

Recidivism; the need to break the family cycle of re-offending using an intervention program.

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This report was commissioned by the Society for Promotion of Community Standards Incorporated (a registered Charity with the Charities Commission. Reg. No. CC 20268). The aim of the research was to better understand the problem of recidivism among our prison population and gain insights into how the Society might be able to assist in improving the moral welfare of prisoners with a view to reducing recidivism. The Society's objectives include the following: "To encourage self-respect and the dignity of the human person made in the image of God... and foster awareness of the benefits to ... social and moral welfare, of community standards". Any recommendations to be derived from this research needed to take these objectives into account.

The Overriding (general) Problems

The contextual problems that may be addressed or partially addressed by any prison intervention programme can be separated into; societal problems, individual offender problems and facilitator security. To address the general problem of generational re-offending the goal is to reduce the risk factors and increase the resilience factors. These factors must first be isolated.

Society

Associate Education Minister Parekuri Horomai said in his maiden speech to Parliamentarians:

“Too many Maori are dependent on State handouts, and we see families into their third generation of unemployment. There are solo mums struggling to feed their kids. There are far too many young Maori men over-represented in the penal system.”(Horomai, 2000).

In fact anyone incarcerated is over represented in the penal system. Unfortunately what Mr Horomai is representing here is a culture that in some cases leads to offending through what really is the absence of knowing better. For example, during a recent visit to the Faith-Unit at Rimutaka Prison the facilitator reported what an offender had said about entering the penal system.

“Prison is no place for kids to visit. When I was a kid I used to go visit my Dad, he was always happy, pleased to see me, gave me lollies. I wanted to see him, spend time with him. I finally came inside. I won’t let anyone visit me now not even my mother or wife.” (prisoner)

This offender, having entered prison to spend time with his father, now sees the need to break that cycle. Now, knowing better, he sees the need to break the family culture that caused his incarceration.

It is clear from research that such a culture, as described by Mr Horomai, does exist but is not exclusive to Maori. That research is often regarded as negative, “not the knowledge Maori wish to construct” (Bishop and Glynn, 1999 p.18). However that knowledge is reported here to illustrate the demographics of the prison populations and its underlying problems.

Prison census statistics were first conducted in 1987. At that time Maori made up 48% of the population. During 1997 Maori entered prison at 8 times the rate of non-Maori. Currently (2007) Maori make up just over 50% of the prison population. The 2% rise over this time indicates that many of the current policies may not be working. Sentenced Maori males were generally younger (61% under 30 years) than their European counterparts (44% under 30 years). (Justice, 1998); On the basis of self or parentally reported offending, children of

Maori/Pacific Island descent offended at about 1.7 times the rate of Pakeha children. Reimprisonment and reconviction rates for Maori (49.1%) were significantly higher than their European (40.4%) and Pacific Island counterparts (32.3%) (Corrections, 2007 p.24) Thus the prison populations reflect Mr Horomai's description of this proletarian culture, where the first step is acknowledging that it exists. It is useful to analyse this culture in more detail.

Cultures according to Gertz (1973) are "Historically created systems of meaning in terms of which we give form, order, point and direction to our lives." (Gertz, 1973). A proletarian class refers to, in the Marxist division of labour, the lowest and poorest working class; a reference to the disadvantaged who have little property or resources. Those in this group are also more likely to suffer biological and psychosocial risk. Weiner and Smith have been following the lives of 505 children who were born in 1955, from pre-birth to adulthood. They found the factors that prevented children growing up successfully were; moderate to severe perinatal stress, chronic poverty, parents with little formal education, living in disorganised family environments in which there was discord, desertion, divorce and/or where parents were dealing with issues of alcoholism or mental illness (Werner and Smith 1992 p.2 in Harms 2005 p.17).

Israel Kolvin also set up a study, which is now going on into its 4th generation. From the Red Spot study, started in Newcastle-upon-Tyne 1947, Kolvin's study was based on 264 parents and their children in 1979. This study included a comparison between the backgrounds of children who acquired a criminal record and those who did not. It identified family deprivation as a key-determining factor in developing a criminal profile. Six indices of deprivation were identified; marital disruption, parent illness, poor domestic care of home and children, dependence on social security, overcrowding and poor mothering. The results from the 'The Cambridge Study', 1953, were similar. The family factors that were recorded when the children were aged 8-10 yrs that predicted later juvenile convictions and/or self-reported offending (Farrington, 2002) were:- low family income, large family size, poor housing harsh or erratic parental discipline, poor parent supervision, conflict between parents, separation from parents, cruel or neglecting or passive attitudes by parents to children and

having a parent or older sibling with a criminal record. There are however some resilience factors that mitigate against these affects.

Any programme that corrects parenting skills or teaches them in the first place is likely to have a positive effect in breaking the intergenerational cycle of offending. Kolvin's team identified four resilience factors that could break this intergenerational cycle. At least two of the four factors from the following are required to break the cycle; an equable temperament, academic ability, social competence and supportive parenting. Thus positive parenting skills are a factor in breaking the mould that leads to intergenerational offending (Kolvin, I., et al, 1990).

However, despite the research and the demographics underpinning the need for a change in this culture there is a reluctance to accept that change. Through a dominant culture discourse there is a general reluctance to change the values of this proletarian culture. For example Bishop and Glynn write, "Contemporary Maori culture remained invisible in the majority of mainstream classrooms. However because monocultural Pakeha teachers continued to dominate the education system (Walker, 1973) and because these teachers, being part of the dominant majority, did not perceive that they themselves had a culture of a particular way of viewing the world, they promoted the 'non-culture phenomenon'...In this manner children of different cultures were forced to learn to see others through the eyes of the majority culture" (Bishop and Glynn, 1999 p.40) This dominant culture discourse suggests, that minority cultures should not merge and change whether that would be beneficial for them or not.

This reluctance to change the values in this prison culture was countered by Justice Durie when he presented his paper to the New Zealand Parole Board Conference. "He also drew attention to the reluctance of Government departments to support programmes for Maori which have a religious or spiritual dimension". (Ngatoko, 2007). This reluctance to accept Christian values runs counter to psychological research which accepts that having a Christian faith is a resilience factor that protects against tragedies and disadvantage (Fonagy et al 1994 in Harms 2005). Even the tragedy and

disadvantage of incarceration. This disadvantage is not just perpetuated by the prisoner and his whanau, society is disadvantaged through incarceration also.

Society suffers economically as a result of incarceration. In New Zealand there are 20 prisons accommodating up to 8,459 sentenced and remand prisoners. While the offenders, (8,082 prisoners), are incarcerated they are costing \$76,639 each on average per annum (corrections, 2007). This is not the total cost, as further detriment to society is incurred both; because these offenders while incarcerated are not contributing to the labour force, and their families become fragmented, requiring greater use of social and welfare resources. Therefore any prison programme that is going to help in reducing re-offending, even for a small number of prisoners, will have a major positive impact; not just for the prisoner and his family but for society as well. According to Workman (2007) the practices of regular worship praying Bible study and church attendance adopted by prisoners in the Faith Unit are taken with them when they leave and that this has a “huge impact on their ability to refrain from re-offending”. (Workman in Ngatoko, 2007 p.2)

Recycling violent offenders without applying interventions is also a concern for society. Garth McVicar (National Spokesperson, Sensible Sentencing Trust) points out that they have “...recycled violent offenders and allowed them out of jail at a fraction of their Judge given sentence. The result is an escalating violent crime rate and prison population.”(McVicar, 2007). The Sensible Sentencing Trust was formed in March 2001 to help create a patriotic, crime free New Zealand through the promotion of personal responsibility and a better deal for victims of crime. They have a focus on “highlighting the ridiculous sentences given to repeat offenders”. The reimprisonment rates drop with increasing aggregate-sentence length even if minimally. (Corrections(a), 2007 p23). However if it is accepted that many prisoners are themselves also victims; that they also have psychosocial needs that are not simply addressed by larger sentences, then some form of intervention is required, not just the recycling of violent offenders back into the community.

Also if it is accepted that the prison population is mainly a proletarian culture then the families of prisoners will not be well resourced either. When that family then becomes fragmented during the imprisonment period, increased pressure may be brought to bear causing alienation between the prisoner and his whanau. Because imprisonment itself fragments families any intervention programme that aids in the restoration of families during imprisonment must be beneficial. Post incarceration support, it must be acknowledged, is also given by other agencies to reintegrate prisoners but mostly after the family fragmentation has occurred.

The Offenders

Reintegration initiatives aim to reduce re-offending by helping prisoners prepare for their return to the community. In addition to a range of programmes covering topics such as living, budgeting, and parenting skills, prisoners get help to reintegrate (according to the Corrections Department website). Through:- teams from Work and Income, based in every prison, working with offenders to find them work on release; caseworkers help prisoners prepare for their return to the community after release from prison; and self-care units teach offenders independent living skills within a secure prison environment, thus giving them the responsibility to budget, prepare meals, and co-operate with others (Corrections(b),2007).

While these after care facilities are invaluable they are not always dealing with the fragmented and alienated family problems as they are happening. A programme that offers intervention without delaying that until a later release date, is invaluable. Incarcerated prisoners are also dealing with a specific set of problems.

Firstly, at the individual offender level much previous learning must be unlearned. Eisner writes “Education is not the same as schooling. Nor is it the same as learning. One can learn many things that are personally and socially dysfunctional; to become neurotic, fearful of people, a torturer, a racist and the like.” (Eisner, 1979 p.43) The learning of socially dysfunctional behaviours may

continue for a prisoner on an ad hoc basis through peer-to-peer transactions with other prisoners, in what could be classified as a learning community. Together these learning transactions cast an offender into a particular mould. Miseducational experiences according to Eisner are where those experiences constrain, including the learning of phobias, rather than expand the possibilities life makes available. The offender may continue to learn through miseducational experiences rather than educational ones to the extent that the positive effects of the incarceration are mitigated. There is evidence in the NZ Prison system that this may be happening because of the high re-imprisonment rate (44% up to 36 months after release) and the higher reimprisonment of younger, therefore more teachable offenders. Of the prisoners under 20 years of age, 66% re-offended within a 36 month period compared to 29% for those over 40.(corrections(a), 2007)

Secondly prisoners themselves are often the victims of crime. Edwards (2007) writes that prisoners begin to understand that a person can be both a victim and an offender. “In New Zealand, it is estimated that between 80-90% of prisoners have been subjected to physical and sexual abuse as children” (Edwards, 2007). Any programme that is to relate properly to the offender must take this into account as well. Therefore many offenders have the same needs as their victims; the need for them to gain apologies, forgive, get healing and move on with their lives.

Thirdly prisoners living in the prison community are living among a concentration of people that have dysfunctional behaviour. Therefore relationship and social skills are important, for their immediate wellbeing. They may require a change in their thinking processes such that they are able to think optimistically and rationally on any issues that might arise and respond appropriately. Appropriate responses need to be adaptive rather than maladaptive, proactive rather than reactive such that harmful situations may be diffused. The gaining of rational thinking skills is a first step in changing their behaviour and responses so that prisoners are more able to socially relate to others.

Of the crime categories, the highest recidivism rates, 60.6%, came from dishonesty offenders (thefts, burglary, and car conversions etc) (Corrections(a), 2007 p.23). Therefore a Christian faith programme with an emphasis on “thou shalt not steal”, or honesty, would reasonably have a large impact on re-offending.

Facilitators and Security

Because prisoners are confronted with situations and experiences they may find threatening the facilitators must have considerable interpersonal skills to deal with them. Eisner (1979) writes “Curricula that are discovery orientated suffer from didactic teaching methods. Curricula that engage prisoners in the examination of controversial issues need teachers who can guide rather than dominate discussions. Inappropriate teaching can scuttle the most well intentioned and handsomely designed teaching materials” (Eisner, 1979 p.48). Therefore there is a need to have well trained facilitators that have both an awareness of the special security issues of the prison environment and considerable interpersonal skills in order to handle both; any situations that might arise, and guide each prisoner through their self discovery process.

The Broad Objectives

The programme that the SPCS wishes to introduce into prisons is based around the broad objectives of; reconciliation, reparation and transformation.

When offenders are incarcerated, they are: isolated from the community, unable to renew relationships with friends and family and are therefore unable to help heal others they have previously hurt. There is then a lag between the time they are emancipated through reconciliation and reparation programmes and the time that they can practice those skills.

Reconciliation occurs when the offender can engage with the victim’s family or friend to provide an apology and bring about forgiveness. A successful outcome would be brought about when there is mutual condemnation of the criminal act while pardoning the offender’s recalcitrant behaviours.

Reparation occurs when the offender takes responsibility for his deviant actions and makes equitable restitution or compensation for the harm caused. A successful outcome would be brought about when the victim, family or friend is fully satisfied that the restitution or compensation has been carried out.

Transformation occurs when there is a complete change in the offender's, attitudes and thinking behaviours. A successful outcome would be brought about both by a break in the cycle of re-offending; and an elevation of the offender's attitudes and thinking to a higher level of morality as accepted by the community.

Analysing the Factors

While some of the factors are self evident, they are summarised from a situational analysis of current research and reports from the Faith Unit at Rimutaka Prison. These factors can be divided into the specific problems, the risk factors from the better known research and the resilience factors that also act as broad objectives in interrupting the offending cycles.

The Specific Problems

1. Society does not acknowledge the particular culture that leads to offending.
2. Government authorities are unwilling to change or allow to change the cultures that develop and train future offenders.
3. Prisoners need to learn to live by rules.
4. There is an absence of prisoners knowing any better.
5. Prisoners need to make deeper connections with the community.
6. The costs of imprisonment (\$76,639 per prisoner per annum).
7. Reduction in the workforce due to imprisonment.
8. Prisoner's families become fragmented and pressured during imprisonment.
9. Increased costs of support services for prisoner's families.
10. Just recycling prisoners.
11. The learning of socially dysfunctional behaviours while incarcerated.
12. The need to learn life skills prior to their release date.

13. The highest recidivism rates (60.6%) comes from dishonesty offenders (stealing).
14. The highest re-offending rates 66% are for those under 20 years old.
15. An estimated 80% - 90% of prisoners have been subjected to physical and sexual abuse.
16. Facilitators need to be safe and have excellent interpersonal skills and be able to follow the prison security rules faithfully

The risk factors for offending from the research

The risk factors of criminal behaviour may be divided into family and socioeconomic risk factors.

Family

17. Marital disruption (conflict between parents)
18. Poor parental supervision (mothering.)
19. Harsh or erratic parental discipline
20. Separation from parents (also caused when a care giver is incarcerated)
21. Cruel, neglecting or passive attitudes by parents.
22. Parent or older sibling with a criminal record.

Socioeconomic

23. Low family income
24. Dependence on social security
25. Parent illness
26. Poor housing and domestic care of home
27. Overcrowding (also large family size)

The resilience factors are

28. Christian faith including regular worship prayer and Bible study.
29. Equable temperament.
30. Social competence.
31. Supportive parenting.
32. Academic ability

These risk and resilience factors also affect the prisoner's family and intergenerational offending as well.

Recommendations for an intervention programme

The following recommendations are concerned with efficacy in countering re-offending.

The recommendations are:-

- That any programme be conducted in the main prison populations.
- That it be targeted at an earlier, below 20 yrs age group (forearmed is forewarned).
- That the prisoners spouse/partner and family be included
- That prisoners be taught how to deal with their irrational thinking.
- That considerably more resources be spent on honesty values because honesty offences have the highest recidivism rates.
- That prisoners engage in transformation through Bible Study

One Practical Outcome following consultation with Society.

Having considered these findings the Society for Promotion of Community Standards Inc. recommends the use of the book "The Pilgrim's Progress" by John Bunyan throughout the New Zealand prisons in order to get prisoners thinking more deeply about their life values, long-term goals and needful attitudinal and behavioural changes. Changing from irrational to rational modes of thinking is thought, by the Society, to be a first step in transforming the lives of prisoners and their families. Faith is a resilience factor and honesty values are presented through the Bible studies encountered at the end of each chapter of this book which is written in modern English. With a number of the Society's members already involved in regular ministry within prisons and/or with contact to those involved, the use of this book in literacy and literature study groups and correspondence courses was considered very appropriate. A careful monitoring of prisoner's responses to this literature will be undertaken in conjunction with the NZ Prison Chaplaincy Services, Prison Fellowship and a number of other service providers and volunteers working with the Corrections Department.

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