pro-social actions and comments include those related to compliance with the order such as keeping appointments, being punctual, completing community work, not offending, and complying with special conditions such as attending for drug treatment. Other client pro-social actions include working through problem solving processes with the worker, accepting responsibility for offences, comments about the harm that crime can do to others and oneself, empathy for the victim and comments that crime is wrong. Other pro-social comments include those which value non-criminal activities and associations including

family, sport, non-criminal friends, hobbies and attending school or work. And comments which are fair, non-sexist and non-racist and which reflect optimistic attitudes, for example expressing a belief that life without crime is achievable, that goals can be achieved, that workers can help, and that clients can change.

(ii) How do the Workers Reinforce these?

The first and most obvious method of providing re-inforcement is through body language (e.g. smiling, attentive listening, leaning forward) and the use of praise. Rewards can also be provided by the worker giving time to the client, attending court with the client and providing positive evidence, reducing the frequency of contact, helping the client find a job or accommodation, doing home visits or meeting a client outside the office, doing a positive report for a court or parole board, speaking to other agencies/professionals such as social security or the police about the client's needs or making positive comments in file notes.

The idea of pro-social reinforcement is that the rewards should be contingent on the behaviour. The reinforcement should be offered clearly in response to the pro-social behaviour. The client needs to clearly see the link. The clients should understand that the reduction in visits, the praise used by the supervisor or a visit to court is directly linked to their pro-social behaviour, for example the fact they have kept appointments, been punctual, been attending job interviews, and not reoffended. One of the most powerful rewards available to a Probation Officer in his or her day-to-day work is the capacity to reduce the frequency of contact. It is important in using this model to make the link between reduced frequency of contact and the pro-social activities of the client. It should not be seen simply as usual procedure, it should be seen as reward for good progress. In this way the client gains a sense that his or her goals can be achieved through pro-social behaviour.

(iii) Model Pro-social Values

Pro-social modelling involves the worker keeping appointments, being punctual, honest and reliable, following up on tasks, respecting other people's feelings, expressing views about the negative effects of criminal behaviour, expressing views about the value of social pursuits such as non-criminal friends, good family relations and the value of work. It involves interpreting people's motives positively e.g. "most police are people trying to do a job and they have similar needs to most of us" rather than "all police are pigs". It involves being open about problems the worker may have had which are similar to the offenders e.g. "I spent a period of time unemployed at one time and I found it depressing". It also involves being optimistic about the rewards which can be obtained by living within the law.

(iv) Challenge Pro-criminal Comments and Actions

How do more effective workers challenge or confront clients? The issue of confrontation in work with involuntary clients is a complex one. There is little support in the research for aggressive or critical confrontation. A small qualitative study (Burns 1994) undertaken with probation officers in Australia found that the more effective probation officers (those with clients who had low recidivism rates) focused pretty much exclusively on the positive things that their clients said and did and made little if any use of confrontation. My child protection study (Trotter 2004) found that confrontation which was most likely to be related to positive outcomes was confrontation which: suggests more positive ways of dealing with the situation, acknowledges that negative feelings may be justified and explores the reasons why clients feel and act the way they do. On the other hand, confrontation which gives the client a sense of being criticized or confrontation which points out the likely ill effects of the clients' views was related to poorer outcomes in the view of both the clients and the workers. Ignoring pro-criminal or anti-social comments and actions was also related to poorer outcomes in the study.

Care needs to be taken therefore in the use of confrontation. A Canadian study suggests a "four to one" rule (Andrews 1982). For every negative comment give four positive ones. Evidence from my studies (Trotter 1996, 2004) certainly confirms that people are more likely to learn from positive reinforcement rather than negative reinforcement.

2. Problem Solving

Effective interventions in corrections address the issues which have led offenders to become offenders. The literature reviews and meta-analyses often refer to the concept of criminogenic needs. Criminogenic

needs are those needs or problems which are related to offending but which it is possible to change. Obviously age, gender and prior criminal history relate to offending. They cannot however be changed. On the other hand, employment, family relationships, drug use, peer group associations, housing, finances, pro-criminal attitudes, may all relate to offending and can be changed. These are criminogenic needs. Criminogenic needs do not include intra-psychic issues such as anxiety, self esteem or depression, factors which cannot easily explain offending behaviour (Gendreau et al 1998).

There seems little doubt that effective practice in work with offenders involves addressing the clients' offence related problems or needs. My research suggests also that the problem solving process will be more successful in reducing offending if the workers and the clients reach agreement on the problems to be addressed and what it is hoped to achieve (Trotter 1996a, 2006). The general counselling literature is replete with research studies which point to the importance of working with the client's view of their problems (see for example Hepworth, Rooney and Larson 2002 for more detail on this issue). It may be perfectly clear to the worker that a particular young male client is persistently offending because of rejection by his family, because of drug use or because of homelessness. However, until the client acknowledges that these are problems for him then it is very difficult to work through the issues. Effective work in corrections involves a collaborative approach which helps the client to acknowledge their offence related problems. It is also important in work with offenders to canvas a range of potential offence related problems. Don Andrews (2001) suggests that the meta-analyses conducted by himself and his colleagues point to much greater reductions in reoffence rates when as many as six problems are addressed in the intervention. I have argued elsewhere that holistic approaches work best with involuntary clients (Trotter 2006) and work in corrections is no exception to this. The problem solving model I have used in my research and work with probation staff involves the following steps:

1. Problem survey
2. Problem ranking
3. Problem exploration
4. Setting goals
5. Developing a contract
6. Identifying strategies or tasks
7. Ongoing review.

3. Role Clarification

Much of the work with offenders involves what Ronald Rooney (1992) and Jones and Alcabes (1993) refer to as client socialization, or what I have referred to as role clarification (Trotter 2006) - in other words helping the client to accept that the worker can help with the client's problems even though the worker has a social control role. This involves exploring the client's expectations, helping the client to understand what is negotiable and what isn't, the limits of confidentiality, and the nature of the worker's authority. The stage is set for effective work once the client begins to accept that the worker can help and once the worker and client begin to reach agreement on the goals of the intervention.

4. A Balanced Approach – Social Control and Problem Solving

The research consistently suggests that interventions which focus exclusively on punishment or scare tactics lead to increased offending (e.g. Gendreau 1998, Andrews 2001). Similarly, interventions which focus exclusively on developing insight or which focus exclusively on the client/worker relationship are unlikely to be helpful (Trotter 1990, 1996b, Gendreau 1998). This was also evident in my recent child protection study – when clients described their workers as helpers and investigators the outcome were substantially better than when they saw them as either a helper or an investigator (Trotter 2004). Again it seems that the principles of effective practice which apply to offenders may apply to work with other groups of involuntary clients.

5. Focus on High Risk

Much of the literature talks about the importance of focusing on high risk offenders rather than low risk offenders. It is argued that there is a relatively large group of offenders who are unlikely to reoffend and are unlikely to benefit from intensive intervention, whereas there is a smaller group of medium to high risk offenders who are more likely to reoffend and more likely to benefit from supervision (see for example Gendreau 1998). For this reason it is important to assess risk levels and to focus resources on medium

to high risk offenders. The issue of risk assessment is a complex one and it has its critics (see Robinson 2003 for a discussion about the issues). The primary criticism is that risk levels are often used as part of a sentencing process and as part of a post sentencing method to provide for varying levels of supervision. This can lead to offenders who are already disadvantaged getting harsher penalties. An offender who is homeless, without family support, with a drug or alcohol addiction, and without employment might receive a harsher sentence or intervention than someone else who does not have these problems but has committed a similar offence.

Nevertheless, it does seem to make sense to concentrate welfare or human service resources on higher risk individuals who are likely to reoffend. To this end, a number of risk assessment profiles have been developed for use by corrections services. One of the most popular ones is the LSIR (Level of Supervision Inventory Revised) developed over many years by Don Andrews and James Bonta (1998). It is in use in many probation and community corrections services in many English speaking countries, for example Canada, USA, Australia and the United Kingdom. The LSIR, as well as providing a risk assessment, also helps to identify criminogenic needs which can inform the problem solving process.

6. Programmes

A recent meta-analysis by Don Andrews and his colleagues suggests that structured learning programmes may have the most potential for reducing reoffending (Andrews 2001). Community corrections services around the world offer group and individual programmes based on the 'what works' principles. These programmes, in the words of Peter Raynor (2003:79) "put together a series of planned and sequential learning opportunities into a cumulative sequence covering an appropriate curriculum of skills and allowing plenty of opportunity to re-inforce learning through structured practice". Research on one of those programmes, for example, the reasoning and rehabilitation programme, has shown promising results (Raynor 1988, Pearson et al 2002).

7. Other Factors

This is not an exhaustive list of 'what works' principles. The reviews refer to a number of other practices. For example 'multi-modal' approaches, which rely on a range of intervention methods, are likely to be more effective than those which rely on only one method (Gendreau et al 1998). This is supported by my study in probation which found that probation officers who used a range of skills, including modelling and reinforcing pro-social behaviours, role clarification and problem solving, had lower reoffence rates among their clients than situations in which the workers made use of only one or two of the skills (Trotter 1996a). There is also some support for working with families of young offenders (see Corcoran 2000 for a review of the evidence), for intervention methods which are implemented as they were intended and for matching workers and clients according to learning style and personality (Gendreau 1998, Wing Hong Chui 2003). Relationship skills are also referred to in some of the reviews (e.g. Gendreau 1998). I have not identified this as a key skill or a key factor in effective practice because the evidence in relation to this area is somewhat equivocal. Studies I have undertaken in corrections with both juveniles and adults have found that probation officer empathy levels, for example, do not relate to reoffending rates (Trotter 1990, 1996a). Don Andrews and his colleagues also found that high empathy workers only did better with their clients if they made use of the other skills (Andrews 1979). On the other hand, my study indicated that when workers made judgmental comments about their clients (e.g. lazy, no hoper) those clients were more likely to reoffend even after taking into account client risk levels. Certainly workers in corrections need to be able to listen to their clients and to model appropriate behaviour.

III. TROTTER STUDIES

Outlined below are summaries of two studies I have undertaken in Victoria, Australia, the first in probation (Trotter 1993, 1996a) and the second in child protection (Trotter 2002, 2004). The corrections study was based on the hypothesis that probation officers who make use of the skills of role clarification, pro-social modelling and reinforcement, collaborative problem solving and empathy will have clients who are more likely to experience reductions in their problems and less likely to reoffend than clients of officers who don't make use of these principles. A group of 30 probation officers was offered a training course in these skills. Twelve probation officers agreed to make use of the skills with their next ten clients. The remaining 18 did not continue with the project for a number of practical reasons, for example they left their positions

or took extended leave. The study sample was selected using a systematic random method. It consisted of 104 clients of those probation officers who undertook the training and agreed to make use of the model. The sample also included a control group consisting of 157 clients selected from the same offices as the experimental group but with different probation officers. A sample of clients of those probation officers who withdrew from the project but continued in the probation service (105) was also followed up; however, the results for this group were very similar to the control group and are therefore not reported here.

Data was collected through a questionnaire to clients and an analysis of client files and police records. The study found that:

1. File notes suggested that probation officers who completed the training and agreed to use the model were significantly more likely to use the skills compared to probation officers in the control group. In other words, probation officers were more likely to use the principles after training.
2. Clients receiving supervision from those probation officers who did the training and agreed to use the model (the experimental group) were significantly more likely to report that their problems were reduced during the period of probation than clients in the control group. In fact almost twice as many clients in this group, in comparison to the control group, reported that their problems relating to drug use were reduced.
3. The reoffence rates for clients in the experimental group were significantly lower than for clients in the control group after one and four years. For example, the imprisonment rate after one year for clients in the experimental group was almost 50 per cent lower compared with clients in the control group. This is illustrated in the Table below.

Trotter (1996a) Offender imprisonment rates after one year and four years

	Experimental group	Control group
1 Year (p = 0.04)	13/104 (12%)	33/157 (21%)
4 Years (p = 0.02)	27/104 (26%)	61/157 (39%)

4. The model was most effective with young, high-risk, violent and drug-using offenders.
5. The use of pro-social modelling and reinforcement as revealed in file notes was consistently, strongly and significantly correlated with lower reoffence and imprisonment rates.
6. The use of problem solving was related to reduced reoffending, although it was most influential in improving compliance with the probation order (e.g. keeping appointments and special conditions).
7. The use of role clarification was correlated with lower reoffending but not at significant levels. This may be explained by the tendency of probation officers to discuss issues of role after the probation officer became aware of reoffending.
8. Probation officer empathy, as measured by a psychological test and by comments in file notes, was not related to client reoffence or imprisonment rates. However, judgmental comments in files (e.g. no-hoper, lazy, liar) were related to increased reoffending even when client risk levels were taken into account. Whilst officer empathy was not a factor in client reoffending, the extreme lack of it was.
9. The results of the study could not be explained by intervening variables such as frequency of contact between workers and clients, client risk levels, or the experience or education of the probation officers.

The results of this study are, I believe, persuasive, particularly given their consistency with the studies cited earlier and the replicatory nature of the study. The results confirm the importance of workers modelling and reinforcing clients' pro-social comments and actions, and the use of collaborative problem solving. Whilst the study is less persuasive in relation to role clarification, this seems to have been due to a particular intervening variable. The study does not support the value of empathy, although it does suggest that judgmental attitudes are related to poor outcomes. The second study (Trotter 2004) was undertaken in child protection in the eastern region of Melbourne. The aim of the study was to consider the way in which child protection workers use the skills of role clarification, pro-social modelling, collaborative problem solving and relationship skills of empathy, humour, self disclosure and optimism, and how use of these skills

relates to outcomes for clients. In order to gather the data, research officers interviewed 50 child protection workers, 282 clients and observed 13 interviews between clients and workers. The outcome measures included: (1) child protection workers' estimates of the progress of the families with whom they worked; (2) the extent to which the clients were satisfied with the outcomes of the child protection intervention; (3) how long the cases remained open; and (4) whether or not a child or children were placed away from the family in a departmental facility (e.g. foster care) during the period of contact with the worker. When the workers used the skills the outcomes were much better than when they did not use the skills. Some of the more interesting findings include:

- (1) The study supported the value of role clarification skills. For example, when clients saw their worker as both a helper and investigator, those clients had good outcomes. Workers who talked about their dual role as both helper and investigator and who were clear about their expectations, also had clients with good outcomes.
- (2) The study supported the value of pro-social modelling and reinforcement. For example, workers who modelled simple courtesies such as keeping appointments, being punctual and doing what they say they will do, had clients with particularly good outcomes.
- (3) The study supported the value of collaborative problem solving. For example, workers who focused on their clients' view of their problems, who worked with their clients' goals, and who carried out some tasks themselves had clients with good outcomes.
- (4) The study also supported the value of relationship skills. Workers who were optimistic, who listened to their clients and who were not afraid to use humour and self disclosure had clients with good outcomes.

IV. AN APPLICATION OF BEST PRACTICE

The following two case studies present alternative ways of using a problem solving approach. The first interview focuses on what the worker believes is the primary criminogenic need, the client's drug use. The second interview focuses on working with the client's view of the problem but working towards helping the client to accept that her drug use is an issue which needs to be addressed. In the second interview the worker demonstrates the skills of role clarification, pro-social modelling and reinforcement and problem solving. The transcript is taken from a role played video tape on "Working with Involuntary Clients" produced at Monash University. The probation officer was one of the probation officers in my corrections study who had clients with low reoffending rates. In the first interview he is drawing on information about the client's problems, which was written in the file at the time of the initial assessment undertaken for the court. The second interview reflects the way he usually works.

Problem Solving Interview 1

Probation Officer: Jennifer, thank you for coming back. You've been to correctional services twice now, the first time when you came in they went through a number of forms, we explained to you what you had to do and when you have to come. When you saw me last time we talked about what my role will be and we started to look at implementing some of the conditions on your order. What I want to do today is speak to you about the problems you've got in your life and one of the things that you really need to address as a matter of urgency is the drug use because that will....

Jennifer: Yeah, but I mean I don't think I've got a drug problem, I told you that when I first met you so, I mean I don't think it's necessary to go into that.

Probation Officer: You committed offences and you committed offences in the past and they're all drug related so I think you've got a problem that you need to deal with.

Jennifer: Well, why do you think they're drug related? I mean, who told you that?

Probation Officer: Well the information that was provided that you gave to the court was that it was drug related and we need to deal with that fairly quickly. So, what I want to do today is look at that and start dealing with that in terms of getting the counselling arranged and getting the testing done and so on. Some of the other things that relate to your offending, that you've got problems with, are the accommodation difficulties that you mentioned.

Jennifer: Yeah, that's right, yeah.

Probation Officer: And the relationship with your boyfriend that you've had some difficulties with.

Jennifer: Yeah.

Probation Officer: The other thing that was causing you difficulties was the relationship with your parents and you mentioned that you didn't have enough money to pay rent.

Jennifer: Yeah, well I don't because I don't have a job.

Probation Officer: Yeah and employment's another one that we need to look at. So, what I want to do today is, maybe I'll just write those few things down so that we don't miss any of them and we'll talk about it in order of priority. Remember last time we sort of made reference to the problem survey where we look at all of the things that are really causing difficulties in your life.

Jennifer: Yeah.

Probation Officer: And what I want to do today is talk to you about how we're going to do that and I've mentioned already that one of the more important ones is the drug use so I expect you to go to drug treatment.

Jennifer: Yeah, I know you keep bringing it up. It seems to me you're calling me a drug user and you don't even know me. So, to me personally I think that finding a job is more important to me than what you're saying.

Probation Officer: Yeah and I think that it's great that accommodation and finding a job is important for you but whilst you're using drugs you're going to get into more difficulties and if you get into more difficulties....

Jennifer: Well you don't know I'm using drugs. How do you know that?

Probation Officer: I guess from the information that's on file at the moment and the order that you've got requires you to do it so you just have to do it. And the testing will then identify whether you're using or not and give me an indication anyhow. So once you've done a few tests we can see whether you're still using or not.

Jennifer: What kinds of drugs do the tests show?

Probation Officer: They'll show up any drugs that you may be using. Prescribed medications, it might be cannabis, it can be alcohol, it can be heroin, speed, any of the drugs that are available out there at the moment. So, we'll need to deal with that as a matter of priority because I don't want you to get in further trouble with the law. And the other thing is the next one we're going to look at is the money side of it because you mentioned earlier that you haven't got enough money to pay for your rent.

Jennifer: Well that's right. I don't.

Probation Officer: Yeah. So you mentioned you need to go to community work so you may have difficulties because you've got no money.

Jennifer: Yeah, which will make it hard for me to complete this order anyway.

Probation Officer: What do you think you can do about that?

Jennifer: About what?

Probation Officer: With the money side of it.

Jennifer: Well I don't know. Hopefully find a job.

Probation Officer: Yeah, how would you go about doing that?

Jennifer: Well, I don't know. I don't have much skills.

Probation Officer: Have you looked for jobs before?

Jennifer: I've had a few jobs. Yeah. I haven't worked for a long time though.

Probation Officer: Can you tell me how you went about doing that last time?

Jennifer: How to find a job?

Probation Officer: Yeah.

Jennifer: Usually basically just people that I knew who already work there got me the job.

Probation Officer: Yeah. And I understand you have to go to Centrelink on a regular basis as well and part of that is you need to look for work.

Jennifer: Yeah.

Probation Officer: So I expect you to continue that and keep looking for work that way. You might want to look through the paper as well. We've got the local paper at the front in the interview room. You might want

to grab that and have a look at the employment section in that.

Jennifer: There's not many jobs there though.

Probation Officer: But if you don't go out and look though you won't find any.

Jennifer: I don't think they'll hire me anyway.

Probation Officer: Why's that?

Jennifer: I don't have any skills. I'm on this order so they're probably not going to want to hire a criminal even though I don't consider myself a criminal anyway. I mean I've never harmed anyone before in my life and I don't intend to.

Probation Officer: It would have caused some harm doing the burglaries because there would have been some victims in the process. You went in to somebody else's house.

Problem Solving Interview 2

The following interview represents a more collaborative approach to the problem solving process. The probation officer is talking to the same client. He is making use of at least some of each of the skills of role clarification, pro-social modelling, reinforcement and challenging, collaborative problem solving and relationship-building.

Probation Officer: Jennifer, thank you for coming in today. You actually made it on time. We appreciate that.

Jennifer: I tried to, yeah.

Probation Officer: That's good to see Jennifer. Just a recap from the last two sessions, the first time you came to correctional services was when I took you through the induction process, where you filled in a number of forms and got some clarification on what you need to do. And then you came back and saw me three days ago and we talked a bit about what my role is in terms of supervising you on your order and we talked about the two aspects of it. One part was that I supervised your order and made sure that you do the things you're expected to do and the other part that we talked about was that I'm also there to help you identify what issues are in your life and how you want to work through those. Do you remember that?

Jennifer: Yeah.

Probation Officer: OK then. Jennifer what do you see are some of the issues that are impacting on your life at the moment?

Jennifer: I guess a lot has changed in the last couple of months. My boyfriend's been put in jail. I think he'll be there for the next six or seven years.

Probation Officer: How do you feel about that?

Jennifer: Well, quite upset about that actually. I mean I don't think he deserves such a harsh penalty for what he did.

Probation Officer: It was a serious offence, wasn't it?

Jennifer: Well, I mean he shot the people whose house we burgled but he didn't kill them. I mean other people have murdered people and they've gone to jail for as long as him. I don't think that's the same thing.

Probation Officer: Still it's a very serious offence, isn't it?

Jennifer: I don't think he meant to, you know, I don't think he wanted to kill them.

Probation Officer: That's probably reflected in the sentence as well. Because had the person died it would have been a lot more serious.

Jennifer: Yeah, well it's just made it hard because I'm on this order and they won't let me see him at all, and we've been living with these friends of his and ever since he's gone to jail I just don't feel comfortable living there anymore, but I don't really have much of a chance to leave because I don't have any money.

Probation Officer: So Jennifer, one of the things you've mentioned is not being able to get in touch with your boyfriend at the moment. Is that OK if I write that down?

Jennifer: Yeah.

Probation Officer: Just so that we don't lose them all. We'll deal with all of the things that are worrying you. We'll write it down and identify what all of the issues are and so we don't forget any of them. OK what are some of the other things?

Jennifer: Well, as I was saying I don't really want to live where I'm living right now but I don't have any money to find another place to live because it's for free, but ever since my boyfriend went to jail I just feel

like I'm not wanted any more because they're actually friends with my boyfriend. I just met them through him so I wouldn't mind finding somewhere else to live.

Probation Officer: Where have you lived in the past Jennifer?

Jennifer: Well, I left home when I was about fourteen.

Probation Officer: OK. That's about four years ago now.

Jennifer: Yeah and I went to live with a friend of mine and her family for a couple of months after that and then after that I sort of had an argument with her and I had to leave there and I lived on the streets for a while, and then I met my boyfriend and he was living with these people and I moved in with them and that's where I've been ever since.

Probation Officer: And you need to look at some new place to live now, do you?

Jennifer: Yeah, well I'd like to.

Probation Officer: So, we'll put that accommodation down as an issue that we might need to work on?

Jennifer: Yeah.

Probation Officer: OK. What are some of the other things that are worrying you at the moment?

Jennifer: Well I don't have a job so I guess that's the only way I can really get some money to find a place to live.

Probation Officer: Have you been employed in the past Jennifer?

Jennifer: I have but I haven't had really good jobs they've just been, you know, working in a milk-bar and waitressing and stuff like that.

Probation Officer: Yeah, but you have been able to get a number of jobs.

Jennifer: Yeah, but they've never really lasted very long, only a couple of months.

Probation Officer: Is there any reason for that?

Jennifer: Well, the first job when I was working in the milk-bar, they thought that I was giving away free food and stuff like that and the second job as a waitress, they thought that I was stealing everyone else's tips which is not true but they fired me for that.

Probation Officer: So, we can say that at this point we've got three issues. The first one is in relation to your boyfriend, the other one was the accommodation and then you need to look at employment, finding a job possibly. Anything else that's affecting you at the moment Jennifer?

Jennifer: No, not really, no.

Probation Officer: In relation to the court order, there is some suggestions about drug treatment and the offences seem to have some relationship to drug use. What do you think about that?

Jennifer: Well, when we were arrested apparently they found that I was under the influence of alcohol and drugs.

Probation Officer: What sort of drugs?

Jennifer: Heroin.

Probation Officer: OK. And the offences were they committed to purchase more drugs? That your boyfriend was involved in?

Jennifer: Well, yeah. And to buy clothes and food.

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EFFECTIVE REHABILITATION AND REINTEGRATION OF OFFENDERS

*Stanley Tang**



I. INTRODUCTION

A. Brief Facts on Singapore

Singapore is an independent island city-state, located at the southern tip of the Malay Peninsula, lying just south of Malaysia and north of Indonesia's Riau Islands.

At just 710 km² (or 274 miles²), it is the smallest nation in Southeast Asia. However, with approximately five million residents, it is one of the most densely populated countries in the world. The majority of the population are Chinese (75%), followed by Malay (14%), Indian (9%) and other ethnic origins. In Singapore, English is the official and working language.

The crime rate in Singapore is one of the lowest in the world, with 661 cases of reported crime per 100,000 persons in 2009.¹ Incidents of violent crime are rare in Singapore. Conscientious law enforcement, coupled with very strict drug and gun laws, which include capital punishment, mean that drug abuse and firearms are limited in Singapore.

B. Background of Singapore Prison Service (SPS)

Singapore Prison Service is one of the strategic Home Team agencies under the jurisdiction of the Ministry of Home Affairs (MHA). In collaboration with the other law enforcement agencies, such as the Singapore Police Force, the Singapore Civil Defence Force, the Immigration and Customs Authority, the Central Narcotics Bureau, the Internal Security Department, the Home Team Academy, the Casino Regulatory Authority and the Singapore Corporation of Rehabilitative Enterprises, we strive to make Singapore a safer home for all.

There are currently 14 prisons in Singapore, made up of 13 male prisons and one female prison. As of the end of April 2010, our prison population is 13,756, with locals forming 85% of the total, convicted mainly of drug and property-related offences; and foreigners, the remaining 15%, convicted of immigration offences. Our Drug Rehab Centre population makes up 5% of our inmate population.

Ninety per cent of the Drug Rehab Centre inmates are males. About 6% of inmates (770 persons) are on Community-Based Programmes, where they serve out the tail-end of their sentence in the community. It is noted that the prison population has been on a steady decline after peaking at more than 18,000 in 2002.

As part of SPS's "clusterization" strategy for better resource and offender management, we conceptualized the idea of co-locating all prisons in one place, in a super prison complex in the late 1990s. The Changi Prison Complex, first operationalized in 2004, currently comprises two clusters of five different prison institutions each. We will have four clusters in total when it becomes fully operational. It is a modern, high-rise, high-density and high-tech super prison, and perhaps the most densely populated prison in the world. With this, we expect to achieve a certain economy of scale of operations, to have our various prisons share common services, and in the process, to be able to reap significant operational efficiency.

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¹ <http://www.singstat.gov.sg/stats/keyind.html#socind>

II. OFFENDERS' REHABILITATION AND REINTEGRATION

A. Management of Youth Delinquency and Offending

The management of youth offending falls largely within the purview of a separate ministry – the Ministry of Community Development, Youth and Sports (MCYS). For young offenders, up to 21 years old, there is a graduated system of sanctions where suitability of probation is considered ahead of institutionalization, as part of a holistic and integrated family-based approach in managing delinquent youths. Imprisonment for young offenders is used only as a last resort, given their young age and recognizing the fact that imprisonment may not necessarily be the most effective way of addressing the problem.

1. Diversionsary Sentencing Options

Instead, where applicable, diversionsary community-based rehabilitation programmes are employed for young offenders, including:

(i) *Fine/Bond*

Youths and/or parents may have to pay fines or damages arising from the offence. The Court may also impose a bond on the parents so as to ensure that they continue to monitor and supervise the youths.

(ii) *Community Service Order (CSO)*

Youths who are given the Community Service Order are required to perform 40 to 240 hours of unpaid community service. CSOs help to build respect and empathy for others through meaningful service to the community.

(iii) *Weekend Detention Order (WDO)*

Youths who are placed on WDO will be detained at an Approved Institution or a Detention Place during weekends, for a maximum of 52 weekends.

(iv) *Probation*

Probation is a key community-based rehabilitation programme, whereby youths may also be placed on probation for 6 to 36 months, as an alternative order option. During this period, they are required to report regularly to the Probation Officer and have to comply with conditions of the Probation Order, such as restriction checks and participation in relevant programmes. The Probation Officer will also work with the probationers' parents to impart parenting tips on management of the probationers and strengthen family bonds, as well as to support and assist in the probationer's rehabilitation. Where necessary, the probationers may also be assigned volunteer "befrienders" for positive engagement and support. Probation is usually given in conjunction with the Community Service Order or Detention Order.

2. Institutionalized Sentencing Options

For recalcitrant youth offenders, for instance, youths who breached the community-based Orders, the Court has the discretion to issue any one of the following residential rehabilitation options:

(i) *Detention Place*

This mandates youths to reside in a place of detention for a maximum of six months.

(ii) *Approved School Order*

Under this Order, youths are ordered to reside in an Approved School such as the Singapore Boys' or Girls' Home for two to three years.

(iii) *Reformatory Training Order*

This Order applies to youths above 16 years old, who may be ordered to undergo reformatory training in prison for up to three years. Youths between 14 to 16 years old can be sentenced for reformatory training if they were beyond control in the Boys' or Girls' Home.

B. Management of Prisoners

In Singapore, imprisonment serves the following purposes, summed up in the acronym "P.R.I.De":

- *Punishment*

- Reformation
- Incapacitation
- Deterrence

The Singapore Prison Service is responsible for administering these purposes, within a spartan environment and strict regime. As professionals in corrections, Singaporean prison officers are constantly reminded that serving time should never be a waste of time. If we are able to use the time in prison, through suitable programmes, to dissuade prisoners from reoffending after release, we can prevent many thousands of new crimes every year. Their re-entry, if managed well, is a potentially powerful leverage point for reducing further social harm.

This mindset shift reflected the Singapore Prison Service's desire to add value by helping offenders to change as their "Captains", driven by our Vision and Mission which was re-crafted in 1999.

1. Singapore Prison Service's Vision and Mission

(i) *Vision*

"We aspire to be captains in the lives of offenders committed to our custody. We will be instrumental in steering them towards being responsible citizens, with the help of their families and the community. We will thus build a secure and exemplary prison system."

(ii) *Mission*

"As a key partner in Criminal Justice, we protect society through the safe custody and rehabilitation of offenders, co-operating in prevention and aftercare."

2. Current Situation

There are currently more than 10,000 prisoners who complete their sentences and return to our communities every year, and the overall recidivism rate² stands at 26.5% for the cohort released in 2007. Overall, there has been a sustained improvement in the recidivism rates in the past years, with small increases recently due to the unfavourable economic situation. The main motivation for the Singapore Prison Service's efforts is the rehabilitation and re-entry management of prisoners whilst they are still in prison, with the aim of reducing harm in society post-release, contributing to a safer Singapore.

3. SPS's Rehabilitation Framework

The Singapore Prison Service's *Rehabilitation Framework* was first developed in 2000 as a deliberate operating model that guides our offender reformation effort. The Framework articulates a structured and comprehensive approach for all rehabilitation efforts, and ensures optimization of our limited resources by allocating programmes based on risks and needs of prisoners. It is based on the philosophy that:

- Offenders' reintegration potential is maximized through the building of family and/or social ties and the delivery of programmes targeted at improving prisoners' offending behaviours, attitudes and skills;
- Rehabilitation begins from the time an offender first enters the prison system and continues even after their release, hence underlining the importance of aftercare programmes and services for ex-offenders.

With a *Through-Care* approach in mind, our rehabilitation framework consists of three distinct phases, namely, *In-Care*, *Halfway Care* and *Aftercare*. We work in close collaboration with other government organizations and community partners to ensure the seamless transfer of care of offenders and integrated support of offenders in the community.

(i) *In-care Phase*

(a) *Assessment and Classification*

During the In-Care phase, every prisoner will be assessed and classified according to their security risks and rehabilitation needs at admission, using the Revised Level of Service Inventory (LSI-R). The

² Recidivism, defined as the percentage of every cohort released who reoffend and return to prison, is a key performance indicator (KPI) for the Singapore Prison Service. This KPI has been tracked since 1998, using a two-year rate.

assessment facilitates accommodation and the allocation of programmes to prisoners.

Based on the assessment, they will be classified into three general classes, with the aim of helping us to channel appropriate resources for our inmates:

- Class 'A' – Prisoners with low risk and needs, who are unlikely to reoffend.
- Class 'B' – Prisoners with moderate risk and needs, who are less likely to reoffend if rehabilitation is given.
- Class 'C' – Prisoners with high risk and needs, who are likely to reoffend unless intensive rehabilitation is given.

Where applicable, specific risk tools will also be used to measure the extent of substance abuse, violence and sexual offence.

Currently, most of our resources are targeted at Class B and motivated Class C inmates as we believe that they would give us the best returns with the resources invested.

(b) Personal Route Map (PRM)

The rehabilitation classification derived will be used to chart the Personal Route Map (PRM) for every prisoner. They provide details on the appropriate criminogenic and non-criminogenic programmes respectively, taking into consideration the responsivity of individuals (e.g. mental capacity and functioning).

A prison officer will be assigned as a *Personal Supervisor* to the prisoner on admission, to monitor and review the Personal Route Maps of all prisoners placed in his or her charge throughout their periods of incarceration.

(c) Rehabilitation Programmes

There is a suite of rehabilitation programmes provided for prisoners to facilitate purposeful engagement during incarceration. Prisoners are allocated programmes according to their needs identified in the PRM. Some of the key rehabilitation programmes include:

(1) Specialized Treatment Programmes (STPs)

These programmes are developed and delivered by prison counsellors and psychologists, which target the prisoners' criminogenic needs in five main areas:

- Pro-Social Thinking
- Anger & Emotional Management
- Substance Abuse Treatment
- Managing and Overcoming Violence
- Sexual Offending Treatment.

These programmes aim at increasing prisoners' motivation to change, through understanding of the root of their offending behaviours, as well as equipping them with the necessary skills to avoid relapse.

(2) Education

Education, a social-levelling tool, is highly encouraged for all eligible prisoners.

In 2000, the Kaki Bukit Centre (Prison School) was set up to help centralize teaching resources. In addition to the academic classes, prisoner-students in the Prison School are also given opportunities to participate in co-curriculum activities that impart life-skills and promote good social values. The performance of these students is found to be consistently better than those of private candidates, and is comparable with mainstream schools.

In the same year, the National Youth Achievement Award (NYAA), was initiated in the Prison School. The NYAA programme is a national effort co-ordinated by NYAA Council to involve all young people, from the age of 14 to 25, in healthy and wholesome habits.

The Scheme is a collaboration between the Singapore Prison Service and the National Youth Achievement Award Council to provide creative opportunities for young reforming offenders to develop

psychological, intellectual and physical abilities for successful rehabilitation, while engaging the community in this process.

Through this programme, it allows prisoners to channel their energy and resourcefulness positively, providing them with the opportunity to fortify character and resolve while setting personal goals. At the same time, participants get to develop personal qualities such as self-reliance, perseverance and a sense of responsibility to themselves and society. The programme has been expanded to include young women offenders in the Changi Women's Prison.

Apart from formal academic studies, there are also other educational programmes offered to prisoners to enhance and accelerate their literacy level, such as basic literacy and numeracy courses.

For those who are more vocationally-inclined, the Workplace Literacy and Workplace Numeracy (WPLN) series are provided instead. The WPLN series, a national initiative, focuses on upgrading the proficiency and skills of participants, from primary level proficiency to the equivalent of GCE 'A' levels, to ensure that they remain relevant in the workforce.

(3) Employment and Vocational Training

Work is provided to instil the sense of responsibility, discipline and self-respect that comes from gainful employment. In partnership with the Singapore Corporation of Rehabilitative Enterprises (SCORE), a statutory board that runs the prison industries in Singapore, various jobs and skills training opportunities are made available for prisoners, for instance, in industrial bakery, laundry, call centre skills and even digital media design.

At the same time, various job placements and accredited vocational training are also offered to provide opportunity for skills training and development, thereby enhancing prisoners' employability upon release. For example, under the "Train & Place" programme, prisoners are trained in prisons with a subsequent job placement upon release, while for the "Place & Train" programme, prisoners are matched with a job prior to their release with subsequent on-the-job training attachment after release.

In addition, the Career Resource Centres were set up in 2005 to provide career guidance services and assist prisoners to secure employment before release, through job readiness skills training and an online job search portal.

(4) Family-focused Services and Programmes

In general, incarceration of a family member not only creates emotional strain, but also financial difficulties for the families of prisoners, which could result in broken families and youth delinquency.

To ensure that families are not thrown into financial distress, and that relationships are not irrevocably strained by a family member's imprisonment, the Singapore Prison Service actively engages families of the incarcerated in a variety of ways.

In July 2006, the Family Resource Centres (FRCs), were set up to serve and assist prisoners' families, especially those impacted by the incarceration of their loved ones. These centres, outsourced to community welfare organizations, offer information and referral services, short-term financial assistance, and even case management services for families with more complex needs, with the aim of enhancing families' coping skills and, ultimately, building supportive family networks for prisoners to return to upon release. In particular, for prisoners who have children, it is crucial not only to ensure that the parent-child bond remains intact, but to assist in preventing the inter-generational offending cycle.

In addition, community partners are also engaged to conduct family-focused programmes on various topics ranging from communication and reconciliation issues, to parenting and marital issues, as it is recognized that prisoners who have supportive families are more motivated to change and have a better chance at successful reintegration.

We also encourage visits and letter writing, and try to minimize the impact of incarceration on family members.

(5) Religious Programmes

Religion is recognized as a strong intrinsic motivator of change. Hence, the Singapore Prison Service relies heavily on volunteers from our communities to provide religious counselling programmes to help in offender management and augment our rehabilitation programmes.

As a multi-racial and multi-faith country, religious services and programmes are catered to the six main denominations, namely, Buddhism, Christianity, Catholicism, Hinduism, Islam and Sikhism.

In recent years, a more holistic approach to religious counselling was adopted. Where the conduct of traditional religious programmes centres on scripture reading, the revised approach incorporates rehabilitation elements and follow-up support in the community upon release.

(6) Community Reintegration Programme

In preparation for prisoners' eventual release, the Community Reintegration Programme (CRP) is delivered during the pre-release period to assist prisoners in their transition back into the community, addressing their reintegration needs identified during the pre-release review, such as coping skills, family/social support, employment and so on.

(ii) *Halfway Care Phase*

During the *Halfway Care* phase, suitable prisoners are allowed to serve the tail-end of their sentences in the community. There are various community-based programmes that cater specifically to the needs of different categories of prisoners, elaborated on as follows:

(a) Home Detention Scheme

This scheme provides an avenue for the early release of prisoners with good family support and who are typically of low risk, and hence would be most amenable to successful reintegration.

Prisoners selected for Home Detention have to wear electronic tags while they are on the Scheme, and are allowed to serve out the last months or year of their sentence living with their families or in their private residences under a temporary release license with set conditions, such as curfew hours and mandatory reporting.

(b) Halfway House Scheme

This scheme offers prisoners who have little or no family support, who may have no homes to return to, or whose family environments are judged to be detrimental to sustained desistance, but who are nevertheless desirous of staying crime-free, an alternative way of serving their sentences in the community.

There are currently ten Halfway Houses contracted for this scheme. These Halfway Houses, typically operated by social service or religious organizations, provide hostel-like lodging for prisoners for up to a year, in a safe and nurturing environment for gradual reintegration. Prisoners on the Halfway House Scheme are required to work during the day and return to their assigned hostels for evening curfew.

(c) Work Release Scheme

This scheme allows suitable prisoners, especially for the longer-term prisoners and those who do not qualify for the preceding two schemes, to leave prison premises for employment during the day, while requiring them to return to a low-security prison in the evenings. Work and electronic tagging are mandatory under this scheme.

To date, the Singapore Prison Service has placed some 26,000 prisoners on our various Community-Based Programmes, with 1,550 prisoners on such placements in 2009. The completion rates stands at over 90% consistently over the past years. More importantly, it is found that prisoners serving community-based rehabilitation register a lower recidivism rate, at less than 16% for the 2007 release cohort (compared to the overall recidivism rate of 26.5%).

(iii) *Aftercare Phase*

To facilitate a continuity of care for the prisoners upon their release, the Community Aftercare Programme (CAP) is provided for these prisoners at the Aftercare phase. Research has shown that the first six months

of release has been the most vulnerable period for ex-prisoners, who are often confronted with and struggle with the harsh reality of re-entry. This voluntary post-release programme is therefore aimed at supporting ex-prisoners in their reintegration journey, up to a period of six months. Prisoners who sign up for CAP will be assigned Aftercare Case Managers to help them deal with their reintegration challenges in the five domain areas, including employment, financial, accommodation, coping skills and family/social support.

III. COMMUNITY ENGAGEMENT AND REINTEGRATION

Reducing reoffending is a core business of the Singapore Prison Service. The reformation of prisoners, through rehabilitation and reintegration, is one of the most difficult and challenging tasks for any correctional service.

As highlighted in the preceding segment, home and work are the two key ingredients which facilitate successful reintegration. An offender who has a supportive family and is able to remain in gainful employment after release will have a much higher chance of not reoffending.

It requires an integrated and multi-faceted approach to reduce reoffending, involving not just the offenders and the Prison Service, but also other government and non-governmental organizations, the community, as well as families of offenders. This has been the operating philosophy for reducing recidivism in Singapore.

A. In-Care Community Engagement

Involvement of the community starts during the In-Care phase to augment our rehabilitation programmes, which would otherwise be limited.

1. Volunteers

At present, there are more than 1,400 volunteers who come into our prisons to provide religious and social counselling to prisoners during their time in prison, and for some, even after their release. These volunteers have been an inspiration for prisoners, providing hope and guidance to them. The dedication and hard work of our volunteers, many of whom hold regular jobs in the daytime, have certainly made an impact amongst prisoners who look to them for motivation to start life anew.

In 2009, prisons embarked on a review of our volunteer engagement approach, with a view to ensuring better community resource mobilization in support of our core businesses of safe custody and rehabilitation of prisoners. A Volunteer Engagement Framework was hence developed, targeting three broad areas as outlined below:

(i) Volunteer Management Structure

This refers to a systematic structure that serves to direct, co-ordinate and integrate the effort of prison volunteers, in collaboration with various key partners, towards achieving effective delivery of well-designed programmes. This structure will also be involved in policy development and strategizing initiatives, and buttresses volunteer administration and the roll-out of new volunteer-run programmes.

(ii) Alignment of Volunteers

The effective alignment of volunteers involved the following areas:

- (a) Suitability assessment of applicants to determine their motivation to work as prison volunteers, as well as to enable matching of expertise and rehabilitation needs upstream. In addition, their suitability for continued service in prisons will be evaluated.
- (b) Training and development plans that continually seek to renew volunteers' skills in order that they remain relevant.
- (c) Engagement platforms that enhance interaction opportunities at all levels to promote effective communication and strengthen partnerships.
- (d) Effort/facilities that promote volunteers' welfare and recognition of contributions to further their sense of belonging and identification with prisons. Volunteers who are aligned with Prisons' Mission, Vision and Values are key partners in furthering our custodial and rehabilitation efforts.

(iii) Outcome-based Volunteer Programmes

This includes identification and assessment of volunteer programmes to ensure they are not only in line with our rehabilitation framework but also contribute towards positive attitudinal changes in prisoners.

2. Community Agencies/Voluntary Welfare Organizations (VWOs)

Currently, there are more than 50 community agencies and VWOs in Singapore, both religious and secular organizations, who work directly with the prisoners and have become our close partners in our rehabilitation and reintegration efforts.

B. Aftercare Community Acceptance and Support

Rehabilitating and preparing offenders during incarceration is only one part of the equation. Preparing the community and creating conditions that encourage sustained desistance from criminal behaviour by ex-offenders is the other. Their eventual release into the community necessitates a concerted effort to prepare the wider community to accept, accommodate and support the released offenders willing to live as law-abiding citizens.

1. The ‘Second Prison’

However, many ex-offenders have to live with the stigma of having served time behind bars. The suspicion and prejudice that ex-offenders face after release can often be more punishing than the prison sentence itself, with many finding themselves stepping into a ‘second prison’ of invisible bars, societal mistrust, discrimination and even contempt. Therefore, the conditions in the community must be conducive to successful reintegration.

2. Unlocking the ‘Second Prison’

In a rather conservative country like Singapore which upholds traditional values (such as ‘bringing honour to the family name’), imprisonment is a taboo that shames the family. Hence, changing the mindset of the Singaporean public towards ex-offenders has been a challenging and arduous process.

Leading the efforts to garner community acceptance and support for ex-offenders, the Singapore Prison Service has invested considerable resources and energy into this area, as elaborated on in the following section.

(i) Co-ordinated Aftercare for the Rehabilitation of Ex-offenders (CARE) Network

Formed in May 2000, the CARE Network brings together the major community and government organizations responsible for the rehabilitation of ex-offenders, including the Ministry of Home Affairs, the Ministry of Community Development, Youth and Sports, the Singapore Prison Service, the Singapore Corporation of Rehabilitative Enterprises, the National Council of Social Service, the Industrial & Services Co-operative Society Limited, the Singapore Aftercare Association and the Singapore Anti-Narcotics Association. The Network, co-chaired by Singapore Prison Service and SCORE, engages the community in rehabilitation, co-ordinates member agencies’ activities and develops innovative rehabilitation initiatives for ex-offenders. The Yellow Ribbon Project (to be further discussed in the subsequent section) is one major campaign developed and launched under the CARE Network.

(ii) Publicity and Communications Efforts

For some years now, the Singapore Prison Service has commissioned a series of print and television advertisements, with bold and innovative messaging, to place greater commitment and emphasis on rehabilitation to enable offenders to renew and restart their lives.

The messages centre on providing offenders with the opportunity to restart their lives and integrate back into the community, thus reducing the burden of repeat crime-rates on the community, such as:

“As a prison volunteer, you can help break down walls.”

“He’s already served time, but will you still be passing judgment?”

“Who says ex-convicts can’t serve society with conviction?”

“Most of our guests who checked out have no desire to return.”

(iii) Yellow Ribbon Project (YRP)

As a flagship of community engagement initiatives, the Yellow Ribbon Project was first conceptualized and launched in 2004 to promote a more accepting society, one that is willing to give ex-offenders a second chance at making good. It exists to bring hope, confidence and opportunity to ex-offenders determined to lead crime-free lives.

The Yellow Ribbon Project, the only national 'second chance' campaign, was inspired by a popular 1973 song, "Tie a Yellow Ribbon Round the Ole Oak Tree", by Tony Orlando. There are three lines in the song that describe an offender's desire for acceptance and forgiveness: "*I'm really still in prison. And my love, she still holds the key. A simple yellow ribbon's what I need to set me free.*"

The Yellow Ribbon Project has three goals – the 3 "As":

- Generate *awareness* of the difficulties ex-offenders face after release, of giving second chances to ex-offenders;
- Encourage *acceptance* for ex-offenders from families and the community as they return to free society; and
- Inspire public *action* to support their reintegration and continued rehabilitation.

Therefore, the central message of the Yellow Ribbon Project to the wider Singapore community is that they hold the key to unlock the 'second prison'.

(iv) Community Events

Every YRP season is marked by several major community events which will define the YRP campaign for that year, one of which will be pitched as an anchor event and marketed as the highlight for the campaign. With every season, the theme and focus shift from one level of engagement to another, as each YRP campaign builds upon the successes of the preceding year.

The initial years focused on creating awareness, and progressively evolved into engaging the community and mobilizing the ex-offenders in recent years. Centred around the theme of 'Giving Back' in YRP 2009, the launch and anchor event was "Beyond the Run" and some of the highlights included 'Community Arts Exhibition', 'Wear-A-Yellow Ribbon', 'Tribute of Love I – Cooking Competition', and 'Tribute of Love II – Giving Back'.

(v) Yellow Ribbon Fund

The Yellow Ribbon Fund was set up to sustain the Yellow Ribbon effort in supporting community-initiated programmes which help ex-offenders and their families. To date, the Fund has raised more than \$7 million.

Now into its seventh year, the Yellow Ribbon Project has become a runaway success in Singapore, having won many awards for its innovation and social purpose. The Singaporean public has responded with uncommon enthusiasm to the Yellow Ribbon cause, turning up at Yellow Ribbon events in large numbers, and donating generously to the Yellow Ribbon Fund.

Some of the key achievements of YRP include:

- 94% of the population is aware of the Yellow Ribbon, with about 60% expressing willingness to accept ex-offenders as either a friend or colleague;
- Approximately 300,000 members of the Singaporean public have attended at least one Yellow Ribbon event, with more than 900 signed up as new volunteers and 400 ex-offenders mobilized for each campaign;
- More than 1,800 employers are willing employ ex-offenders, with more than 2,500 ex-offenders having benefited from such employment opportunities;
- More than \$7 million has been raised for the Yellow Ribbon Fund, benefiting more than 26,000 clients; and
- The project received honourable mention at the 2007 United Nations Grand Award for campaigns deemed to be forward looking.

The most poignant encouragement came from the Prime Minister Lee Hsien Loong during the main Yellow Ribbon event in September 2007, addressing ex-offenders: “If you have made a mistake, if you have offended, then there has to be punishment. But if you have taken the punishment and you are prepared to correct yourself and make good and come back onto the right path, if you make the effort, we should give you the second chance.”

The success of the Yellow Ribbon Project is attributed to a combination of winning factors, without which it could not have attained the scale and depth of success that it enjoys today. Broadly, the critical success factors can be categorized into:

- **The People Factor:** people lie at the heart of the YRP efforts. It is the collective effort of like-minded people, from key political figures to the members of public, who propel the Project forward;
- **Branding:** effective brand positioning has also been instrumental for the success of the YRP campaign. The simple icon of a yellow ribbon and the meaning associated with it is easily identifiable and recognizable by all strata of society;
- **Effective Use of Levers:** there has been continuous leverage on the media, celebrities and the community as force multipliers to amplify the spread of the message and enlarge the reach of the Project;
- **Touching the Hearts of the Community:** in order for the community to embrace the YRP, it is essential to both touch and convince them with rousing testimonies and compelling messages.

(vi) Legislative Change

In line with the aims of Yellow Ribbon Project, several laws and civil service processes were changed to make it less discriminatory for ex-offenders trying to find a job.

The Registration of Criminals Act was amended in May 2005 to render the records of first time offenders who are fined less than \$2000 and/or imprisoned for less than three months and who have remained crime and drug free for at least five years as spent. It is estimated that about 30,000 such offenders have benefitted since the law took effect.

In March 2006, the Singapore Civil Service amended their job application form, to conform with the amended Registration of Criminals Act. Where in the old forms, job applicants were asked if “they had ever been convicted in court”, or if “they have a criminal record”, the new form does not require ex-offenders who fit the changed laws to declare that they have a past criminal record.

(vii) Inter-Ministry Committee

As another spin-off with the heightened awareness of the reintegration challenges, an Inter-Ministry Committee was set up in April 2009 to study and propose recommendations to address the problem of reoffending.

The Committee recommends a focused and comprehensive approach to effectively address the problem of offending and reoffending. One of its key recommendations is activating community-based networks to provide protective factors for offenders through strengthening existing familial, religious and social support systems. In addition, it also proposes introducing specialized treatment programmes and mandatory community aftercare programmes for high risk-needs offenders.

With the high-level support and mandate given through this Committee, it has generated swift and effective community response and action, gearing up to contribute to the cause of easing offenders’ re-entry.

IV. CONCLUSION

Prisons are often described as places where bad people go to get worse. The Singapore Prison Service takes a radically different view. Prisons must not be mere jailhouses, but transformational places, where crime is deterred even as strayed lives are steered back on course.

Serving time should never be a waste of time. The period of incarceration allows the Singapore Prison Service an opportunity to work at reforming lives, showing them that crime does not pay, teaching them a marketable skill, giving them an education, all with one end in mind – to reduce the chance of an offender reoffending after release. One less recidivist means one less crime, which means one less victim of crime and one less harm caused, hence a safer Singapore for all.

Rehabilitation and reintegration are the two key ingredients for successful offenders' reform. Both, however, cannot be confined to within prison walls. Rehabilitation involves not just programming for the individual criminogenic risks and needs of the offender, but must extend to enhancing his or her familial ties and future employability. Reintegration, by definition, must involve whole communities, starting with awareness, then acceptance and then practical action to make the inevitable re-entry of the ex-offender a positive one.

Any correctional service that hopes to reduce reoffending must make a concerted effort at preparing the community to receive the offenders that it is about to release. The Singapore experience, in recent times, at reducing reoffending has been an encouraging one. It is a task which involves political support, multi-agency collaboration, grassroots activism and the active engagement of civil society. The Singapore Prison Service chose, quite early on, to assume leadership for this issue, and has continued to strategize, innovate and invest our energies and resources into finding new and more effective ways of dissuading reoffending, collaborating with all who share the desire for a crime-free society.

PARTICIPANTS AND OBSERVERS' PAPERS

EFFECTIVE RESETTLEMENT OF OFFENDERS BY STRENGTHENING 'COMMUNITY REINTEGRATION FACTORS'

*Man-Lung Chung**

I. PURPOSE

This paper gives an account of the development of the initiatives in promoting community engagement by the Hong Kong Correctional Services (HKCS) to appeal for the community's support for rehabilitated persons.

II. BACKGROUND

As an integral part of the Hong Kong criminal justice system, HKCS's mission is to protect the public and help reduce crime. To achieve this, we have identified four critical success factors, namely (i) quality custodial services; (ii) suitable rehabilitative services; (iii) offenders' motivation and responsiveness towards rehabilitation; and (iv) the community's acceptance of rehabilitated persons.

While the first two factors are within HKCS's control, achieving them alone is not sufficient to build a safer and more inclusive society. The remaining factors are affected by many independent but interrelated and complicated personal, social and economic issues. We need the offenders and the community to play their respective parts. In respect of community support, we believe that public acceptance is crucial for offenders' reintegration. Therefore, the wide support of the community as a whole has always been our focus for enhancing effective offender rehabilitation and reintegration into society.

The Hong Kong Special Administrative Region is a vibrant and modernized international city with some seven million citizens. Though a small city, Hong Kong people are among the most informed in the world, due largely to the city's dynamic news media. Excellent communications have been an essential element in Hong Kong's development as an international business and financial centre. The city has one of the most sophisticated telecommunications markets in the world, and its people are kept well informed by an efficient and vigorous media.¹ In view of such, HKCS has taken this advantage into consideration and carefully designed our departmental strategies for the promotion of public acceptance and community support for offender rehabilitation by means of networking and media.

The setting up of the Rehabilitation Division in 1998 represents a milestone in HKCS's development. To facilitate community engagement for offenders' reintegration, we have adopted three major strategies, viz. *Public Education*, *Publicity* and *Community Support*. Against this background, HKCS has organized a series of education and publicity activities since 1999 to appeal for public acceptance of and community support for rehabilitated persons. The community's response to HKCS's publicity campaign has been encouraging. The public is increasingly aware of the need for collaborative efforts to facilitate offender rehabilitation. Many community organizations and merchants/trade associations have expressed interest in co-operating with HKCS in promoting the welfare of rehabilitated persons. In view of the positive response, HKCS will continue to organize different education and publicity campaigns to enlist the community's support on this front.

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¹ 'Communication, the Media and Information Technology', www.yearbook.gov.hk/2007.

III. COMMUNITY ENGAGEMENT FOR OFFENDERS' REINTEGRATION

A. Public Education

HKCS understands the importance of the community's acceptance and support in helping to stop the vicious circle of reoffending. The best way to achieve this is through continuous public education. Since the 90s, HKCS has been actively involved in youth education.

HKCS has been running the "*Personal Encounter with Prisoners Scheme (PEPS)*" since 1993, with a view to generating attitudinal and behavioural changes among youth at risk. Under this Scheme, youths and junior secondary students visit our correctional institutions, and have face-to-face discussions with reformed prisoners. The objective is to prompt the participants to think about the untoward consequences of committing crimes. Another purpose is to spread the message of offender rehabilitation and appeal for the public's acceptance of and support for the rehabilitated persons. At the same time, the participating prisoners can develop a positive self-image and build up confidence through the experience-sharing sessions. Up to end of 2009, more than 60,000 youths and students have participated in the Scheme.

HKCS started the "*Green Haven Scheme*" in January 2001 to promote anti-drug messages as well as the importance of environmental protection among young people. Under the Scheme, participants visit the drug information centre at the Drug Addiction Treatment Centre on Hei Ling Chau and meet with young inmates there to learn about the harmful effects of drug abuse. They also make vow to pledge support for rehabilitated persons and environmental protection, as well as to stay away from drugs. This Scheme helps to educate the youths to accept and support rehabilitation and reintegration of offenders. Up to end of 2009, more than 7,274 youths and students have joined this Scheme.

To demonstrate the willingness of rehabilitated persons to contribute to society, HKCS in 2003 launched a series of district-based "*Options-in-life Student Forums*" in all 18 districts of Hong Kong to help reduce juvenile delinquency and provide opportunities for secondary school students to interact with rehabilitated persons and discuss with them the detrimental consequences of committing crimes. We also hoped that through the Forum, the participants would have better understanding of rehabilitated offenders' determination to turn over a new leaf, thus accepting them and supporting their reintegration. This has proved to be an effective public education medium to spread the anti-crime message. In line with HKCS's community involvement strategy, 12 non-governmental organizations (NGOs) have been enlisted to run similar forums starting from 2006.

The above public education initiatives are very well received by schools and youth organizations. In order to extend the services to a wider spectrum of young people and to tackle the long waiting period for schools or youth organizations to participate in the programmes, which is usually more than six months, we have consolidated the above public education programmes under a new project entitled the "*Rehabilitation Pioneer Project (RPP)*" with effect from September 2008. Aiming at reducing crime and promoting public support for offender rehabilitation, the project offers education talks, prison visits, visits to the Hong Kong Correctional Services Museum and forums for youth. Among them, the education talk and museum visit are newly introduced elements which aim at strengthening the message of crime prevention, and the importance of public acceptance and support for reintegration of offenders. Moreover, we have opened up more correctional institutions for student visits (up to ten institutions at present), and expanded the target group to include university and elite students.² We have also taken a new step to recruit outsiders as part-time staff to run the project. It reduced the workload of our staff and at the same time served as an effective medium for public participation, which helps to promote the message of offender rehabilitation across the community via this group of newly recruited part-time staff members.

² Since 1993, PEPS has been organized to invite students and youth groups, aged between 13 and 18, to visit HKCS' institutions, which include three maximum security prisons, a detention centre established in 1996 and one more maximum security prison established in 1998. Under the RPP, which was commenced in September 2008, the correctional institutions opened up for visits have been extended to ten institutions and the target group has also been expanded to include university and elite student groups. We hope that these groups of persons, with their exceptional status and calibre, will help to take the lead to spread the message of offender rehabilitation.

B. Publicity

Publicity is another major area in which we place our resources for the promotion of community engagement. Since 1999, we have launched a series of publicity activities to appeal for public acceptance of rehabilitated offenders and foster community support. One of the core activities was the production of a series of television documentary dramas, namely, “*The Road Back*” between 2000 and 2008. Narrating through real stories, the drama aims at telling the public that most rehabilitated offenders are ready and willing to lead a decent life upon returning to society. Beginning in 2000, a total of five series have been broadcast at six month intervals.

Another ground-breaking initiative is the *Appointment of Rehabilitation Ambassadors*. Through appointing famous artistes and renowned athletes as ambassadors, we can make use of their influence to help capture the interest of the media and convey more effectively the rehabilitation messages across the community. Our Rehabilitation Ambassadors, famous artistes such as Mr. Andy Lau, Mr. Richie Yam and Mr. Leo Ku Kui-kei, and renowned athletes like Mr. Wong Kam-po and Mr. Chan King-yin, participated in different publicity activities, visited various correctional institutions and gave encouragement to offenders.

Other activities like production of posters, printing of slogans on government envelopes, offender rehabilitation messages on public buses and departmental vehicles, are also part of the publicity campaign. As television is an influential medium by which to appeal for public acceptance and support for offender rehabilitation, we regularly produce TV variety shows entitled “Support Offender Rehabilitation for a Safer and More Inclusive Society”, and TV and Radio Announcements in the Public Interest (APIs).

To mark the 10th Anniversary of the Rehabilitation Division of HKCS, an Information Booklet was produced in August 2007 to review what and why HKCS has been doing to facilitate offenders’ reintegration into the community, and most important of all, to plan the way forward for continuous promotion of community support and public education for youth.

To assess the effectiveness of its publicity activities as perceived by the public, HKCS carried out three Telephone Opinion Surveys in mid 2002, end of 2004 and early 2008 respectively. The findings of those surveys are positive, with the early 2008 survey revealing notably that 71% of the respondents agreed that those activities could enhance their understanding of rehabilitated persons and 85% considered it worthwhile for the Government to continue to conduct publicity activities to appeal for community support for rehabilitated persons.

C. Community Support

Recognizing the importance of community acceptance and support to the successful reintegration of rehabilitated persons, HKCS established in late 1999 the Committee on Community Support for Rehabilitated Offenders. Comprising community leaders, employers, education workers, professionals and representatives of NGOs and government departments, the Committee advises on rehabilitation programmes, as well as reintegration and publicity strategies. Since then, the above mentioned publicity and public education activities, targeting four community groups, viz. students, general public, employers and community leaders at district level, have been organized to appeal for community support for offender rehabilitation as well as to educate the public on crime prevention.

HKCS has been undertaking joint projects with the District Fight Crime Committee³ since 2001 in the organization of district-level publicity activities relating to both offender rehabilitation and crime prevention, such as roving exhibitions in Hong Kong’s 18 districts. Our senior officers are appointed as Regional Liaison Officers to provide necessary support and to facilitate the co-ordination of such activities. We also believe direct participation in various aspects of the offenders’ rehabilitative process will narrow the gap between the public and the offenders.

The involvement of various NGOs and religious bodies are worth mentioning because they have played

³ The District Fight Crime Committees, consisting of both members of the public appointed by the Government and Government officials, help to monitor the crime situation at district level; co-ordinate community resources to assist in fighting crime; and make recommendations with regard to fighting crime measures and community involvement.

a supplementary role in organizing rehabilitation and reintegration programmes for serving prisoners and rehabilitated persons over the years. Up to 2010, more than 60 organizations and bodies with some 2,000 volunteers have provided rehabilitative services to prisoners, such as hobby classes, religious services, recreational and cultural programmes, and individual and group counselling programmes.

One of the examples of co-operation between HKCS and NGOs is the *Continuing Care Project (CCP)*, which has been implemented since February 2004. The CCP aims to provide continuing care and professional services to ex-supervisees on a voluntary basis by NGOs with a view to reducing their recidivism after expiry of their statutory supervision period. Since then, seven NGOs have joined the CCP. The professional services provided by participating NGOs include individual counselling, employment and education guidance, group and recreational activities, volunteer services, financial assistance and hostel accommodation, etc. As of 31 March 2010, a total of 1,066 cases were referred to the participating NGOs.

Some other examples of co-operation with NGOs and religious bodies are: the *NGO Forum*, which has been held annually since 2003, and provides an opportunity for HKCS and NGOs to exchange views and share experience on matters relating to rehabilitative services; the *NGO Service Day*, organized in December 2007 and December 2009, aims to appeal for public support for volunteer work in offender rehabilitation by mobilizing volunteers from all NGO partners to provide services to offenders in the event; the *Recital for Offender Rehabilitation*, co-organized with Buddha's Light International Association of Hong Kong and Liu Shih Kun Piano & Arts Centre, aims to bring community care, concern and encouragement to offenders as well as appeal to the public to accept serving and rehabilitated offenders.

Another example of co-operation worth mentioning is the *Correctional Services Department Rehabilitation Volunteer Group (CSDRVG)*, which was established in early 2004. The Group, comprising over 330 volunteers, who are mostly university students and serving teachers, aims to supplement the services of HKCS, particularly in terms of addressing the reformative, emotional, educational, social and recreational needs of inmates. Apart from conducting interest groups on topics like languages, computer studies and other cultural pursuits for offenders in various correctional institutions, they also assist in other areas of rehabilitation work, such as public education activities for promoting community acceptance of rehabilitated persons.

HKCS values partnership with community organizations to take forward projects and initiatives for the benefit of serving and rehabilitated offenders. With the assistance of *Partnered Community Organisations*, HKCS broadens the scope of vocational training for offenders, arranges for offenders to attend outward bound courses and furnishes institutions with additional recreational facilities, etc. Such partnership can bring community care and support to offenders, enhance public awareness of life in prison and challenges faced by offenders, as well as solicit their participation in offender rehabilitation.

Throughout the past years, HKCS has appealed to local employers for fair employment opportunities for rehabilitated offenders. So far, we have joined up with about 397 *Caring Employers* who have provided job opportunities to rehabilitated persons to help them reintegrate into society, particularly during the initial stage after their discharge from correctional institutions. Co-operating with the Centre for Criminology of the University of Hong Kong, HKCS has organized a number of *Symposia on Employment for Rehabilitated Offenders* since 2001, appealing directly to employers for fair employment opportunities for rehabilitated persons. HKCS will consider organizing another such symposium in June 2010, appealing for the support of big corporations and small employers.

In line with the policy of the Hong Kong Special Administrative Region Government to promote the development of social enterprises through tri-partite partnership among the Government, business and community, HKCS has assisted an NGO and a local catering operator to establish a food manufacturing workshop to provide employment opportunities for rehabilitated persons. The partnership, namely the "*Rice Dumpling Production Project*", is supported by a grant of HK\$1.4 million under the Enhancing Self-Reliance Through District Partnership Programme run by the Home Affairs Department. HKCS have made referrals of suitable rehabilitated persons to the project and also assisted with the promotion of the project. So far, 48 rehabilitated offenders have attended the basic training course in food safety and hygiene. Fourteen of them have undergone field placement at the workshop. Up to the end of March 2010, 12 rehabilitated persons had once been or were being employed as workers there, while 33 rehabilitated persons had once been or were

being engaged in the food and beverage field after receiving the training.

The Autumn Fair, first held in 1953, has been a long-standing attraction to the public. This meaningful annual event provides an opportunity for prisoners to contribute to the community. Funds raised in the fair, including proceeds of sales of products hand-made by prisoners, are donated to various charitable organizations. In 2009, an equivalent of US\$145,000 went to some 46 local charitable organizations.

Employment is a key factor to reintegration. Therefore, HKCS has linked up with various training institutes such as *Clothing Industry Training Authority (CITA)*, *Vocational Training Council (VTC)*, and *Construction Industry Council Training Academy (CICTA)* to arrange for young and adult offenders to take the public trade tests and examinations in an attempt to obtain recognized qualifications. The current courses for young offenders include decorative joinery, electrical and electronic servicing, mechanical engineering craft, plumbing and pipefitting, vehicle body painting, computer servicing and food and beverage service, etc.

As for adult offenders, we have established and operated a pre-release vocational training centre at Lai Sun Correctional Institution (LSCI) since July 2006 to provide full-time market-oriented training for male adult prisoners, including mechanical engineering craft, language and information technology, book-keeping and accounts, office computing and practice, junior chef training, food and beverage service, and hairdressing, etc. After a thematic evaluation on providing full-time market-oriented training for adult prisoners, the HKCS has decided to decentralize full time vocational training courses in different institutions. Up to May 2010, there are five Institutions, namely Lai Chi Kok Correctional Institution (LCKCI), Pak Sha Wan Correctional Institution (PSWCI), Pik Uk Prison (PUP), Tong Fuk Correctional Institution (TFCI) and LSCI providing full time vocational training. Separately, we also line up with the Society of Rehabilitation and Crime Prevention, Hong Kong (SRACP), an NGO, to provide follow-up employment services to the prisoner-trainees after their release. On top of the full-time vocational training, we have also strengthened vocational training for prisoners in other adult institutions by conducting some other training courses. In 2009, inmates and prisoners attempted 1,396 public examination papers and trade tests, and the overall pass rate was 97%.

From 2009-2010, HKCS will provide 800 part-time training places and 200 full-time training places for adult offenders. Regarding the part-time training places, HKCS will co-operate with the *Employees Retraining Board (ERB)* to run the following seven types of courses for adult offenders:

- Environmental hygiene and cleaning worker training;
- Removal and logistics training;
- Exhibition booth setting and decoration training course;
- Horticultural assistant training;
- Retail salesperson training;
- Laundry assistant training;
- Nail technician training.

With past encouraging experience, HKCS has taken a further step to reorganize the Correctional Services Industries as the new Industries & Vocational Training Section of HKCS's Rehabilitation Division in February 2009, with a view to better integrating vocational training (VT) elements into the industries to enhance the employability of offenders upon release. This latest strategy enables the provision of more comprehensive 'one-stop' services to offenders from admission to reintegration in collaboration with NGOs and better integration of prisoners' work with vocational training to improve adult prisoners' access to vocational training opportunities, thereby helping to enhance their employability upon release.

With respect to education for offenders, we have also lined up with prestigious tertiary institutions to provide opportunities for adult offenders to pursue life-long learning. Offenders are encouraged to participate in self-studying courses or distance learning programmes run by the Open University of Hong Kong and other tertiary institutions to make optimal use of the resources and expertise from external accredited educational organizations. We have also embarked on a project entitled "*Continuing Education for Offenders*" in collaboration with the School of Continuing and Professional Education of the City University of Hong Kong aiming at arousing participants' interest in pursuing further studies. "*A Taste of University*", one of the programmes under the project, was run in September 2005, March 2006, May 2008 and December

2009. Each course consisted of 10 two-hour lectures on a variety of subjects given by university lecturers to the offenders. The topics included sociology, psychology, business, environmental protection, and computer and social skills.

A reading programme, named "Rainbow Reading Award Scheme", to promote reading culture, was launched in October 2006 in one of the correctional institutions and extended to a second one in September 2007, a third one in December 2008 and fourth one in January 2010. We also co-operate with the Open University of Hong Kong to provide learning support for inmate students through counselling and visits by voluntary staff and tutors of the University. To support and assist prisoners to pursue further education, the Prisoners' Education Trust Fund was established in December 1995 to provide financial assistance to prisoners in joining external courses, procuring reading materials and participating in external examinations. Over the past 13 years, 2,618 prisoners have benefitted from the Fund. With grants from the Hong Kong Jockey Club Charities Trust, HKCS set up the "Jockey Club Inmates' Education Subsidy Scheme" for four years starting from October 2004. A total of 508 prisoners benefitted from the Subsidy. In 2008, some HK\$0.5 million (equivalent to about US\$64,000) was granted to 591 prisoners under the Prisoners' Education Trust Fund and Jockey Club Inmates' Education Subsidy Scheme. To meet the growing needs of prisoners in further education, two more education subsidy funds, namely, the New Life Foundation and the Prisoners' Education Subsidy Fund were founded in 2009 with donations from an anonymous philanthropist and public donors.

IV. CHALLENGES AHEAD

For the past years, we feel encouraged to see that HKCS has built up a 'reciprocal' relationship with the community as a whole. With the implementation of public education, publicity activities and community support programmes, we have witnessed many positive achievements, such as an increase in resources and public support, enhanced public image, a drop in complaint cases against the department and a drop in the recidivism rate.⁴ We strongly believe that community engagement remains an essential element to supplement HKCS' rehabilitative services and to promote public acceptance and support for offender reintegration. Through networking and collaboration, it does greatly enhance mutual care and trust, mutual assistance and reciprocity, social solidarity, social inclusion, self-help and mutual help, and positive values.

Still, we, as correctional officers, have many challenges ahead. The value added equates to workload added. Nonetheless, HKCS continues to strive for promotion of community engagement for the well-being of offenders under our custody and rehabilitated persons under our supervision in the community, thus helping to build a safer and more inclusive society.

⁴ The newly calculated recidivism rate, defined as the rate of re-admission within three years after discharge of all local convicts released from our custody, reached a record low of 41.6% in the past 13 years.

EFFECTIVE RESETTLEMENT OF OFFENDERS BY STRENGTHENING ‘COMMUNITY REINTEGRATION FACTORS’: KENYA’S EXPERIENCE

*Christine Achieng’ Okoth Obondi**

I. BACKGROUND

Kenya recognizes the United Nations Standard Minimum Rules for Non-Custodial Measures (Tokyo Rules) of 1990. These rules hold that all prisoners be treated with respect due to their inherent dignity and value as human beings and advocate for the viability of non-custodial sentences as an alternative to incarceration.

This measure is informed by the global wisdom that petty and youthful offenders should be placed on community programmes that provide relatively more effective rehabilitation while utilizing available resources within the community.

The country’s blueprint, Vision 2030, identifies the rule of law and crime prevention as flagship initiatives that support overall state-building, societal development and social order.

They can be achieved through effective offender reintegration and resettlement programmes that not only address the offenders’ criminogenic needs but also emphasize community reintegration factors that uphold public safety and harmony by reducing recidivism.

Community rehabilitation and reintegration of offenders is offered by the Department of Probation and Aftercare Service.

This is an area where the Department has a comparative advantage backed by existing legal mandates and supportive organizational structure as a distinct discipline within the criminal justice system.

The main statutes from which the Department draws its operational mandates include:

- The Probation of Offenders Act (Cap 64) Laws of Kenya
- The Community Service Order Act (No. 10 of 1998) Laws of Kenya

Others statutes from which the Department draws its mandate include:

- The Prisons Act (Cap 90) Laws of Kenya
- The Borstal Institutions (Act Cap 92)
- The Mental Health Act (Cap 248)
- The Children’s Act of 2001
- The Penal Code (Cap 63)
- The Criminal Procedure Code (Cap 75)

Embedded within the motto that offenders can change, the Department’s operations are guided by the following objectives: generation of information to courts and other penal institutions for the dispensation of criminal justice; supervision and rehabilitation of offenders on community sentences; reintegration and resettlement of offenders on statutory penal licenses; and promotion of crime prevention activities.

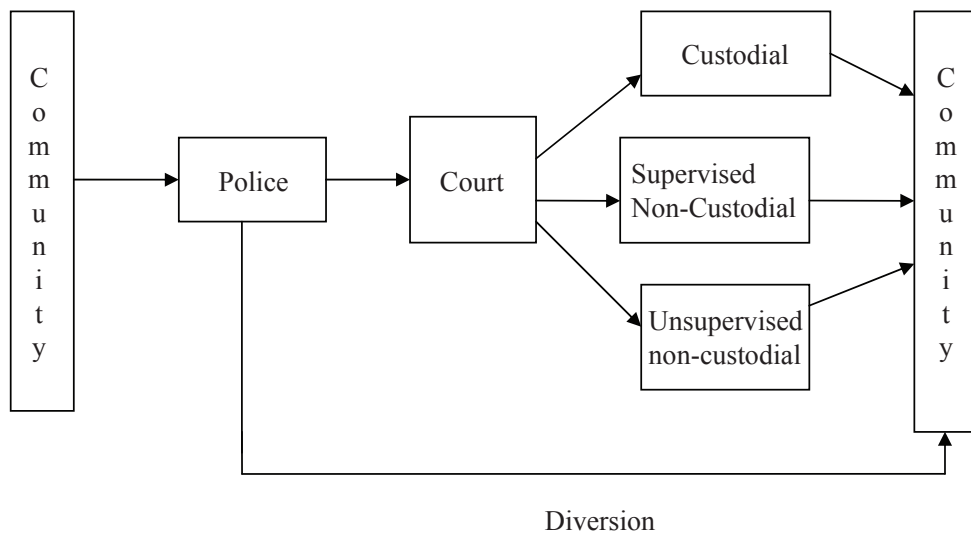
* Senior Assistant Director, Department of Probation and Aftercare Service, Office of the Vice-President and Ministry of Home Affairs, Kenya.

II. THE CRIMINAL JUSTICE SYSTEM IN KENYA

The criminal justice system in Kenya in this context is examined basically in regards to the flow of the criminal procedure and the role of each of the partners in regard to effective resettlement of offenders by strengthening community reintegration factors.

The main partners in the criminal justice system include:

- The Community
- The Police
- The Judiciary/Courts
- The Probation and Aftercare Service
- The Prison Service
- The Children's Service



As illustrated above, it is generally accepted that the criminal justice process starts and ultimately ends within the community, regardless of the particular pathway taken in between.

The transition of the offender from one stage of the criminal justice system to the other is dependent upon several factors that include the nature and type of offence, the offender and the linkages and partnership of the partners.

A. Treatment of Offenders at all Stages of Criminal Justice Proceedings

Offender treatment in its ideal sense remains a major challenge within the system as each of the partners have varied approaches guided and defined by their legal mandates and organizational mission, objectives and culture.

Offender treatment as part of rehabilitation can only be understood in the context of each organization's operations. (This is discussed later in this paper within the context of the Probation and Aftercare Service.)

These interventions range from vocational training within the institutions, facilitation of informal and formal education, psychological interventions and empowerment with tools after successful completion of the government trade test.

1. Community

The role of the community in the criminal justice system is fundamental because crime is both an individual and social problem.

This is the entry to the criminal justice system. Citizens or the community make the decision to report

a crime or offence to the relevant authorities. Ultimately the offender (after due process) returns to the community and requires social support to be effectively reintegrated and resettled.

The community comprises the offender's immediate family, general citizens, non-governmental organizations (NGOs), and faith-based and community-based organizations (CBOs) that offer specific services towards offender treatment.

In particular, there are few non-governmental and faith based organizations whose area of operation includes offering community reintegration for ex-offenders within established halfway houses.

Others are specific or tailored to rehabilitation of juveniles/youthful offenders.

2. Police

The police are the gate keepers of the criminal justice system. They investigate cases reported to them, arrest, may caution an offender (as provided in their standing orders), accord diversion or prosecute as may be appropriate.

It is worth noting that not all cases may be investigated as per the police's discretion and prosecution occurs where there is reasonable suspicion and evidence.

Community policing is a new strategy that relies on public confidence, citizen empowerment and co-operation to prevent crime and make residents secure.

This programme is based on partnership between the police and the community with the understanding that communities are aware of their surroundings and are able to identify social deviants and suspicious activities in their midst.

3. Diversion

This is a relatively new concept; an NGO initiative mainly targeting children and aiming to divert children away from the rigours of the criminal justice system.

It was initially piloted within four police stations and involves the creation of a child protection unit (CPU) within the police station. This is a separate structure that handles matters relating to children and with the assistance of a core team comprising of child protection officers from government departments (police officers, children's officers and probation officers) and like-minded NGOs/CBOs, gives appropriate guided attention and treatment.

The children are classified within 24 hours and only those who are in conflict with the law go through the criminal justice system while the rest are reintegrated and resettled back into the community.

This is guided by the spirit of the Children's Act of 2001, the Children's Regulation of 2002 and the Criminal Law (Amendments) Act 2003.

The best interest of the child is upheld at all levels.

4. Court/Judiciary

The judiciary is the third arm of the government and its main roles include interpretation of laws in line with the Kenyan Constitution and administration of justice through the courts. In reference to reintegration and resettlement of offenders, the courts adjudicate within their discretion and may grant bail or not depending on the merits of each case.

The sentencing disposition may be but is not always guided by a pre-sentence report. However it is worth noting that where and when sought, a comprehensive pre-sentence report generates information regarding an offender's background, including personal history, circumstances of the offence, his or her attitude towards the offence, as well as the community's attitude towards the offender and the offence committed. This not only facilitates the disposition of the case but lays the foundation for effective community reintegration and resettlement as appropriate.

The sentencing dispositions available to the courts include: institutional incarceration or imprisonment, probation, community services orders, fines, conditional discharge, unconditional discharge and suspended or deferred sentences.

5. Prison

The prisons offer institutional rehabilitation and punishment as prescribed by the courts.

In the prisons, offenders are classified according to the nature of offence, period of sentence and placements available.

A variety of vocational and rehabilitation programmes are offered while in prison, however there are no clear linkages or legal framework for post penal supervision.

Parole, though stipulated in the Prisons Act (Cap 90), is yet to be operationalized and hence aftercare services (reintegration and resettlement of ex-offenders) are offered to only to ex-borstal (youthful offenders) inmates and psychiatric offenders. These categories of offenders released on license and social support are supervised by Probation and Aftercare Service Department.

6. Probation and Aftercare Service

Probation and Aftercare Service is the sole government administrator of community-based sentences administered through three programmes, namely: Probation Orders, Community Service Orders and Aftercare.

The Department mandate covers both adult and juvenile offenders with the latter constituting about a quarter of the offending population.

The Department has continued to play its role in the criminal justice administration in various thematic areas touching on generation of information for the dispensation of justice, supervision, rehabilitation, reintegration and resettlement of offenders and in crime prevention initiatives.

The Department recognizes that offender supervision and reintegration is both a government and community concern.

Currently the community is involved within the various review committees: the Probation Case Committees and the Community Service Order Case Committees. Review committees are statutory mechanisms that are mandated to review casework within a given jurisdiction and accord appropriate advice. These meetings are held biannually and the committee is made up of relevant government departments and representatives of the local community.

Community participation also occurs in the implementation of the community service order programme. The major elements of the community service order are reflected in the consolidation of punishment, reparation, restitution and reintegration. The offender and the community both draw benefits from the community service order by allowing offenders an opportunity for repentance and restitution, producing budget savings, fostering good work ethics and self esteem and helping offenders return to the community as law abiding citizens.

Section 3(2) of the Community Service Order (CSO) Act provides that public work shall include but not be limited to construction or maintenance of public roads or roads of access, afforestation works, environment conservation, projects for water conservation, management or distribution and supply, maintenance work in public schools, hospitals and other public social service amenities, the nature or type of public work shall in any particular case be determined by the court in consultation with the Community Service Orders Committee.

The Department also operates probation hostels, which are places of temporary safety for offenders serving probation orders and whose homes and environment are not conducive for effective rehabilitation, reintegration and resettlement.

Hostels offer individual and group therapy alongside formal education and other forms of vocational training. It is worth noting that the youthful probationers/offenders pursuing formal education are integrated in the nearby schools within the community.

The Volunteer Probation Officer programme is another community involvement initiative by the Department. A volunteer probation officer is a person appointed by the government to assist the probation officer in the supervision and rehabilitation of offenders. The volunteer probation officer lives within the same area as the offender, has relatively more frequent contact with him or her and thus able to offer closer supervision.

B. Gaps in the Criminal Justice System

The flow of the criminal justice system illustrated above do not necessarily follow the pathways indicated, especially as regards community reintegration and resettlement of offenders.

This is due to the following factors:

- Punitive community attitudes resulting in stigmatization of offenders;
- The community has a negative perspective towards crime and offenders and generally prefers custodial forms of punishment. As result, offenders are viewed with much suspicion and are stigmatized and often denied the social support which provides the framework for effective rehabilitation, reintegration and resettlement;
- Practitioners lack appropriate skills;
- Effective rehabilitation and resettlement of offenders requires relevant skills, especially in the delivery of treatment programmes. Most of the service providers, that is, police officers, prison officers and probation officers, lack the capacity to offer appropriate and effective supervision and rehabilitation;
- Pre-sentence reports are not mandatory for all cases;
- It is at the discretion of the presiding magistrate or judge to order a pre-sentence report; a comprehensive pre-sentence report provides information on the background of the offender, his or her personal history, and the circumstances of the offence, his or her attitude and the attitude of the community, all of which are important elements in determining appropriate sentence;
- Lack of adequate linkages amongst the partners in the criminal justice system;
- Each agency tends to work independently or within its legal mandate and role and the nature of partnership remains undefined with no legal backing;
- Lack of structures for co-operation with non-state actors;
- There are no laid down clear structures for collaboration and co-operation with private or public partners;
- Lack of a common database: this hampers the flow of information regarding offenders as they are processed through the criminal justice system and hinders effective rehabilitation and reintegration;
- Lack of a sentencing policy that would give guidelines and define roles;
- Lack of adequate community support structures and capacity to offer effective reintegration and resettlement;
- Lack of awareness of existing community structures and services provided;
- Though there are a few non-governmental organizations that offer social support to ex-offenders, their activities are not publicized;
- Social and cultural values surrounding certain offences;
- Culture does influence the development of beliefs and attitudes and the diversity of culture brings with it different norms and values;
- Some of these values may be in conflict with written laws that govern the country. Though the laws of the country supersede, there is often conflict within the offender or the community concerned over the sentence and effective rehabilitation is hampered.

C. The Rehabilitation Treatment and Reintegration of Offenders in Probation and Aftercare Service

The Department has over the years implemented various modes of rehabilitation and reintegration of offenders serving non-custodial sentences and receiving aftercare. However, the provision of such programmes has not been governed by a clear set of policies and guidelines, thus there has been no uniformity in delivery and offender management.

In conformity with international standards, the Department has embarked on the development of systematic evidence-based rehabilitation treatment programmes backed with empirical facts from a tested theoretical framework.

Literature reviews provided the frontiers for a situational analysis by forming the basis of reliable information on what should be done and enabled the identification and recognition of what works and how it works.

A situational analysis was undertaken from April to May 2009 to ascertain the existing situation and identify gaps in offender management. An open structured questionnaire was sent to all 400 probation officers of whom 349 responded.

A focus group discussion was held in five of the 112 districts in the country; this included the probation hostels and day care centres.

The guiding questions revolved around: identification of criminogenic factors that explain offending amongst offenders on supervision; the current interventions the probation officers use in rehabilitation, supervision, reintegration and resettlement of offenders; the challenges encountered and suggested recommendations to improve offender management.

The general personality and social-psychological perspective of criminal behaviour which has received significant global empirical support in the last two decades was tested. This is because this theoretical model emphasizes both static and dynamic risk factors that form the bridge between offender assessment and treatment.

The guiding questions revolved around: identification of criminogenic factors that explain offending amongst offenders on supervision; the interventions employed by the probation officer in the supervision and rehabilitation process; the challenges encountered in the process; and recommendations to address the challenges.

D. Emerging Issues/Findings of the Situational Analysis

The general interpretation of the findings was:

- The broad perspective of General Personality and Social Psychology is relevant and applies across probation practice and is predominantly the most appropriate approach. The 39% of probation officers who use counselling as an intervention borrow widely from a mixture of cognitive and behavioral approaches;
- Attitude and capacity of staff is important in determining the success and effective rehabilitation and reintegration of offenders. During the focus group discussions 4% of the officers pointed out that there was resistance to change and accommodating the new approaches may be slowed;
- The cognitive behaviour approach emerged as a generally accepted intervention as attested by 32% of the officers;
- A multi-modal approach is applicable in particular circumstances.

This recognizes cultural diversity that impacts on general societal norms and may affect offender rehabilitation and reintegration.

The particular findings from the situational analysis on criminogenic factors arranged in the hierarchy of score were:

1. Dysfunctional family (30%)

2. Retrogressive culture (serendipity)¹ (18%)
3. Drug and substance abuse (16%)
4. Poverty (serendipity)² (11%)
5. Low level of education (7%)
6. Peer influence (5%)
7. Lack of employment (3%)
8. Anti-social attitudes (3%)
9. Social surroundings (3%)
10. Medical/health related issues (serendipity)³ (2%)
11. Harsh climatic situations (2%)

The findings on the current interventions used by the Probation Officers in hierarchy of score are:

1. Of the respondents, 135 (39%) use counselling (incorporation of behavioural approaches and other humanist and cognitive theories). Most probation officers either have a university degree in social work and other related social sciences accompanied with a diploma in psychological counselling;
2. Of the respondents, 65 (19%) refer cases to other government agencies and mostly community-based organizations as appropriate. This is mostly for drug and substance abusers;
3. Of the respondents, 58 (17%) empower offenders with tools and social skills. This targets mainly youthful offenders on release from borstal institutions where they will have undertaken vocational training. This is intended to provide the basis of self employment and other related income-generating activities;
4. Of the respondents, 30 (9%) use alternative dispute resolution. This involves using available community structures often governed by acceptable socio-cultural norms that bind a given community;
5. Of the respondents, 25 (7%) use publicity to sensitize the community to the benefits of non-custodial alternatives. The officers use available public forums to sensitize the community to non-custodial alternative sentences;
6. Of the respondents, 24 (6.8%) focus on supervision of the order and offer no therapy. This is undertaken as stipulated in the court order and accepted by the offender.

The findings on challenges the probation officers encounter in rehabilitation of offenders include:

1. Lack of appropriate skills, knowledge and relevant professional training in offender treatment (32%). Probation officers have varied undergraduate academic backgrounds which lack uniformity and equivalence with training in theories of criminal behaviour and the prediction and treatment of criminal behaviour;
2. Lack of adequate resources (22%);
3. Negative/punitive community attitude (4%). This hampers the establishment of effective social support structures;
4. Recidivism (6%);
5. Attitude of staff towards changes in approach to offender management (4%);
6. Unstable families which affect character formation, development and support for effective reintegration and resettlement (17%);
7. Offender resistance/denial;
8. Lack of adequate publicity on the benefits of non-custodial sentences (2%);
9. Lack of border exit control among communities living along the country's boundaries (1%);
10. Insufficient rehabilitation and resettlement centres in the community (2%);
11. Lack of offender fixed abode and accommodation (2%);
12. Unresolved human/wildlife conflict especially amongst communities living around the game reserves (2%);
13. Language barriers (2%);

¹ This attribute is a discovery by accident not design, but is however desirable. The variable was found by chance or coincidence as it was not part of the variables stated in the hypotheses.

² Id.

³ Id.

14. Corruption (2%);
15. Bureaucracy (1%);
16. Lack of adequate linkages amongst partners (1%).

III. CONCLUSION

A multi-agency approach strategy has been put in place. However, for special needs offenders, it is intended to build the capacity and capability of criminal justice agencies to offer effective offender management through creating a through-care or seamless system that will enhance effective treatment and resettlement. This is at the initial stage and is expected to create a basis upon which a policy may be developed.

- The government could establish a statutory and regulatory system that articulates the role of each partner and levels of co-operation within and without the criminal justice system. This will ensure the integrity of programmes delivered to offenders throughout the criminal justice system.
- Success in rehabilitating, reintegrating and resettlement of offenders largely depends on the co-operation of the community. The community is expected to continue providing reliable information on both suspicious criminal/anti-social tendencies within the community and supervision of those serving non-custodial sentences.
- Community policing should be strengthened alongside the existing volunteer probation officers' intervention. This will provide the necessary social support for rehabilitation, reintegration and resettlement.
- Continued community sensitization to the dual benefit of reintegration and resettlement of offenders is paramount.

EFFECTIVE RESETTLEMENT OF OFFENDERS BY STRENGTHENING ‘COMMUNITY REINTEGRATION FACTORS’: COUNTRY REPORT – KOREA

*Yun Young Lee**

I. OVERVIEW

A. The Goal of Corrections

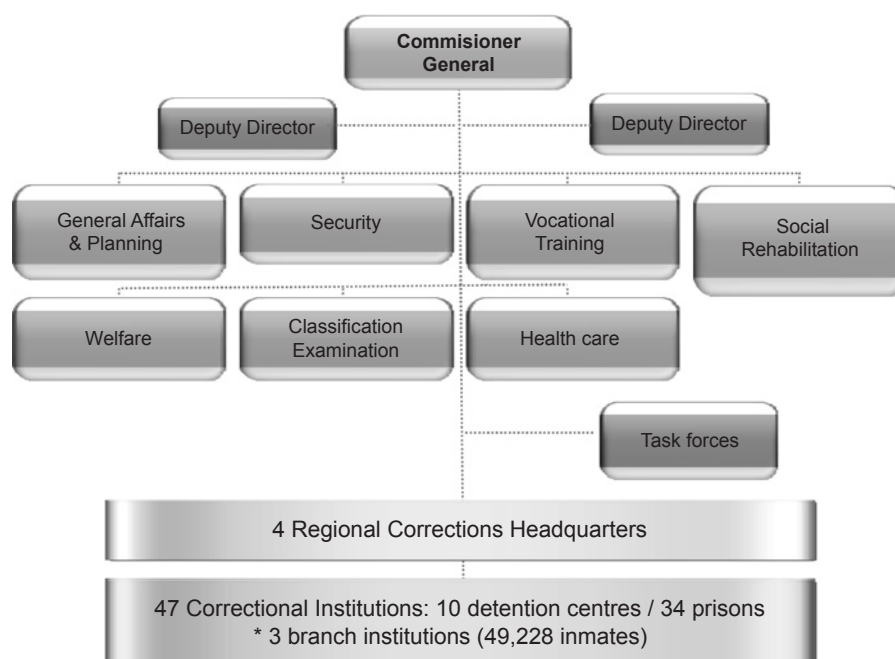
1. The Goal of Corrections

Article 1 of the Act on Execution of the Sentence and Treatment of Inmates specifies that the goal of the Korea Correctional Service (KCS) is the prevention of recidivism and the successful reintegration into society of offenders.

2. Policy Objectives

For this goal, the KCS operates various rehabilitative programmes. The assistance given to achieving the inmate’s secure resettlement into society can be considered a yardstick by which to measure the success of the correctional service. Thus, the Ministry of Justice provides vocational training, academic education, humanity education, religious activities and supports employment, etc. These programmes contribute to strengthening the rehabilitation of offenders. The inmate’s human rights are also sufficiently respected and protected during their stay in correctional institutions by the Constitution and relevant laws. If an inmate believes that his or her rights have been infringed, he or she can recover his or her rights through an interview with the Warden, a petition, or an appeal to the National Human Rights Commission, etc. Because the community’s role in the correctional service helps the inmate’s resettlement into society, the correctional administration does its utmost to expand public involvement in corrections.

B. Organizational Structure



* Inspector, Cheongju Women’s Correctional Institution, Republic of Korea.

The Korea Correctional Service, under Ministry of Justice, directs and supervises the administration and operation of correctional facilities. The Commissioner of the Korea Correctional Service is assisted by the Director-General for Correctional Policy and the Director-General for Security Policy. The Director-General for Correctional Policy assists the Commissioner with issues related to the General Affairs and Planning Division, Vocational Training Division, Social Rehabilitation Division and the Welfare Division. The Director-General for Security Policy assists the Commissioner with matters concerning the Security Division, Classification and Examination Division and the Health Care Division. The duties of each Division are as follows:

1. General Affairs and Planning Division

The Division makes overall plans on correctional administration, personnel management and inspections. The Division also drafts laws and regulations regarding correctional administration, public relations and international co-operation.

2. Vocational Training Division

The Division draws up and implements plans on prison industry and vocational training. The Division also handles matters related to remuneration and reparation for accidental deaths or injuries during work hours.

3. Social Rehabilitation Division

The Division creates and executes policies regarding education, protection and overall support for inmates scheduled to be released; deals with matters related to the appointment or discharge of correctional volunteers; and issues authorizations and permissions to the corporation that provides rehabilitation programmes and support for social reintegration. The Division also makes plans for field trips and furloughs for inmates and operates employment service centres.

4. Welfare Division

The Division makes Budget plans, administers facilities and handles the provision of food and clothing.

5. Security Division

The Security Division is in charge of the admission, accommodation, daily living care and the release of inmates. It also conducts inspections of facilities; handles classification and parole preparation; and manages auxiliary correctional officers and security apparatuses.

6. Classification and Examination Division

This Division develops treatment programmes for inmates; creates and operates scientific classification methods; supervises the Classification and Treatment Board and the Parole Board; and reviews inmates to be paroled.

7. Health Care Division

This Division takes care of inmates' health and hygiene, and provides medical treatment, including prescription and dispensation. The Division also formulates and implements policies for health screening, disease prevention and rights protection of inmates.

8. Regional Correctional Headquarters

Regional Correctional headquarters are situated in Seoul (Central region), Taegu (YOUNGnam region), Taejon (Chung region) and Kwangju (Honam region), and provide mid-level supervision by directly overseeing local correctional institutions within their own respective jurisdictions. There are five divisions under the Commissioner of Regional Correctional Headquarters: the General Affairs Division, Security Division, Industry Division, Medical Care and Classification Division and Educational Reformation Division.

There are 47 correctional facilities including ten detention centres, 34 prisons and three branch institutions. These Correctional institutions house 49,228 inmates.

C. Correctional Staff

Correctional staff are generally divided into non-uniformed officers and uniformed officers. Uniformed

officers have charge of security in general. But they also take charge of administration including Education, Medical Care, Food and Hygiene, etc. Non-uniformed officers work in Education, Classification, Administration, Medical Care, Food and Hygiene, Facility Management, etc. The KCS has a total staff of 14,295.

II. HALFWAY HOUSE

A. House of Hope

The Correctional Service operates a halfway house called the 'House of Hope'. The 'House of Hope' is a training centre for inmates who are eligible for parole. The goal of this house is to improve the parolees' capacity to reintegrate into the community and to prevent reoffending through programmes run in three stages.

1. First stage: adaptation to the facility (two weeks)
 - Adaptation to unfamiliar open environment.
 - Education for treatment plan.
2. Second stage: adaptation to society
 - Work at workplaces outside the facility.
3. Third stage: settlement in society
 - Strengthen the parolee's relationship with family members through furlough.
 - Volunteer activity.

1. Facilities

The 'House of Hope' was established on 21 January 2009. Five rooms accommodate ten inmates who have three to six months to release. They have the advantage of advanced services during their stay. The facility is comfortably equipped: rooms have beds and desks, and computers and a community area are provided.

On weekdays the parolees work at the 'Beautiful Auto-care Shop'. In their free time they plan for their lives after release, can go out on furlough, take part in volunteer activities and receive humanity education during the weekend.

2. Employment Placement

As of April 2009, 15 inmates have been released from the House of Hope and all of them have secured work, three in auto-care related work. The Korea Correction Service will establish more Houses of Hope.

III. SOCIAL ADAPTATION TRAINING CENTER

The Korea Correctional Service operates a "Social Adaptation Training Center" to help inmates successfully resettle into society. This Center was established on 1 July 2009 and accommodates inmates eligible for parole within six months and who were sentenced to five or more years' imprisonment, and are serving their first or second term of imprisonment. Training sessions run for six months and comprise three stages.

The first stage takes place during the first two weeks. This starts with Orientation. This stage is designed to prepare inmates to approach rapidly changing daily life. This opportunity helps inmates to be smoothly resettled into society. This stage focuses on recovery of family and personal relationships. The inmate has free use of the telephone. They experience the opening of an account and credit card through a mock daily life programme.

The second stage is implemented for almost four months and two weeks. The inmates commute to outside work. This stage is designed to help inmates solve difficulties for social re-entry. The inmates strengthen their relationships with their families through furlough, family visits, etc. Inmates in this facility are given more of these opportunities compared to prison inmates. They get a chance to rebuild social relationships through various volunteer activities and cultural performances.

The third stage lasts two weeks and is composed of group education, social experience, and education for job finding or opening an own business. Advice is provided by the Small and Medium Business Administration. The inmates don't work in this time.

IV. SUPPORT FOR JOB FINDING AND OPENING OWN BUSINESS

A. Support Committee for Job Finding and Opening Own Business

In April 2008 the Korea Correctional Service established a "Support Committee for Job Finding and Business Start-ups" in every correctional institution. The Committee members comprise the respective wardens and directors, and professors, business owners and other community leaders.

Instances of Job Finding Support by the Committee					
Year	2005	2006	2007	2008	2009
Number	743	730	670	672	717

Instances of Business Start-up Support by the Committee					
Total	Manufacturing	Distributing	Service	Restaurant	Construction
24	4	8	4	6	2

This committee helps inmates in comprehensive ways such as introducing them to jobs, providing information for starting their own businesses, supporting skills and materials, and consulting services, etc. This committee also gives advice about rehabilitation policy and correctional administration. In order to co-operate and assist the committee, a task force is created. This team is responsible for planning the work, structuring networks with related agencies and building relationships with business owners in the community. This team supplements new rehabilitation assistance content in the correctional information system to build a nationwide network, which can improve the efficiency of the rehabilitation support system. Thus, the committee operates more systematically and scientifically to provide employment for inmates. More than 700 inmates have secured a job after release as a result of these activities. Some of them have opened their own businesses in various fields.

B. Job Fair

The economic difficulties released offenders experience are a factor in their reoffending. To solve this problem, KCS desperately needs the community's co-operation. The Correctional Service develops custom-made vocational training programmes to attract business owners in the community who can employ the inmates. This programme allows the business owner to select trainees and to fix the training content, to some extent. The inmates have opportunity to be introduced to a job in stages after vocational training.

Stages	Contents
First Stage	Selecting an inmate Consultation in advance for inmate to be released Identifying inmates who want to be hired
Second Stage	Introduction to jobs: job fair
Third Stage	Intense management for some period after release Intense management period (one month) Adaptation period (three months) Stability period (two months)

A job fair is prepared to provide employment consultation, information on starting own businesses, job interviews, vocational aptitude tests and lectures by released offenders experiencing success in running their own businesses or finding a job.

As of 27 April 2010, the results of the second job fair are as follows:

(Unit: number)

Total		Seoul Headquarters		Daegu Headquarters		Daejon Headquarters		Kwangju Headquarters	
Enterprise	Job	Enterprise	Job	Enterprise	Job	Enterprise	Job	Enterprise	Job
623	1293	65	313	51	139	40	569	467	272

Job interviews are conducted on the spot and by camera (cam-interview). The inmates applying for cam-interview are as follows:

(Unit: person)

Total	Seoul Headquarters	Daegu Headquarters	Daejon Headquarters	Kwangju Headquarters
317	136	67	55	59

Visual telephones allocated in correctional institution for cam-interview are as follows:

(Unit: number)

Total	Seoul Headquarters	Daegu Headquarters	Daejon Headquarters	Kwangju Headquarters
35	14	7	7	7

One thousand, one hundred and eighty four (1,184) inmates took part in the second job fair which was held at four headquarters nationwide. Four hundred and eighty one (481) inmates were hired by job interview. Some of them were hired twice.

(Unit: person)

	Total	Spot-interview	Cam-interview
Total	481	383	98
Seoul Headquarters	138	117	21
Daegu Headquarters	89	78	8
Daejon Headquarters	167	132	35
Kwangju Headquarters	90	56	34

C. Joy and Hope Bank

Long-term incarceration in correctional institutions can lead to a 'social lag' phenomenon for inmates. To remedy this, inmates should have an economic stepping stone for life after release. The "Joy and Hope Bank" was established in June 2008 by the Catholic Correctional Committee. This bank is designed to support inmates who want to find a job or open their own shops. The bank also helps victims and supports other rehabilitative work. This bank gives loans without mortgages to the amount of US\$20,000 per inmate. Correctional staff assigned to task forces in correctional institutions select inmates with good behaviour records who are less than two years from release, who are considered to have good business ability. The selected inmate needs to complete a two-week orientation course operated by the bank. After finishing this course, the inmate provides a business plan on paper. This business plan is examined and the bank investigates the possibility of the success of the business before granting the loan. Aftercare is also provided. In 2009, four loans were made.

V. CONCLUSION

The goal of correctional service is to rehabilitate offenders and to resettle them in the community as good citizens. Inmates' successful resettlement in society reduces recidivism; this is an imperative, given the high social costs of reoffending. Korea Correctional Service develops and operates various systems to ensure an advanced correction administration and better treatment for offenders. Such systems include the Hope Light Project, opening new specialized vocational training programmes, custom-made correction rehabilitation programmes, the House of Hope, supporting employment and business start-ups, including improvement of the institutional environment and improvement of medical treatment. Finally, Korea Correctional Service will work hard to help inmates start over a new life with hope.

REPORTS OF THE COURSE

GROUP 1

MEASURES TO STRENGTHEN ‘COMMUNITY REINTEGRATION FACTORS’ OF OFFENDERS WITH DIFFICULTY IN FINDING JOBS AND SECURING ACCOMMODATION AND/OR ESTABLISHING SOCIAL RELATIONSHIPS

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I. INTRODUCTION

On 24 May 2010 Group 1 commenced its workshop. The group appointed by consensus Mr. Tondop as its chairperson, Mr. Araújo its co-chairperson, Mr. Vega as its rapporteur and Ms. Nogami as its co-rapporteur. The group was assigned to discuss “Offenders with difficulty in finding jobs and securing accommodation and/or establishing social relationships” and agreed to conduct its discussion in accordance with the following agenda: 1) Basic/common obstacles to the reintegration of offenders into society; 2) New approaches for effective resettlement of offenders in the different stages of criminal proceedings.

II. SUMMARY OF THE DISCUSSION

A. Common Obstacles to Reintegration of Offenders

At the beginning of the sessions, it was agreed by the members of the group that the main objective of the discussion period should be the elaboration of proposals for the effective resettlement of offenders and how to provide them basic assistance for securing accommodation and obtaining a paid job. The group first made a request for each member to explain the actual situations in their countries in regard to the obstacles that offenders face in effectively reintegrating into society; this first attempt to understand the differences and similarities between legal systems and political realities was useful in the successive discussion sessions as each member had an overview of the rest of the group and could relate in a more direct way to their contributions. Nepal, Brazil, Japan, Iraq, Papua New Guinea, Hong Kong and Costa Rica all presented opening statements about how resettlement and reintegration of offenders is managed in their respective countries. At the end of this presentation by each member, the group agreed on the following obstacles to successful reintegration as common among participants:

1. Stigmatization
2. Overcrowded Prisons
3. Lack of Skills and Motivation
4. Economic Conditions.

The analysis is as follows:

1. Stigmatization

The group agreed as a whole that the problem of stigmatization of released offenders poses a serious threat to them and their chances to effectively resettle into their communities and find not only a steady paid occupation but also secure accommodation. It was discussed that, in some countries, most companies require prospective personnel to present an updated criminal record sheet, resulting in released offenders becoming ineligible for job openings.

2. Overcrowded Prisons

The group commented first of all on how prison overcrowding is indeed a common problem in the respective penitentiary facilities; in some cases the excess populations reach alarming levels while in others they barely exceed the maximum capacity. Nonetheless it remains a real problem that undoubtedly affects the in-prison treatment of offenders as well as stressing the prison staff when resources are insufficient.

3. Lack of Skills and Motivation

Regarding this particular issue, the group focused on how the lack of certain skills in offenders implies a threat to their effective resettlement and discussed the urgency of strengthening the skill level in many areas that are essential upon their release. For example, the group discussed how relationships and interpersonal skills can be a major factor in the successful reintegration of the inmate back into society; anger management, communication and self-esteem revalidation are just some factors that if reinforced, can help to minimize the risk of reoffending. Furthermore, on this topic, the discussion then turned to the lecture delivered by visiting expert from the National Offender Management Service, Ministry of Justice of the United Kingdom, Mr. Steve Pitts. In regard to this specific area, it was agreed by the members of the group that, as the visiting expert explained, skill development is a factor that sometimes is not properly addressed even though experiences from various countries steadily demonstrate the importance it has for the effective reintegration of a released inmate back into the community. In this particular area, the group discussed how inmates require skills for effective resettlement back into society and how this facilitates resettlement; references to Mr. Steve Pitts' lectures were submitted for examination and the overseas members of the group received an explanation of how Japanese penitentiary authorities consider the development of skills as one of the bases for treatment prior to release. The sharing of experiences among countries that effectively train their inmate population to develop skills was considered valuable to other members.

In this particular area, the group discussed how the inmate requires motivation for an effective resettlement back into society and how this motivation covers very diverse aspects of the individuals; references to Mr. Steve Pitts' lectures were again submitted for examination and the overseas members of the group received an explanation of how Japanese penitentiary authorities also consider the motivation of their criminal population as another of the bases for treatment prior to release, and the proven relevance of the efforts to positively motivate the inmates as a first step to their successful reintegration into the community.

4. Economic Conditions

The economic conditions of a significant part of the world's population often cause certain individuals to fall into offending. The members explained that indeed poverty is a common factor among the criminal populations of each country.

B. Analysis of the Obstacles

The following paragraphs summarize the group's agreement on each of the topics, at the end of the discussion.

1. Stigmatization

The group concluded that the best way to help offenders to successfully erase the stigma of their previous criminal actions is to involve the community in the rehabilitation programmes available in each country so people with a criminal past can be perceived as individuals who made a mistake and who are ready to take all available measures to prevent the same mistake from happening again.

2. Lack of Skills and Motivation

The group agreed that in fact the positive motivation of the offender should not be viewed as a personal matter for each inmate but rather as a strategic approach for the authorities to commence a real transformation in the behaviour of the criminal population. In this area, the general agreement was that countries without this specific programme should recommend its immediate adoption, and in the case of countries that currently apply it, to strengthen it.

As a conclusion on this particular matter, the group agreed that most of the countries represented here have no active programmes for the specific purpose of developing skills of incarcerated inmates; the

experience of those countries that do have them in operation should be transmitted accordingly.

3. Prison Overcrowding

No country represented in the group has succeeded in a steady decrease of its criminal population; the tendency appears to be an increase of admitted inmates over the years. No specific measure was discussed to make a formal proposal but instead it was agreed that alternate measures to imprisonment can produce good results in reducing criminal populations.

4. Economic Conditions

The group considered that global economic conditions cannot be effectively addressed from within the topic of resettlement of offenders back into society and that the only viable measure to promote effective reintegration is to assign resources for the securing of jobs and accommodation for the offender once released.

C. Measures for Resettlement during Different Stages of Criminal Proceedings

The group discussed a proposal presented in one of the sessions regarding the assessment of offenders at a very early stage and how certain measures can have great impact on positive reintegration of offenders back into community; this approach focused on all stages of the criminal procedure beginning with the investigation of the crime up to the correctional stage once an inmate has been sentenced to incarceration. Basically, the discussion was focused on specific measures and how they relate to the other members' own legal systems; while some differences appeared almost immediately, they were not of such magnitude as to make agreement impossible. The main structure of the proposal referred to three specific stages of criminal procedures:

1. Pre-adjudication Stage
2. Adjudication Stage
3. Post-Adjudication Stage.

The approach to the analysis of this model was how the implementation of certain legal tools can enhance the chances of success in finding a job and secure accommodation. Before the breakdown of each of these stages began, a discussion was proposed in which each member offered their point of view of the reality of each stage in their own country. The main objective of the discussion was to find common denominators; the group then decided to organize the discussion of each stage as a first step towards achieving final conclusions and to find common ground between all members, despite their different legal systems.

1. Pre-Adjudication Stage

With regard to this topic, the group discussed the role of both police agencies and public prosecutors in their respective countries and how they relate to the topic of the discussions; the intention of this introductory exercise was to determine if in their activity some measures can be adopted to minimize recidivism and promote effective reintegration of first time offenders.

First of all, and in the case of police officers, there were more similarities than differences between the members that belong to those agencies; some of them even have the authority to employ alternative solution of conflicts thus supporting resettlement and a lower rate of imprisonment.

(i) Papua New Guinea

The representative of this country explained that the police have the authority to bring offenders before a Village Court for examination by local judges; if the issue is resolved between all parties, the case is not sent to the prosecutors office, thus minimizing the imprisonment of offenders and at the same time favouring resettlement.

(ii) Brazil

The participant of this country explained that police officers have the power in cases of minor theft to give the offender an official warning instead of arresting him or her due to a disposition that enables police to drop the case if no aggravating circumstances are present; this favours the offender's return to the community instead of being sent to prison.

(iii) Iraq

The member from this country explained that police officers must arrest the suspects of a crime and present them before a judge regardless of the type of offence, resulting in a legal system that currently allots no specific role to the police to solve minor crimes before they are presented either to a prosecutor or a judge.

(iv) Prosecutorial Discretion

Regarding the public prosecutors' authority to take measures for better resettlement of the offender instead of formal indictment, two opinions were discussed.

(a) Suspension of Prosecution

In the case of Japan, as explained by one of the members, public prosecutors have the power to authorize the suspension of prosecution as a primary measure to effectively resettle an offender when assessment of his or her personal conditions show possibilities for resettlement and reintegration; these conditions include the working status of the offender as well as family support and a fixed address. When the detailed analysis of these variables determines that the offender presents no risk to the community and that the suspension of prosecution can prevent the individual from losing his or her job, family or housing, and the gravity of offence is not prohibitive, this measure is authorized and has an immediate impact on effective resettlement of offenders back into the community.

(b) Mandatory Prosecution

In Costa Rica, it is mandatory for public prosecutors to indict offenders regardless of their personal characteristics and of their chances of favourable reintegration, such as a fixed job and accommodation. The only exception to this principle is when the victim exercises his or her right to require an alternative measure to formal prosecution and agrees to suspend the proceedings against the offender in exchange for his or her compliance with a series of conditions that the victim can demand. This exclusion to formal prosecution, however, is restricted to specific characteristics of the crime reported.

2. Adjudication Stage

In the case of the adjudication stage, the group first commented on the lecture of Dr. Chris Trotter, Visiting Expert, from Monash University, Victoria, Australia.

During his presentation, he analysed the sentencing options for adults in his country, which include Imprisonment, Combined Custody and Treatment Orders, Drug Treatment Orders, Home Detention, Intensive Correction Orders, Suspended Sentence, Youth Justice Centre or Youth Residential Centre Orders, Community Based Orders, Dismissal, Discharge and Adjournment and Fines. The group began the discussion of the adjudication stage issue with the lecture from Dr. Trotter as background and analysed how in this particular stage some measures can be proposed to increase the chances of released offenders finding steady jobs and securing accommodation. It was noted that certain countries also have additional measures, such as:

- Suspension of execution of sentences instead of incarceration when certain conditions are met and requirements are filled: with the exception of Iraq, all other countries have current regulations on this matter;
- Pre-sentence reports: these were suggested as one measure that might be considered as they offer a follow-up process on the inmate and provide useful information that can help decide which treatment is more suitable;
- Summary trial: this promotes speedy resolution of cases and as such, resettlement can begin before the conditions of the offender deteriorate in aspects such as family support, job conditions and housing.

After discussion, an agreement was reached that to prevent recidivism and successfully reintegrate offenders back into society, judges must exercise the tools provided by each legal system, such as those explained by Dr. Trotter and referred to by the members; this will greatly increase the possibilities of offenders finding steady jobs within their own communities and securing fixed accommodation. Other measures such as bail and electronic monitoring were briefly discussed but no specific agreement was reached on these topics because of the obstacles they might face within the different legal systems.

3. Post-Adjudication Stage

In this particular area of discussion, the group decided to analyse more thoroughly the measures that can be adopted for the adequate correction of inmates during their imprisonment and the rehabilitation that supersedes it once the inmates are released. The lectures by visiting experts provided a new perspective on how certain countries have been able to establish strong rehabilitation programmes for offenders while in penitentiary facilities as a first step towards definitive reinsertion back into society. It was agreed that offenders require adequate treatment before they are released, and after, in order to minimize recidivism. The case in point that opened the discussion was the case of Singapore and the Singapore Prison Service (SPS) presented by Mr. Stanley Tang, Director, Operations, Singapore Prison Service. Mr. Tang's opinion is that the time spent in prison must not be wasted, but be a chance for prisoners to be involved in programmes targeted to dissuade reoffending. Mr. Tang's presentation first addressed sentencing options aimed at a more direct reintegration back into society; furthermore he explained the purposes of imprisonment in Singapore as Punishment, Reformation, Incapacitation and Deterrence.

Among the members of the group and in regard to the post-adjudication stage, a distinction was made between the correctional and rehabilitation stages.

(i) Correctional Stage

The Japanese participants stressed the need for secure custody of inmates as well as the need for investigation and classification of inmates as a necessary step prior to the beginning of treatment; furthermore, the strengthening of the skills in each individual remain a fundamental step towards reducing recidivism. Also, a view of the obstacles that inmates face during imprisonment and the best way to overcome them was explained during the sessions and thoroughly detailed; these include low motivation, few skills (academic, vocational knowledge, interpersonal relationships), physical and mental conditions, difficulty in finding steady jobs, and difficulty in securing stable accommodation. In his opinion, the proven measures to overcome the obstacles in his opinion were:

- **Prison Work:** The objective of prison work for all inmates is to promote hardworking habits among the criminal population and at the same time, achieve motivation in the inmates for labour. In the experiences discussed in the group, it was explained that prison work helps smooth reintegration of offenders back into society once working habits have been established as part of daily activity.
- **Guidance for Reform:** The purpose of this particular measure is to make inmates aware of their responsibility for the crimes for which they are imprisoned. It is also established that the insight process of inmates begins in this stage as a first measure to prevent recidivism. Pioneer measures such as the "Puppy Program" in Japan explore the possibilities of new ways to motivate prisoners.
- **Academic Guidance:** The goal is to give inmates certification of basic studies as a useful tool to obtain a steady job upon release.

Professor Watanabe's lecture on "Institutional Corrections in Japan" reflected and supported this opinion: the general trend in modern treatment of offenders states that a more in-depth evaluation of the inmate upon their arrival at the criminal facilities is an accelerator of the successful rehabilitation process of released inmates. The discussion then became an exchange of experiences in this matter and as a first step to establish if the countries represented in the group provide some attention for incarcerated inmates as a measure to reduce recidivism. With the exception of Iraq, whose political and military situation makes implementation of any reintegration programmes impossible, all members concluded that depending on each country's particular circumstances, some minimum degree of treatment for the prevention of offending is given inside their respective prison facilities. In Japan and Hong Kong, a fully functional and successful programme for the treatment and reintegration of offenders is already in operation, as evidenced in the individual presentation made by the observer from Hong Kong.

(ii) Rehabilitation Stage

The discussion among the group members then required that the Japanese participants who were directly involved in the area of correction and rehabilitation share their experiences with the group and explained the challenges that offenders face once released. Factors such as no accommodation, no fixed job, no family support, lack of communication for social relationships and a tendency to reoffend were addressed and explained. The measures to overcome these obstacles include:

- *Support in finding and securing jobs:* One of the most important factors in the rehabilitation stage, as agreed during the discussions, was the urgent need to provide the offenders with opportunities to obtain and keep a steady job. By accomplishing this measure, the group commented, the chances for successful resettlement will be greatly improved.
- *Accommodation:* Stable accommodation is necessary for the effective resettlement of released offenders once they are back into society and into civilian life with conditions shared by most members of the community. Even though not all countries represented in the group currently contemplate specific measures in order to achieve this particular goal, the lectures by visiting experts as well as the experiences of members provided a general view on how steady housing contributes to the effective resettlement of offenders. Although the manner in which each country accomplishes this measure varies, it remains a useful tool for securing reintegration.
- *Social welfare for ex-offenders:* This measure was the most controversial for it implies the use of funds to support ex-offenders once they are released back into civilian life; furthermore, the economic situation of many of the countries represented in the group prevent most of the nations from adopting this measure. In that sense no concrete conclusions or agreements were obtained in this matter.
- *Probation:* The role of probation officers should be further examined in those countries that currently do not have this measure as the success of this programme in the follow-up process of resettling offenders back into society is proven.

At the end of the discussions of this matter, the group agreed that indeed, crime in itself is a social problem that requires that all authorities involved in addressing it choose the best approach for each case.

D. Community

At this stage, the group addressed the role of the community in the process that offenders face upon release. Additionally, it was noted that a positive attitude from community leaders can help offenders find steady accommodation and secure a fixed job. Furthermore, one of the common obstacles that were addressed during the first part of the sessions is closely related to this issue: stigmatization. Experiences from visiting experts as well as lectures from volunteer employers and co-operators showed the importance of strong community support.

1. Change of Mindset

This particular approach presents the most favourable options in community involvement: with specific measures directed to change the way that offenders are perceived and how successfully they can be reintegrated back into society, a true change can be accomplished. The measures that were deemed more useful to obtain this goal were:

(i) Open Facilities for Better understanding of Treatments

Disclose information regarding aspects of treatment in correctional institutions to change the perception of offenders by the public and convey successful reintegration experiences.

(ii) Obtain Support of the General Public

It was explained by visiting experts that public opinion can raise awareness of specific topics, rehabilitation of offenders being one of them. As such, the main approach that members considered can present better chances in obtaining support from the public was the mobilization of social resources to favour the establishment of partnerships with the private and voluntary sectors, such as private employers and related agencies.

III. CONCLUSIONS AND RECOMMENDATIONS

A. Conclusions

After the discussions ended, some basic *conclusions* were agreed among the members of the group; these can be considered common ground between the countries and as the basis of the results achieved in this process.

Some legal systems of the countries represented inside the group pursue the punishment of offenders as

a main objective whereas other countries focus on rehabilitation as the objective of the criminal system.

Methods for the treatment of offenders during their incarceration process and afterwards do exist and extensive experience has been achieved in this matter. Differences in legal systems do not represent an insurmountable obstacle for countries without these specific programmes to consider their adoption and adaptation to their respective situations and characteristics.

Some countries lack reinsertion/rehabilitation-specific programmes designed to provide offenders with basic needs upon their release from imprisonment and aimed at an effective decrease in recidivism, such as are provided in Hong Kong, Japan, Singapore and the United Kingdom, whose experience in this field can be traced back many years.

B. Recommendations

At the end of the discussions the Group reached a consensus to make the following recommendations to assist reintegration of offenders in society in terms of securing jobs, accommodations and social relationships.

After discussing the community reintegration factors, the group moved to make recommendations on how to overcome the obstacles for offenders with difficulty in finding jobs and securing accommodation and/or establishing social relationships.

The recommendations are made in the same process as the group discussion:

1. Pre-Adjudication Stage

- To enforce the role of prosecution;
- To impose non-custodial measures.

2. Adjudication Stage

- To recommend judges to consider reintegration of offenders by utilizing pre-sentence reports or other information.

3. Post-Adjudication Stage

- To arrange for offenders to have assessment of the obstacles which contribute to their reoffending, if any;
- To offer treatment/training courses to improve prisoners' skills (basic education, motivation, vocational training, relationship skills);
- To improve the skills of involved staff members to discharge their duties for an accurate execution of mission;
- To have an evidenced-based evaluation of the treatment/training courses and of the social work techniques.

4. Community

- To promote public relations activities to educate the general public.

Apart from the recommendations in accordance with the four stages in the process of the discussions, the rest of the recommendations are somehow common to all stages or could not easily be classified:

- To search for the possibility of reintegration;
- To change the mindsets of staff members, prisoners and community;
- To promote the relationship/co-operation between all involved facilities;
- To support finding jobs and secure accommodation in all stages;
- To add the perspective of 're-education' to 'retribution'.

GROUP 2

MEASURES TO STRENGTHEN ‘COMMUNITY REINTEGRATION FACTORS’ OF OFFENDERS WITH ADDICTION OR DIFFICULT PERSONALITY PROBLEMS

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I. INTRODUCTION

The effective resettlement of offenders remains a general concern for all participating countries, with particular reference to strengthening community reintegration factors, because the community remains a key factor in the entire criminal justice process.

The fundamental goals for each criminal justice system, despite the diversities in each country, are *inter alia*, to achieve public safety and reduce recidivism.

Though discussions herein are governed by evidence-proven factors for effective community reintegration, which include accommodation, employment, education, drug and alcohol addiction treatment, adequate finances, family relationships, and addressing personality problems, our focus is mainly on offenders with addiction or personality problems.

The agenda of our discussions included:

- Challenges affecting measures to strengthen community reintegration factors of offenders with addiction or difficult personality;
- Existing measures or good practices that should be strengthened; and
- Suggested measures.

II. CHALLENGES AFFECTING MEASURES TO STRENGTHEN COMMUNITY REINTEGRATION FACTORS OF OFFENDERS WITH ADDICTION OR DIFFICULT PERSONALITY PROBLEMS

It was acknowledged that the flow of the criminal justice system of participating countries is diverse. However a consensus was reached to group procedures into the following five stages:

- Investigation
- Prosecution
- Adjudication
- Institutional corrections/prisons
- Community corrections, which include probation, parole and aftercare services.

¹ Ms. Lee left UNAFEI for official reasons on 9 June; she did not participate in the discussions after that date.

A. Investigation Stage

It was agreed that in most countries, reintegration is not a priority at this stage. However, investigation facts form a basis for assessment and further rehabilitation and effective reintegration of offenders. Therefore, fact finding should be solid in the investigation stage.

The offender at this stage is vulnerable as no particular attention is provided for difficult personality or addiction.

B. Prosecution Stage

Public prosecutors are not legally empowered to apply non-custodial measures in some of the represented states.

It was noted that in some countries the police undertake both the arresting and prosecution roles, while in others they play a complimentary role to prosecution.

This lack of clear legal mandate and undefined linkage does not allow for specific consideration of offenders with addiction or personality problems.

C. Adjudication Stage

There was a general agreement that there were several non-custodial dispositions available to facilitate reintegration at this stage. These include: verbal sanctions, conditional discharge, economic sanctions, confiscation, restitution, suspended sentence, probation and judicial supervision, and community service orders.

However some countries lack the legal provisions to apply all non-custodial measures, so opportunities to consider community reintegration for offenders with personality problems are insufficient.

In some of the participating countries there is a lack of clear guiding sentencing policy and the judge has the discretion to determine the sentence with or without the need for a pre-sentence report. This therefore does not guarantee that offenders with addiction or personality problems would be appropriately identified or given any consideration.

D. Institutional Corrections Stage

This stage includes the programmes provided in prisons, juvenile reformatory centres and treatment centres.

There is a general lack of effective assessment tools at intake that would adequately identify offenders with addiction or personality problems and classify them accordingly.

It was also noted that pre-release assessment is not undertaken thus creating a gap in through-care and community reintegration. This hampers proper professional follow-up on the treatment process and effective supervision.

Other barriers to community reintegration include:

- Lack of evidence-based treatment programmes that would adequately address the criminogenic needs and risks of an offender with addiction or personality problems;
- Continued gang loyalty among offenders in prisons interferes with their acceptance of and attitude towards programmes offered. As a result the offenders are not motivated to fully engage in the programmes as provided;
- Overcrowding, resulting in lack of individualized attention, especially for addicts and sex offenders. This leads to contamination of lower risk offenders and sometimes even abuse;
- Drug abuse continues within the prisons of some states and the cycle of addiction persists/continues;
- Lack of adequate resources and skilled personnel to deliver the programmes.

E. Community Corrections Stage including Probation, Parole and Aftercare Service

- Some of the member states lack legal backing for community corrections measures, and hence have no provisions for community reintegration;
- It was observed that information sharing amongst partners within the criminal justice system is limited and this hampers appropriate intervention or treatment when an offender is released. Consequently there is overlap in treatment and difficulties in supervision. This is detrimental for effective reintegration of the offender, particularly those with personality problems;
- High risk offenders may not always secure accommodation and are thus not easy to supervise when released and are therefore prone to recidivism;
- Lack of appropriate professional skills among service providers within the criminal justice system;
- Halfway houses are few and where they exist, they offer accommodation for a relatively small percentage of selected offenders. The offenders are offered accommodation for a limited period which may not be sufficient for offenders with personality problems or addiction. Some halfway houses are run solely by the government while others are run by the private sector though supported by government.

F. Partnership or Collaboration with other Agencies within or outside the Criminal Justice System

In most of the participating countries the private sector is yet to be encouraged into co-operation or partnership. This, accompanied with the general punitive community, is a great challenge to community reintegration resulting in stigma and discrimination.

G. Regulatory Framework Systems and Human Resources

It was observed that the concept of offender treatment and consequent community reintegration is not statutory in some of the participating countries and where it is, clear policy guidelines and their implementation are lacking.

Financial and skilled human resources constraints remain a challenge.

H. Corruption

In some countries offenders buy their release and can access drugs and other substances, etc. regardless of the gravity of the offence, risk of recidivism and community perception.

This has injured public confidence in the benefits of community reintegration of offenders.

III. EXISTING MEASURES AND GOOD PRACTICES THAT SHOULD BE STRENGTHENED

It was observed that there are existing good practices and measures in some states that should be institutionalized and strengthened. Some of these are:

- **Diversion:** in one of the participating countries the prosecution service is legally mandated to suspend prosecution if appropriate and thus promote early reintegration through diversion. The decision to suspend prosecution must be taken with consideration for the facts of the offence, the circumstances of the offender, such as repeat offence, family support and personal history, including the risk of recidivism. Besides this, diversion also covers the application of proper trial procedure which includes powers to choose full, summary or instant trial;
- Medical prisons that accommodate drug addicts presenting with personality and mental disorders;
- Established units for family overnight visits;
- The concept of voluntary probation officers who live in the same community as offenders and thus have more contacts with them and can offer intensive/closer supervision;
- Victim attention to restore or enhance relationships between the offender and the community. Involvement of the victim is important because the offender has an opportunity to understand the victim's feelings and take responsibility for the offence, be remorseful and make reparations;
- Victim participation during the trial is allowed to have them articulate their feelings and hurt. In one country, the offender while incarcerated is allowed to send monetary support to the victim's family;
- Compensation of the victim is considered a component of the entire criminal justice system and may

be included as appropriate if it is a condition. However this remains tricky and may be limited to certain or few cases;

- Compensation value is determined at the end of the trial process and in some cases is the basis of consideration for parole.

**IV. SUGGESTED MEASURES TO STRENGTHEN COMMUNITY
REINTEGRATION FACTORS FOR OFFENDERS WITH ADDICTION
AND PERSONALITY PROBLEMS**

- Criminal justice systems within the participating countries should comply with established international standards such as the UN Standard Minimum Rules for the Treatment of Prisoners, UN Standard Minimum Rules for Non-Custodial Measures (Tokyo Rules) and the UN policies on drugs and crime prevention. The implementation of legal reforms would facilitate the adoption of relevant good practices;
- Governments should introduce and establish regulatory systems for partnership and collaboration that clearly spell out the roles of partners and ensure the integrity of services and programmes delivered;
- Rehabilitation treatment programmes should be domesticated to make appropriate consideration of the offender's intelligence level (IQ) and ability to understand;
- Institute holistic assessment of offenders to facilitate appropriate classification and treatment, especially for offenders with difficult personalities or addiction;
- Enhance human resources and capacity of staff in the entire criminal justice system, through continuous training, to ensure and sustain the delivery of rehabilitation treatment programmes;
- Establish information sharing systems and a common database to ensure flow of appropriate information regarding the offender. Information is the foundation of corrections and treatment, especially for offenders with addiction or personality problems;
- Improve linkages between partners of the criminal justice system to facilitate continuity of 'through-care', enforce aftercare and sustain a seamless system;
- A pre-sentence report can be useful for offenders with addiction or personality problems. A comprehensive pre-sentence report provides information on the offender's background or family history, his or her peers and neighbourhood and other factors related to the offence. This is important for reintegration;
- Create or establish problem oriented courts, such as drug courts, to handle offenders with drug addiction;
- Employ stringent measures to curb supply of drugs and substances in prisons or institutional corrections and establish regular urine testing;
- Government and criminal justice partners should identify potential private partners and develop their capacity to understand their role towards offenders. Where possible encourage the establishment of community-based or faith-based groups to facilitate reintegration, such as Volunteer Probation Officers, halfway houses, self-help groups, co-operative employers and other private organizations. The co-operative employer should be given subsidies to cushion damages by the ex-offender as appropriate;
- Establish linkages among central government agencies and other levels.
- The criminal records of the ex-offender, where appropriate, should be eliminated or protected and not used against him or her as an obstacle to employment and reintegration, especially where there is no recidivism;
- The government should promote community sensitization to gain and maintain community support and dispel prejudice and stigma against offenders;
- The community should be involved in all stages of the criminal justice system, where appropriate; from reporting of crime right through the prosecution, trial, adjudication, and corrections (both institutional and community);
- Introduce combined sentences where possible such as electronic monitoring, weekend imprisonment and night-time imprisonment for low risk offenders;
- Restorative justice that involves the community and victims is important to facilitate community reintegration. This encompasses both the individual or particular victim and the community or society and makes the offender not only aware of his or her offensive behaviour but also take responsibility for it.

V. CONCLUSION

Effective resettlement of offenders with addiction or difficult personality entails a systematic implementation of legal frameworks with comprehensive social support that involves central government and other levels of government, criminal justice partners, private enterprises and the community.

APPENDIX

COMMEMORATIVE PHOTOGRAPH

• *145th International Training Course*

UNAFEI

The 145th International Training Course



Left to Right:

Above:

Mr. Steve Pitts (United Kingdom), Mr. Stanley Tang (Singapore), Prof. Haruhiko Higuchi

4th Row:

Mr. Kazuyuki Nagata (Staff), Mr. Kei Saito (Staff), Mr. Shinichi Inoue (Staff), Ms. Yoshiko Tani (Staff), Mr. Ryuichi Nishitani (Staff), Ms. Makiko Sasabe (Staff)

3rd Row:

Ms. Sae Sakai (Chef), Mr. Junei Kawai (Chef), Ms. Naoko Iwakata (Staff), Ms. Hisayo Yamada (Staff), Mr. Takayuki Suzuki (Staff), Mr. Hideo Takahashi (Staff), Mr. Yukihiro Kato (Japan), Mr. Takeshi Tahira (Japan), Ms. Nao Nogami (Japan), Mr. Joseph Tondop (Papua New Guinea), Ms. Yun Young Lee (Republic of Korea), Ms. Kazue Obayashi (JICA), Ms. Yoshiko Chihara (Staff)

2nd Row:

Mr. Marcelo Paula Araújo (Brazil), Mr. Man-lung Chung (Hong Kong), Mr. Tomonori Ishii (Japan), Mr. Kazuyuki Otake (Japan), Mr. Akira Onodera (Japan), Mr. Esteban Vega Calvo (Costa Rica), Mr. Ahmed Kamal Al-Azzawi (Iraq), Mr. Saad Hammad Al-Qaraghuli (Iraq), Mr. Ricardo Enrique Cook (El Salvador), Mr. Durga Prasad Dhungel (Nepal), Mr. Shinji Todoriki (Japan), Mr. Kanji Tomita (Japan), Ms. Cynara Figueirêdo da Rocha (Brazil), Mr. Gehendra Raj Pant (Nepal), Ms. Christine Obondi (Kenya)

1st Row:

Ms. Grace Lord (LA), Mr. Koji Kobayashi (Staff), Prof. Fumihiko Yanaka, Prof. Yuichi Tada, Prof. Junichi Watanabe, Prof. Yuichiro Wakimoto, Mrs. Joan Trotter (Australia), Dr. Chris Trotter (Australia), Director Masaki Sasaki, Deputy Director Haruhiko Ukawa, Prof. Toru Kawaharada, Prof. Ayako Sakonji, Prof. Naoyuki Harada, Prof. Kumiko Izumi, Mr. Masahiro Iida (Staff), Mr. Katsuhiko Jinbo (Staff)