

**A MIXED METHOD RESEARCH STUDY ON PAROLE
VIOLATIONS IN SOUTH AFRICA**

by

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DECLARATION

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I, Francois Christiaan Marthinus Louw, declare that **A MIXED METHOD RESEARCH STUDY ON PAROLE VIOLATIONS IN SOUTH AFRICA** is my own work and that all the sources that I have used or quoted have been indicated and acknowledged by means of complete references.

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SIGNATURE
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DATE

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SUMMARY

TITLE: A Mixed Method Research Study on Parole Violations in South Africa
BY: F. C. M. Louw
DEGREE: Doctor of Literature and Philosophy
SUBJECT: Penology
PROMOTER: Prof. W. F. M. Luyt

The researcher conducted a mixed method research study on parole violations from a South African perspective. In South Africa, there is limited research regarding the causes of parole violations. Thus, the study is mainly descriptive, but also exploratory in nature and considered a first of its kind. The study aimed to explore parole violation as a phenomenon through the perceptions, opinions, attitudes and incident recall of re-incarcerated parolees. Furthermore, the study aimed to describe the causes for parolees to fail on parole.

A two-phase sequential mixed methods research design was used that involved the collection and analysis of primarily quantitative data from self-administered questionnaires. These questionnaires were complemented by a qualitative data collection phase consisting of focus group interviews.

A representative sample (n=111) chosen according to the various ethnic groups was drawn from a population of 1 111 adult male parole violators in the Gauteng region (aligned to the regional divisions used by the Department of Correctional Services and not to the provincial borders) for the quantitative phase. Non-probability sampling was used to select 22 participants who volunteered for the second, qualitative phase of the study (focus group interviews).

Descriptive statistical analysis was used to analyse the data collected from the questionnaires. The data was analysed by means of frequencies (frequency tables and graphs) to describe one variable and cross tabulations (contingency tables) to show bivariate quantitative data. All the focus group interviews were recorded and transcribed verbatim for analysis. The transcripts provided a complete record of the discussions and helped to facilitate the analysis of the data according to identified, recurring themes.

On release, many stigmatised and rejected parolees face widespread post-release challenges that prevent successful reintegration. The study revealed that poor pre-release planning and post-release support, a lack of education, unemployment, substance abuse,

and a loss of family support are described as the main causes of parole violations. The recommendations from the research findings showed the importance of pre-release planning, risk assessment, employment, education, treatment for drug and alcohol abuse, community partnerships, family involvement, and graduated responses to parole violations that are fair, consistent, and legal.

KEY TERMS: Community Corrections, Correctional Centre, Correctional Supervision and Parole Board, monitoring, offender, parole, parolee, recidivism, rehabilitation, reintegration, release, re-offending, revocation, supervision, violation.

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CHAPTER 1

THE RESEARCH

1.1 INTRODUCTION

The underlying philosophy of the parole system is that each individual offender can be treated and rehabilitated while incarcerated in a correctional centre. Furthermore, once offenders are rehabilitated, they can be placed on parole since they no longer pose a danger to the community (Garber & Maslack, 1977:278).

Parole refers to a period of time during which an offender who has served the minimum prescribed detention period of their sentence in a correctional centre is conditionally released to serve the remainder of their sentence in the community under the supervision and control of the Department of Correctional Services (Department of Correctional Services, 2010b:17). In other words, the term 'parole' refers to both the process of releasing offenders from correctional centres prior to the expiration of their sentences and to the period of conditional supervision in the community following their incarceration.

Parole placement or release is an administrative procedure carried out by an appointed Correctional Supervision and Parole Board. An offender is released on parole after a Correctional Supervision and Parole Board has considered several important and specific factors during a parole hearing. The Board's decision is based on the emphasis they place on community safety, the interests of the victim, and the rehabilitation and supervision of the offender (Louw, 2008:90).

Parole is a critical link in successful offender reintegration strategies and key partners in the parole process from a South African perspective includes the following (Burke & Tonry, 2006:8; Louw, 2008:5):

- Correctional Supervision and Parole Boards – responsible for approving conditional release, setting of parole conditions, and responding to parole violations; and
- Community Corrections – responsible for monitoring and supervising parolees, as well as for bringing parole violations to the attention of the Correctional Supervision and Parole Boards.

Parole revocation is authorised by Correctional Supervision and Parole Boards, and, depending on the nature and severity of the violation of the parole conditions, a parolee will be returned to a correctional centre to serve the remainder of their sentence once they have violated these conditions (Louw, 2008:100). Therefore, a parole violator is seen as a parolee whose parole was revoked because they either committed a new offence or they violated a condition/s of their parole (technical violations).

The successful community reintegration of offenders is an important factor in reducing recidivism (Shinkfield & Graffam, 2009:29). Parole failures that lead to a revocation of parole, and offenders are then returned to correctional centres have an impact on recidivism rates and correctional centre overcrowding.

According to Grattet, Petersilia, and Lin (2008:34), parolees face the following three major kinds of recorded recidivism events while on parole:

- technical violations of parole;
- arrests for new crimes (which are a form of parole violation); and
- parole revocation.

The researcher is interested in studying these kinds of recidivism events by investigating and exploring the causes and consequences of parole violations.

1.2 RATIONALE OF THE STUDY

The White Paper on Corrections in South Africa (Department of Correctional Services, 2005:71) stipulates that the Department of Correctional Services is responsible for facilitating the correction of offending behaviour in a safe, secure, and humane environment in order to achieve offender rehabilitation and to avoid recidivism.

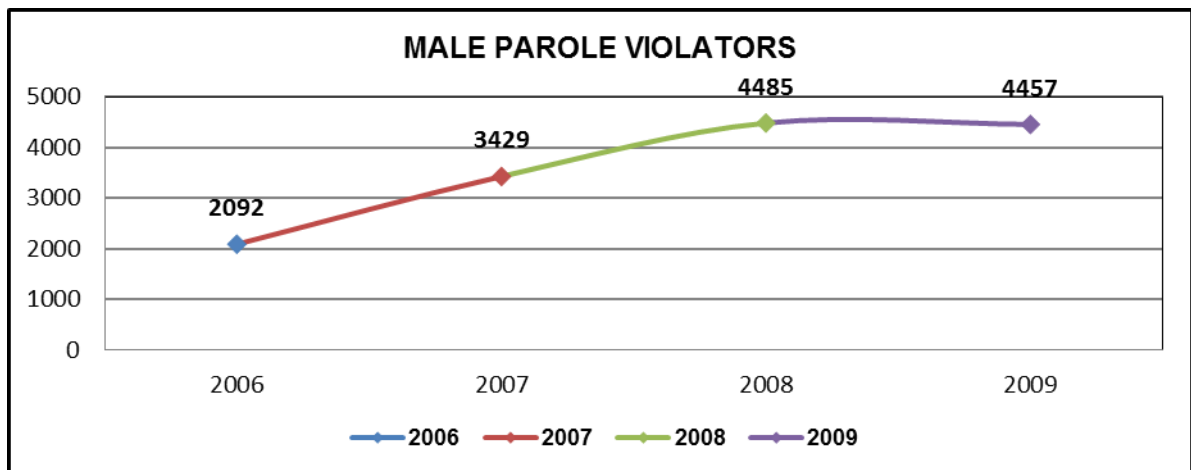
Rehabilitation and reintegration into society for the offender are important objectives according to the White Paper on Corrections (Department of Correctional Services, 2005:71-72). However, during a Portfolio Committee on Correctional Services sitting it was consistently pointed out that the Department of Correctional Services has failed to adequately provide for such objectives and that “prison overcrowding and recidivism could be traced back to a lack of rehabilitation capacity, in turn, is related to insufficient funding” (Parliamentary Monitoring Group, 2009:1). The Department of Correctional Services has also acknowledged that there is no reliable data available on recidivism (Department of Correctional Services, 2005:145).

According to Dandurand, Griffiths, Murdoch, and Brown (2008:5), an increase in the number of parole failures is problematic for a number of reasons, namely that parole failures:

- impact negatively on correctional overcrowding;
- affect the credibility of the parole system in the eyes of the public;
- raise questions about the release decision-making process; and
- call into question the efficiency of the system of Community Corrections, which is responsible for assisting and supervising parolees.

The total number of re-incarcerated male parole violators in South Africa from 2006 to 2009 is illustrated in Graph 1 below.

Graph 1 Total number of male parole violators in South Africa from 2006 to 2009



Source: Admission and Release System (Department of Correctional Services, s.a.-a)

Graph 1 which represents information from the *Admission and Release System* of the Department of Correctional Services (s.a.-a), shows that there is a trend regarding the total number of male parolees who were re-incarcerated in each year between 2006 and 2009 for parole violations in South Africa. In 2009, the total number of parole failures was still high when compared to the data for 2006 and 2007.

Nationally, there were 10 966 parole violations compared to the target of reducing the number of violations to 10 780 violations according to the Annual Report for the 2008/2009 Financial Year of the Department of Correctional Services. Thus, the target for reducing the number of violations was not met as the number of violations exceeded 10 780 total violations (Department of Correctional Services, 2009a:67). During the period 2009/2010, the specified target for reducing parole violations was also not achieved as 9 757 parolees violated their parole conditions, and some regions indicated an increase in

parole violations (Department of Correctional Services 2010a:90; Parliamentary Monitoring Group, 2011:4). Hence, the above information justifies the need for conducting a research study on parole violations in South Africa.

A major outcome identified in the Department of Correctional Services' Strategic Plan of 2010/2011 is public safety. This main concern implies the need for effective rehabilitation programmes and the need to reduce the numbers of parole violations (Parliamentary Monitoring Group, 2010:3).

According to Van Zyl (2011:10-11), the Department of Correctional Services has structured its active correctional centres into six regions, namely Gauteng (26 correctional centres); KwaZulu-Natal (42 correctional centres); Limpopo, Mpumalanga and Northwest (38 correctional centres); Eastern Cape (45 correctional centres); Western Cape (42 correctional centres); and the Northern Cape and Free State (48 correctional centres). Table 1 below depicts the regional composition of the 2010 inmate population according to the various ethnic groups.

Table 1 Regional composition of the 2010 inmate population per ethnic group

| Region | Ethnic group | | | |
|---|--------------|---------|----------|-------|
| | Asian | African | Coloured | White |
| Gauteng | 304 | 40982 | 2149 | 1271 |
| KwaZulu-Natal | 387 | 26399 | 309 | 160 |
| Limpopo, Mpumalanga & North West | 33 | 21255 | 415 | 282 |
| Northern Cape & Free State | 42 | 16952 | 3989 | 401 |
| Eastern Cape | 21 | 16174 | 2800 | 154 |
| Western Cape | 6 | 8378 | 18569 | 426 |
| Total | 793 | 130140 | 28231 | 2694 |

Source: Management and Information System (Department of Correctional Services, s.a.-b)

Table 1 shows that the African ethnic group had the highest proportion of inmates in custody in all regions in 2010, with the exception of the Western Cape region. The coloured ethnic group, as shown above, constituted the highest number of inmates in the Western Cape region in 2010 (Department of Correctional Services, s.a.-b). In addition, Statistics South Africa (2012:17) obtained the same results regarding the distribution of the national population according to ethnic group and province in the *Census 2011 Statistical Release*.

The researcher, who lives in Gauteng, conducted the research study on his own with limited funds. Therefore, only the Gauteng region, which consists of eight management areas, was included in the study. The researcher was then able to select a sample from a population of parole violators and to collect data during August to October 2010 at correctional centres from three of the management areas in Gauteng, namely Krugersdorp, Leeuwkop, and Pretoria.

Table 2 below illustrates the lock up and occupancy level per management area in the Gauteng region for 2010.

Table 2 Lock up and occupancy level for the Gauteng region in 2010

| Management area | Capacity | In custody total | % Occupation |
|------------------------|-----------------|-------------------------|---------------------|
| Baviaanspoort | 1613 | 2081 | 129% |
| Boksburg | 2729 | 5573 | 204% |
| Johannesburg | 4864 | 10678 | 220% |
| Krugersdorp | 1757 | 3651 | 208% |
| Leeuwkop | 3089 | 4856 | 157% |
| Modderbee | 4326 | 6120 | 142% |
| Pretoria | 5681 | 8806 | 155% |
| Zonderwater | 1672 | 2941 | 176% |
| Total | 25731 | 44706 | 173% |

Source: Management and Information System (Department of Correctional Services, s.a.-b)

Table 2, which represents information from the *Management and Information System* of the Department of Correctional Services (s.a.-b), clearly demonstrates the extent of the problem of correctional centre overcrowding as experienced by the management areas in the Gauteng region. In 2010, the average percentage of overcrowding for this region was 173%, as can be seen above.

Overcrowding in correctional centres as the most visible outcome of parole violations is one of the largest and most challenging problems in South Africa today. The researcher is of the opinion that offenders whose parole were revoked only contributes to the existing problem of overcrowding that the Department of Correctional Services in South Africa is currently facing. "In addition to the increased cost burden and the stress on an already overcrowded prison system, some research [Travis 2000, 2007] questions the effectiveness of sending parole violators back to prison in improving offender outcomes related to criminal behaviour and substance abuse." (Van Stelle & Goodrich, 2009:179).

Burke and Tonry (2006:14) summarise the problem as the following:

Ex-prisoners who fail generate new victims, reduce public safety, and create enormous costs to process and punish their new crimes and technical violations. They also diminish their own lives and damage the lives of their families and loved ones. Everyone loses. Ex-prisoners who succeed spare the rest of us those costs but also contribute to their communities, support themselves and their families, and improve their own lives. Everyone wins.

Recidivism research lacks an understanding of the processes or factors that lead a released offender to re-offend. In other words, such research does not question why an offender would commit a new crime or a technical violation of parole. The post-release circumstances and experiences of parolees, as well as their previous incarceration experiences, are critical in understanding the recidivism process (Brooks, Solomon, Kohl, Osborne, Reid, McDonald & Hoover, 2008:4).

1.3 MOTIVATION FOR THE CHOICE OF TOPIC

The choice regarding the research topic was based on the researcher's personal interests and basic knowledge of the South African parole process.

As an experienced senior correctional official of the Department of Correctional Services, the researcher previously held the post of Secretary of the Correctional Supervision and Parole Board and was directly involved in the decisions made regarding whether to grant, to deny, or to revoke parole. In addition, he formed part of a Re-offending Task Team while working at the Directorate: Risk Profile Management at the National Head Office of the Department of Correctional Services. As part of this team, one of his tasks was to compile a data analysis report on re-offending for the Department of Correctional Services. These roles have added to the researcher's knowledge of and interest in the parole process.

Furthermore, the researcher successfully obtained a Masters of Arts degree in Penology on the subject of the parole process from a South African perspective. The completion of this degree motivated the researcher's interest in the reasons concerning why offenders violate their parole conditions after they are released from a correctional centre.

The researcher was furthermore motivated to study parole violations as a recidivism event because of the fact that no reliable data is available on recidivism in South Africa. Moreover, there is limited research available regarding parole violations in South Africa. There is also very little data available concerning the reasons why parolees return to correctional centres for committing new crimes or technical violations. The extent to which re-incarceration of parole violators contributes to public safety is also under researched.

The outcomes of the study will not only provide a further understanding of the causes of parole violations, but they will also be of value to the Department of Correctional Services, the Criminal Justice System, and the broader community. The study can assist the Department of Correctional Services to create and to manage strategies regarding the enhancement of public safety and the successful reintegration of parolees into the community as law-abiding citizens. The study can benefit the broader community by showing how the community can become a major role player in providing effective post-release support to released parolees.

1.4 RESEARCH PROBLEM AND AIMS OF THE STUDY

To conceptualise a research problem means to identify a general topic (parole violation) for study, to specify a particular dimension of the topic (causes of parole violations) for more intensive examination, and then to pose several pointed questions that will guide the researcher's inquiry (Champion, 2002:3).

It has been discussed that there is no reliable data available on recidivism in South Africa. It was also pointed out that parole violations and revocations, as part of the events of recidivism, are factors that may contribute to an increased cost burden and correctional overcrowding. Furthermore, the researcher is of the opinion that public safety is reduced and more victims are created through parole failures.

Relatively little quantitative research has been conducted on the impact of parole violations on overcrowding and the performance or behaviour of offenders under the supervision of Community Corrections (Carter, 2001:98). Today, more than ten years after the findings of Carter, very little has changed and a lack of quantitative research still exists.

According to Steen and Opsal (2007:344), only a handful of studies have examined the factors contributing to parole revocation. Also according to Steen and Opsal (2007), little is known about parole violators, the actions which result in their re-incarceration, or the factors that make an offender successful or unsuccessful when they are released on parole.

This study is considered mainly descriptive, but also exploratory in its scope because limited research regarding parole violations in South Africa has been conducted. The main focus of the study is to examine why 'rehabilitated' offenders return to correctional centres after their parole has been revoked for either a new offence or a technical violation of parole. In other words, the study seeks to examine the causes and consequences of parole violations.

The aims of the study are to explore parole violation as a phenomenon through the perceptions, opinions, attitudes and incident recall of re-incarcerated parolees as well as to determine the causes for parolees to fail on parole. The researcher aims to provide a better understanding of the conditions and experiences of parolees regarding parole failures and parole revocation. The researcher further believes that the study could assist the Department of Correctional Services in designing policies and programmes to reduce the risk of re-offending (recidivism) while on parole.

The following research questions were derived from the aims of the study:

- What are the reasons for adult male parolees to violate their parole?
- How can one prevent parole violations to ensure parole success?
- What are the circumstances under which parole violations are likely to occur?
- How are parolees supported to successfully reintegrate into their communities?
- How do post-release difficulties and a lack of support contribute to parole failures?
- What risk factors are associated with parole failure?
- How do parole violators perceive parole revocation hearings?

1.5 RESEARCH DESIGN AND METHODOLOGY

The purpose of this section is to provide a detailed outline of the research design and methodology used to gather and to analyse the information regarding parole violations.

1.5.1 The Research Design

A step in the research process is the formulation of a research design. Babbie (2007:112) states that “a research design involves a set of decisions regarding what topic is to be studied among what population with what research methods for what purpose”. Furthermore, a research design is similar to a detailed plan that specifies how data should be collected and analysed (Luyt, 1999:17).

The researcher followed a mixed methods research approach by collecting and analysing both quantitative (numeric) and qualitative (text) data to investigate parole violation as a phenomenon.

What has consequently been seen as a problem for mixed methods researchers is finding a rationale for combining quantitative and qualitative data in the face of seemingly competing paradigms, namely positivism (and variants such as postpositivism), constructivism (and variants such as interpretivism), transformative and pragmatism (Hall, 2012:1). Paradigms may be defined as the worldviews or belief systems that guide researchers (Guba & Lincoln, 1994:107). Mixed methods studies can be products of the pragmatism paradigm that combine the quantitative and qualitative approaches within different phases of the research approach (Tashakkori & Teddlie, 2008:22).

The paradigmatic stance adopted by the researcher was not made explicit and according to Hall (2012:4), “What is needed is a paradigm that does not limit the range of topics to be researched, nor the methods that can legitimately be used to conduct research and can accommodate the mixing of qualitative and quantitative methods in use.”

1.5.1.1 Two-Phase Sequential Mixed Methods Design

According to Creswell (2008:27), mixed methods research is defined as the following:

Mixed methods research is a research methodology with philosophical assumptions as well as methods of inquiry. As a **methodology**, it involves philosophical assumptions that guide the direction of the collection and analysis of data and the mixture of qualitative and quantitative approaches in many phases in the research process. As a **method**, it focuses on **collecting, analyzing, and mixing** both **quantitative and qualitative data** in a **single study** or **series of studies**. Its central premise is that the use of quantitative and qualitative approaches, in

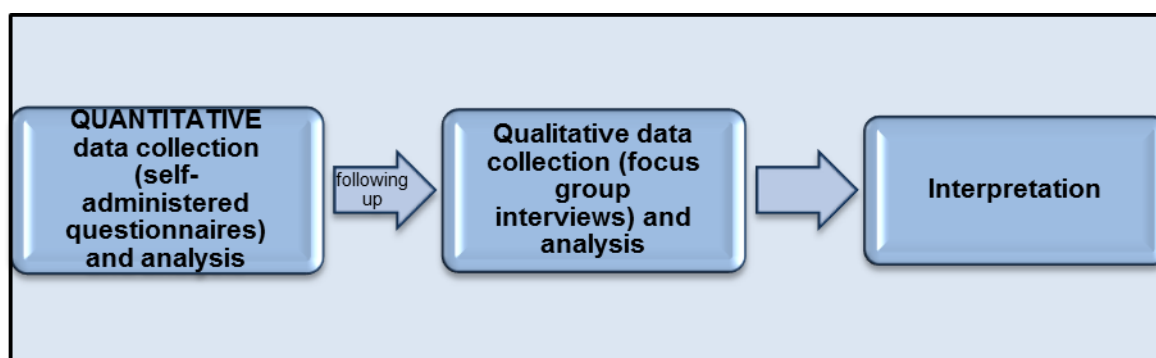
combination, provides a better understanding of research problems than either approach alone.

A two-phase sequential mixed methods design was used involving the collection and analysis of qualitative data after a quantitative data collection phase in order to follow up on the quantitative data in more depth. The reason for using an exploratory follow-up approach is to assist in explaining and elaborating on the quantitative results obtained in the first phase of a study (Creswell, 2008:49). In other words, the purpose of a sequential mixed methods design is to make use of qualitative results to assist in interpreting the findings of a primarily quantitative study (Creswell, Plano Clark, Gutmann, & Hanson, 2006:269-270).

According to Ivankova, Creswell and Plano Clark (2007:255), the goal of quantitative research is to describe the trends or explain the relationship between variables. A quantitative research process is based on testing a theory, collecting numerical data, and using statistical procedures to analyse data and to draw conclusions or to develop generalisations from the data, while a qualitative process (sometimes referred to as exploratory research) is concerned with non-statistical methods and often a purposive selection of small samples (Delpont & Fouché, 2011:433).

Figure 1 below shows the sequential flow of the quantitative and qualitative phases of the study. Parallel to Creswell's explanatory mixed method design, the figure also shows that the researcher gave priority to quantitative data in this study.

Figure 1 Sequential mixed methods design



Source: Adapted from Creswell (2008:40)

Focus group interviews were conducted during the qualitative phase of the study that followed the quantitative phase sequentially to explore in more detail the descriptive

findings of self-administered questionnaires – a two-phase sequential mixed methods design.

The advantage of this design is the fact that its two-phase structure makes it straightforward to implement. The researcher conducts the two methods in separate phases and collects only one type of data at a time, which means that a single researcher can conduct a study based on this design (Delpont & Fouché, 2011:441).

1.5.1.2 Descriptive and Exploratory Research

The aim of the researcher is to explore parole violation as a phenomenon and to describe the causes and consequences of parole violations. A descriptive research approach was used for the first quantitative phase of the study and the findings were further explored during the second qualitative phase through focus group interviews. Therefore, the researcher used both descriptive and exploratory research designs in addition to the mixed methods or quantitative – qualitative research approach.

According to Neuman (1997:20), descriptive research focuses on ‘how’ and ‘who’ questions and is aimed at:

- Providing an accurate profile of a group;
- Describing a process, mechanism or relationship;
- Giving a verbal or numeric picture (e.g. percentages);
- Generating information that will stimulate new possible explanations;
- Providing basic background information or context; and
- Explaining specific sequences, phases or steps.

The purpose of exploratory research is to gain new insights into a particular phenomenon – there is often an awareness of such a phenomenon, but there is also limited knowledge surrounding it (Dantzker & Hunter, 2000:44). According to Neuman (2006:33-34), the aims of exploratory research are to investigate a phenomenon which is inadequately understood, to focus on the ‘what’ question, to develop preliminary ideas, to determine priorities for future research, and to generate new hypotheses. Exploratory research also identifies certain factors that seem to be more relevant when used to explain things (Champion, 2002:25).

1.5.2 Population and Sampling

A population is the complete group or class from which information is to be gathered. A sample, however, is a selected group of elements or a subset of measurements drawn from the population of interest (Dantzker & Hunter, 2000:66-67; Van Rensburg, 2000:147).

Sampling, thus, is the process of choosing a smaller set of cases (individuals, groups, or organisations) from a population of interest, and it generalises the results back to the larger population from which the sample was selected (Trochim, 2006).

The study population consists of 1 111 parole violators from the Gauteng region. The number of individuals in the population was established by making use of the *Admission and Release System* (s.a.-a) of the Department of Correctional Services. The unit of analysis used is adult male parole violators. The sampling frame consists of a list of all the names of parole violators in this system as on 12 July 2010. The total population per management area is represented in the following manner: Baviaanspoort (60), Boksburg (130), Johannesburg (133), Krugersdorp (100), Leeuwkop (200), Modderbee (243), Pretoria (199), and Zonderwater (46).

The researcher then selected a representative sample of 111 parole violators from the total population specified above. This sample was selected from correctional centres in three of the eight management areas in the Gauteng region, namely Krugersdorp (32), Leeuwkop (47), and Pretoria (32).

The different sampling methods that are used during the two phases of a mixed methods research study are discussed further and in more detail below.

1.5.2.1 Quantitative Phase

The respondents for the quantitative phase of the study were selected by means of probability sampling by making use of the stratified sampling method. Probability or random sampling refers to a procedure whereby each person (element) of the larger population has an equal chance to be included in the sample (Bryman, 2004:86). Therefore, in a probability sample, different units or elements in the population are randomly selected.

Stratified random sampling, also sometimes called proportional random sampling, is a sampling technique where the population is divided into homogeneous subgroups called strata so that each element of the population belongs to a single stratum (Teddlie & Tashakkori, 2009:171; Trochim, 2006). After dividing the population into strata, a random sample is drawn from each stratum.

According to Welman and Kruger (2001:56), two things are necessary to draw a stratified random sample. Firstly, we should identify the various strata according to one or more variables. Secondly, we should draw a random sample from each separate stratum by using either simple random sampling or systematic sampling.

In the manner described above, one can obtain a representative sample from a population with clearly distinguishable strata with a greater degree of certainty than is possible with simple random sampling. The findings can then be generalised to the population under study.

The composition of the inmate population according to the various ethnic groups, as shown in Table 1 (given above), revealed that the majority of inmates were African in the Gauteng region in 2010. Table 3 below shows how a stratified random sample of 111 parole violators was selected according to the various ethnic groups from a population of 1 111 adult male parole violators from the Gauteng region.

Table 3 Ethnic group representation of the study population and sample of adult male parole violators in the Gauteng region in 2010

| Ethnic group | Population | Sample (10%) |
|---------------------|-------------------|---------------------|
| Asian | 8 | 1 |
| African | 960 | 96 |
| Coloured | 73 | 7 |
| White | 70 | 7 |
| Total | 1111 | 111 |

Table 3 further shows how the study population was divided into four subgroups or strata according to the various ethnic groups. Simple random sampling was then conducted within each stratum. A sample with the same percentage (10%) of adult male parole violators from each ethnic group was selected to represent the subgroups in proportion to the larger population. This process is called proportional stratified random sampling.

1.5.2.2 Qualitative Phase

The participants for the qualitative or sequential phase of the study were selected by means of non-probability sampling by making use of the volunteer sampling technique. Non-probability sampling is appropriate when the researcher's aim is to generate theory and a wider understanding of a phenomenon (Van Rensburg, 2000:158). In this case, the researcher could make use of non-probability sampling because the aim of the study was to investigate parole violations. Volunteer sampling is used in qualitative research and is appropriate when the participants are known or are, at least, aware of one another. The overall purpose of such sampling is to collect the richest data possible (Strydom & Delport, 2011:394).

During the quantitative phase of the study, the researcher compiled a list of names of the volunteer parole violators (from each selected correctional centre) who were willing to participate in the focus group interviews. The following table illustrates how a subsample of 22 participants was selected for the second and qualitative phase of the study from the lists of volunteers.

Table 4 Ethnic group division of the population, sample, and subsample of adult male parole violators in the Gauteng region in 2010

| Ethnic group | Population | Sample | Subsample |
|---------------------|-------------------|---------------|------------------|
| Asian | 8 | 1 | 1 |
| African | 960 | 96 | 14 |
| Coloured | 73 | 7 | 4 |
| White | 70 | 7 | 3 |
| Total | 1111 | 111 | 22 |

Table 4 shows that a subsample of 22 participants was selected from the original sample of 111 parole violators according to the various ethnic groups.

1.5.3 Data Collection Methods

From a theoretical perspective, the researcher used existing data found in written documents such as books, professional journals, newsletters, government documents, reports, newspapers, and information from the Internet. A thorough literature study of this kind is an indispensable component of any research project.

The quantitative data collection phase (self-administered questionnaires) preceded the qualitative data collection phase (focus group interviews). During the quantitative phase of the study, the researcher's initial intent was to describe and to test variables regarding a large random sample of 111 parole violators. The researcher then wished to explore the phenomenon of parole violations in more depth with regard to information obtained from 22 volunteers during the second and qualitative phase.

The data collection methods used by the researcher during the two phases of the study are discussed below in detail.

1.5.3.1 Self-Administered Questionnaires

The researcher had to design and then construct an original self-administered questionnaire because an appropriate questionnaire to use as a quantitative data collection method was not available for use in the study. Several stages were taken into consideration while designing the measurement instrument. Firstly, the design of the questionnaire was preceded by a comprehensive review of the available literature. Secondly, the researcher consulted specific experts in the field to review the content of the draft questionnaire. The formulation and suitability of the questions were examined by the following experts:

- Prof. Dr W. F. M. Luyt – promoter at the Department of Penology at the University of South Africa;
- Dr R. Peacock – Head of Criminology and Criminal Justice at Monash University, South Africa;
- Mr. E. J. Sihlangu – Deputy Director of Offender Profiling at the Directorate: Risk Profile Management (Department of Correctional Services); and
- Mr. J. S. van der Merwe – Assistant Director of Monitoring at the Directorate: Supervision of Probationers and Parolees (Department of Correctional Services).

Finally, a pilot study was conducted by means of pre-testing the questionnaire to ensure that the questions would be clearly understood by the respondents. The pilot study also served to establish whether the questions were correctly worded. According to Delpont and Roestenburg (2011:195), two objectives are achieved by pilot testing a questionnaire – firstly, the face and content validity of the measuring instrument are improved, and secondly, the response rate of the questionnaire can be estimated. The pilot study involved using a small random sample of ten adult male parole violators who were

incarcerated at the Pretoria Central Correctional Centre in South Africa. The selected pilot group did not form part of the main study. The pilot group consisted of six African and four White respondents with ages ranging between 24 and 37 years old.

The researcher revised the questionnaire several times based on the many valuable comments received from the experts and the pilot group respondents. These revisions included modifications of the wording of certain questions and statements, as well as the revision of the questionnaire's content. The importance of making use of an interpreter was also realised during the pilot study. After the pilot study and after consulting with the experts, the following changes were made to the questionnaire:

- In line with the latest terminology, all references to 'prison' were changed to 'correctional centre'.
- The word 'reintegration case official' was replaced with 'correctional supervision official'.
- Under the section, 'Please Note', at the beginning of the questionnaire, the sentence 'Your participation in the project is regarded as informed consent' was added.
- Sensitive questions relating to alcohol and drug use were positioned towards the end of Section B and C.
- Under Section A, the following changes were made:
 - In Question 2, the word 'black' was replaced with 'African', and the option of 'Other' was added.
 - In Question 5, an option of being able to choose 'informal settlement' as a place of residence was added.
 - In Question 6.1, the options 'father/father figure' and 'mother/mother figure' were replaced with the option 'parent(s)/parent figure(s)'.
 - In Question 8.3, the description 'auto bank' was given for an ATM.
- Under Section B, the following changes were made:
 - In Question 12, the sentence 'How often do you receive regular visits from your family and friends?' was replaced with 'How many visits per month did you receive from your family and friends while incarcerated?'
 - In Question 13, the option of 'labour/work' was added.
 - In Questions 14 and 15, the category 'other (specify)' was added for both questions.
 - In Question 20, the sentence 'Did you successfully participate in a pre-release programme before parole placement?' was added.

- Under Section C, the following changes were made:
 - In Question 37, the sentence ‘Did you know of other parolees who abused drugs on parole?’ was added.
 - In Question 41.6, the sentence ‘Alcohol or drug abuse changes behaviour’ was replaced with ‘Alcohol or drug abuse causes negative behaviour’.
- Under Section D, the following changes were made:
 - In Question 44.18, the option of ‘absconding’ was added.
 - In Question 44.19, the option of ‘other (specify)’ was added.
 - In Question 45, the sentence ‘Did you attend a parole revocation hearing?’ was added.
 - In Question 46, the follow-up question “Do you believe that your parole revocation hearing was fair?” was added.

The final design contained a consent form (Annexure A), which had to be signed by each of the respondents, and a cover letter (Annexure B) to explain the purpose and procedures of the study. The researcher ensured that the respondents understood that their participation in the study was voluntary and that the information they provided would be kept anonymous and confidential at all times.

The final questionnaire (Annexure C) consisted of the following four sections:

- Section A: General information;
- Section B: Life inside a correctional centre (before parole);
- Section C: Life after incarceration (on parole); and
- Section D: Return to a correctional centre (parole revocation).

The self-administered questionnaire consisted of 49 closed-ended questions that included statements, dichotomous questions, and scaled questions. Responses in the case of the scaled questions were recorded on a three-item and five-item Likert scale. The response categories for the dichotomous questions were ‘Yes/No’ and ‘Agree/Disagree’. The questionnaire was used to provide a quantitative or numeric description of a fraction of the study population (the sample). This data collection process, in turn, enabled the researcher to generalise the findings from the sample responses to the general population of parole violators in South Africa. The following table provides a summary of the total number of questionnaires administered per correctional centre and ethnic group from August to September 2010.

Table 5 Summary of the number of questionnaires administered from August to September 2010

| Correctional centre | Ethnic group | Total of parole violators | Selected sample | Total of administered questionnaires |
|---------------------|--------------|---------------------------|-----------------|--------------------------------------|
| Krugersdorp | Asian | 0 | 0 | 0 |
| | African | 85 | 28 | 25 |
| | Coloured | 8 | 3 | 3 |
| | White | 7 | 1 | 1 |
| Leeuwkop Medium A | Asian | 0 | 0 | 0 |
| | African | 89 | 30 | 30 |
| | Coloured | 5 | 2 | 2 |
| | White | 1 | 0 | 0 |
| Leeuwkop Medium C | Asian | 1 | 0 | 0 |
| | African | 70 | 14 | 14 |
| | Coloured | 4 | 0 | 0 |
| | White | 4 | 1 | 1 |
| Pretoria Central | Asian | 1 | 1 | 1 |
| | African | 85 | 24 | 20 |
| | Coloured | 4 | 2 | 1 |
| | White | 22 | 5 | 5 |
| Total | | 386 | 111 | 103 |

According to the data represented in Table 5, the questionnaires were administered to a sample of 111 adult male parole violators at the following four correctional centres in the Gauteng region: Pretoria Central, Krugersdorp, Leeuwkop Medium A, and Leeuwkop Medium C. The respondents completed only 103 questionnaires for analysis. Of the 103 questionnaires, 27 were returned from Pretoria Central, 29 were returned from Krugersdorp, 32 were returned from Leeuwkop Medium A, and 15 were returned from Leeuwkop Medium C. Therefore, eight questionnaires were not completed and/or not returned.

1.5.3.2 Focus Group Interviews

During October 2010, focus group interviews were conducted after the quantitative phase of the study. These interviews were conducted at selected correctional centres with a subsample of 22 adult male parole violators. The total number of focus group participants for each of the selected correctional centres and ethnic groups is summarised in Table 6 below.

Table 6 Summary of focus group participants per correctional centre and ethnic group division

| Correctional centre | Ethnic group | Total of parole violators | Selected subsample |
|----------------------------|---------------------|----------------------------------|---------------------------|
| Krugersdorp | Asian | 0 | 0 |
| | African | 85 | 4 |
| | Coloured | 8 | 2 |
| | White | 7 | 2 |
| Leeuwkop Medium A | Asian | 0 | 0 |
| | African | 89 | 6 |
| | Coloured | 5 | 1 |
| | White | 1 | 0 |
| Leeuwkop Medium C | Asian | 1 | 1 |
| | African | 70 | 4 |
| | Coloured | 4 | 1 |
| | White | 4 | 1 |
| Total | | 274 | 22 |

As can be seen in Table 6, three focus group interviews that consisted of eight, seven, and seven individuals (parole violators) per group were held separately at each of the applicable correctional centres, namely Krugersdorp, Leeuwkop Medium A, and Leeuwkop Medium C. The table further shows how the participants were selected per ethnic group.

All of the participants were thoroughly briefed about the research study prior to starting the focus group interviews. Each of the participants signed a consent form (Annexure D) after the researcher explained the purpose of and procedures involved in the study. The researcher ensured that the participants understood that their participation in the study was voluntary and that their identities would be kept confidential.

When facilitating the focus group interviews (each interview lasted between two and three hours), the researcher made use of a discussion guide (Annexure E) and probing. The discussion guide consisted of the following pre-determined research questions:

- How old are you now?
- What is your marital status?
- What is your highest educational qualification?
- What is your crime and length of sentence before parole placement?
- How many previous convictions do you have?

- What were the challenges that you have experienced during your parole placement?
- What, according to you, was the most difficult/hardest condition to follow on parole?
- If you think back, what caused you to violate your parole?
- What were the consequences of your parole violation?
- How can parole violations be prevented?

This qualitative data collection method enabled the researcher to explore themes such as the parole violators' perceptions, experiences, and feelings regarding parole placement, failure, and revocation.

1.5.4 Data Analysis

The researcher followed an inductive analytical process which involves moving from the particular (e.g. data) to the general (e.g. theory), from specific observations to a general theoretical explanation (Neuman, 2006:60; Teddlie & Tashakkori, 2009:28).

Induction or inductive reasoning is a process whereby a specific sample is observed, examined, and described and where conclusions or generalisations are made about the population from which the sample was drawn (Champion, 2002:45).

The researcher was able to describe some of the characteristics and backgrounds of parole violators by observing a sample of adult male parolees from the Gauteng region who have been re-incarcerated for violating one or more parole condition. From these descriptions of parolees who have failed while on parole, the researcher made generalisations about the population from which the sample of parole violators comes.

A coding scheme was incorporated into the questionnaires. This coding scheme enabled the researcher to enter the codes directly from the questionnaire into a Microsoft Excel (2010) spreadsheet. According to Dantzker and Hunter (2000:173), coding simply means the process of assigning values to the collected data for statistical analysis. The spreadsheet consisted of columns that contained the question responses and each respondent corresponded to a row. The cell where each column and row met then represented the specific response that the respondent gave for each specific question or item. The completed questionnaires were computerised for the purpose of statistical

analysis by making use of a statistician and statistical services rendered by the University of South Africa (Unisa).

A statistical technique called descriptive statistical analysis was used to analyse the data collected from the questionnaires. Descriptive statistics is a procedure that describes numerical data in easily interpretable tables or graphs (Teddle & Tashakkori, 2009:258). In this study, the data was analysed by means of frequencies (frequency tables and graphs) to describe one variable and cross tabulations (contingency tables) to show bivariate quantitative data. Quantitative data for two variables (bivariate) was placed in a contingency table to show the percentage and number of cases at the intersection of the variable categories. This process is referred to as cross tabulation (Neuman, 2006:356).

All of the focus group interviews were recorded. The recordings were then transcribed verbatim for analysis. The transcripts provided a complete record of the discussions, which helped to facilitate the analysis of the data. In organising the data for analysis, the researcher grouped the answers from all three of the focus group interviews according to each research question in the discussion guide. The first five questions provided a description of the sample participants, while the last five questions were analysed and coded according to the identified and recurring themes or categories.

1.6 VALIDITY AND RELIABILITY

The researcher obtained valid and reliable data by ensuring that the measuring instrument (questionnaire) used had acceptable levels of reliability and validity. The truthfulness, credibility, and believability of a study's findings are established by both reliable and valid measures (Neuman, 2006:188). Validity refers to whether a measuring instrument accurately measures the concept it is supposed to measure (Dantzker & Hunter, 2000:68).

The content and face validity of the measurement instrument were established prior to the data collection process. Face validity refers to whether the measuring instrument appears to measure what the researcher wants to measure (Dantzker & Hunter, 2000:67). Content validity means that each item of the measuring instrument is examined to determine whether the element measures the concept in question (Dantzker & Hunter, 2000:67). According to Champion (2002:378), content or face validity is based on the logical inclusion of a sample of items that represent the concept being measured.

The face validity of each item of the questionnaire was established by determining the logical links between the questions and the objectives of the study. Once a thorough literature review had been conducted on the topic, the content validity was established by reviewing the content of the questionnaire and by examining the suitability of its questions to the study. The researcher consulted various subject matter experts to evaluate the items of the questionnaire. Thereafter, he conducted a pilot test to obtain an indication of the relevance, content, and clarity of each item of the questionnaire. This process enabled the researcher to improve or to increase the face and content validity of the measuring instrument.

Reliability means the consistency or stability of the measurements. It also refers to the ability of a measuring instrument to produce similar results when a study is repeated (Dantzker & Hunter, 2000:68; Neuman, 2006:188). According to Delport and Roestenburg (2011:178), “[r]eliability is primarily concerned not with what is being measured, but with how well it is being measured”. The researcher used the following techniques to ensure the reliability of the measures:

- providing a detailed account of the purpose of the study as well as the researcher’s role and the data collection procedures used;
- reporting the data collection and analysis strategies in detail;
- standardising the instructions;
- eliminating unclear items;
- increasing the levels of measurement and number of items; and
- conducting a pilot test.

1.7 LIMITATIONS OF THE STUDY

The researcher only focused on adult male parole violators from selected management areas in the Gauteng region. Females were thus excluded from the scope of the study as they form a minority within the parole violator group.

Child offenders were also excluded from the study. The researcher found that the individuals in this group were not re-incarcerated for long periods of time, which made it difficult to draw a sample and to collect data from this small percentage of parole violators.

The collection and analysis of data in the chosen two-phase research design was very time consuming, and the following factors might have had an impact on the accuracy of the results:

- the degree of honest feedback given by the respondents, which is affected by illiteracy and language barriers;
- the prevalence of respondents giving socially acceptable answers to sensitive questions (for example, alcohol and drug use) rather than truthful answers;
- important nonverbal behaviour that may have facilitated the analysis could have been missed during the focus group interviews as these interviews were conducted without an assistant (the researcher thus had to rely on his own notes); and
- the use of large and noisy (visiting) rooms in which to conduct the focus group interviews, which led to the tape recordings having very poor sound quality.

Another limitation of the study is the lack of local research on the topic and a lack of research conducted from an African perspective.

1.8 ETHICAL ISSUES

One's ethics, as a moral code, define what is and what is not legitimate to do and involve a process of moral reasoning (Neuman, 2006:129). Champion (2002:679) describes ethics as "[n]ormative standards of professional groups or organisations ... a morally binding code upon members of a group".

The researcher complied with the prescribed ethical considerations for research involving offenders or parole violators, and he obtained permission from the Department of Correctional Services to conduct such research within the organisation (Annexure G). The obligation to protect the respondents and participants from harm and exploitation, as well as ethical issues such as voluntary participation, informed consent, privacy, and confidentiality were taken into consideration by the research approach (Department of Correctional Services, 2006:5-7). Noaks and Wincup (2004:37) suggest taking such considerations into account in order to conduct research that is in the best interests of the research participants.

1.8.1 Informed Consent

Informed consent (Annexure A and Annexure D) refers to research which is conducted in such a way that the respondents have a complete understanding of what the research is about at all times as well as the fact that they should have an awareness of the implications of being involved in such research (Noaks & Wincup, 2004:45). Informed consent to participate in research must be voluntary (Neuman, 1997:264).

1.8.2 Privacy and Confidentiality

According to Dantzker and Hunter (2000:31), privacy and confidentiality are two ethical issues that are crucial to research studies that require individuals to share their thoughts, attitudes, and experiences. The privacy of the respondents can be protected by keeping their identities confidential after information has been gathered, which can be achieved by adhering to confidentiality. Confidentiality can be defined as an undertaking not to link a specific response with a particular respondent in any report (Neuman, 2006:139).

According to Strydom (2011:119),

Privacy implies the element of personal privacy, while confidentiality indicates the handling of information in a confidential manner. Confidentiality can be viewed as a continuation of privacy, which refers to agreements between persons that limit others' access to private information.

1.9 DEFINITION OF KEY CONCEPTS

1.9.1 Community Corrections Office

The purpose of the Community Corrections Office is to assist offenders with their reintegration process into the community and to exercise supervision and control over offenders who have been placed on parole until their sentence expires (Department of Correctional Services, 2010b:86-87).

1.9.2 Correctional Centre

A correctional centre (or prison) is an institution in which sentenced offenders are detained for the purposes of punishment, protecting the community, and rehabilitation (Louw, 2008:13).

1.9.3 Correctional Supervision and Parole Board

The term 'Correctional Supervision and Parole Board' refers to a board appointed by the Minister of Correctional Services under Section 74 of the Correctional Services Act 111 of 1998, as amended (Republic of South Africa, 1998:8). For the purposes of this study, a Correctional Supervision and Parole Board is defined as an independent and statutory body that has decision-making competencies regarding the placement and revocation of parole (Louw, 2008:92).

1.9.4 Offender

An offender refers to an inmate who has been convicted and/or sentenced to imprisonment or incarceration (Dissel, 2008:1).

1.9.5 Parole

The term 'parole' refers to a period of time whereby an offender who has served the prescribed minimum detention period of their sentence in a correctional centre is conditionally released to serve the remainder of their sentence in the community under the supervision and control of the Department of Correctional Services (Department of Correctional Services, 2010b:17).

1.9.6 Parolee

According to the Department of Correctional Services (s.a.-c:10), a parolee is an offender who has been placed on parole with certain conditions under the supervision and control of Community Corrections.

1.9.7 Recidivist

For the purposes of this study, a recidivist is defined as an adult male offender (parolee) who, on having been released from a correctional centre in a given year, is re-incarcerated within a certain period of time during their release on parole for either a new crime or a technical violation of their parole (Kohl, Hoover, McDonald, & Solomon, 2008:8).

1.9.8 Reintegration

Reintegration or re-entry is an event and process that emphasises the maintenance of the offenders' ties to their families and the community as a method of reform in recognition of the fact that the offender will eventually return to the community (Clear & Dammer, 2003:24).

1.9.9 Reintegration Case Official

According to the Department of Correctional Services (s.a.-c:10), the reintegration case or monitoring official, also called the 'parole officer' by offenders, is a correctional official responsible for the monitoring and supervision of parolees and probationers. During the quantitative phase of the study, the term 'reintegration case official' was replaced with the term 'correctional supervision official'.

1.9.10 Revocation

Parole revocation is authorised by a Correctional Supervision and Parole Board, and, depending on the nature and severity of the violation of the conditions, a parolee will be returned to a correctional centre to serve the remainder of their sentence (Louw, 2008:100).

1.9.11 Social Reintegration

Social reintegration refers to services that focus on an offender's preparation for release, their effective supervision after being placed on parole, and the facilitation of successfully reintegrating an offender back into the community (Department of Correctional Services, 2005:140). Furthermore, social reintegration is the process of facilitating acceptance and effective re-adjustment of offenders into their communities (Kunene, 2008:10).

1.9.12 Supervision Committee

A Supervision Committee is present at every Community Corrections Office, and, according to Section 58 of the Correctional Services Act 111 of 1998, as amended (Republic of South Africa, 1998:41), such a committee is composed of correctional supervision official/s and, if practicable, a person or people from the community who are experts in behavioural science. The Supervision Committee must review the extent to

which the objectives of Community Corrections are being achieved regarding each parolee at regular intervals (Department of Correctional Services, 2009b:10; Department of Correctional Services, 2010b:20-21).

1.10 CONCLUSION

This study is unique in that the topic of parole violations has never before been studied in this way from a South African perspective. The purpose of the study is thus to contribute to the knowledge regarding parole violations and the parole revocation process. Furthermore, the study aims to address specific needs related to both parole practice and policy. It is important to enhance our understanding of the actual reasons behind parole violations and revocations (Travis, Solomon, & Waul, 2001:22).

The research outlines a mixed methods study that focuses on the causes and consequences of parole violations and is the first study of its kind within the South African context. The researcher explicitly investigates, explores, and describes parole violations and parole revocation as part of the events of recidivism. If re-offending rates could be reduced through the improved management of offender reintegration, victimisation could be prevented, money could be saved, correctional centre overcrowding could be reduced, and the number of parole failures could be decreased (Burke & Tonry, 2006:14).

Parole failures are explored as a part of recidivism. However, the hidden and highly discretionary processes of parole, such as parole placement, supervision, and revocation, are discussed in more detail in the following chapters.

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CHAPTER 2

PAROLE PLACEMENT AND SUPERVISION

2.1 INTRODUCTION

The White Paper on Corrections in South Africa describes social reintegration as one of the key service delivery areas for rehabilitation. Social reintegration is defined as services to facilitate the social acceptance and effective reintegration of offenders into communities (Department of Correctional Services, 2005b:132). According to the Institute for Security Studies (2007:34), this programme further aims to assist offenders to comply with all applicable parole supervision conditions.

Parole is regarded as an aid to the social reintegration of offenders and forms part of the Offender Rehabilitation Path (ORP) in an attempt to correct offending behaviour and to manage the risk offenders may pose to the community (Department of Correctional Services, 2010:17). Parole (also referred to as conditional release) is regarded as a form of early release from incarceration and is an internationally accepted mechanism that is used to reintegrate sentenced offenders into the community under controlled circumstances (Louw, 2008:48). Parole is an integral part of the Criminal Justice System and structured parole decision-making explicitly links three major aspects of the parole process, namely release/placement, supervision, and revocation (Justice Policy Center, 2006:3; Louw, 2008:59).

According to Hanrahan, Gibbs, and Zimmerman (2005:252), parole placement and parole supervision have not received much attention from the academic research community. From a South African perspective, parole administration is a sequence of three very important stages. Firstly, the parole process starts with the Case Management Committee's recommendations and the preparation of a profile report (G326) regarding offenders who may be considered for parole. Secondly, the profile report is submitted to the Correctional Supervision and Parole Board as this board has the authority to decide whether an offender is suitable to be placed on parole. Lastly, if parole is approved, the offender is conditionally released under the supervision and control of the Community Corrections Office until their sentence or parole period expires (Louw & Luyt, 2009:3-4).

2.2 DEFINING PAROLE

Parole originates from the French word '*parole*' or the term '*parole d'honneur*' meaning the 'spoken word' (as in giving one's word of honour). The term became associated with the promise or word of honour of an offender to behave in a law-abiding manner and according to certain restrictions or conditions in exchange for release (Petersilia, 2002:129).

Neser (1993:353) describes parole as a continuation of the court's sentence that the offender has to serve in the community whereby the Department of Correctional Services and the parolee agree on certain enforceable conditions. Cromwell and Del Carmen (1999:4) define parole as the release of an offender before their sentence expires. This release is granted under certain conditions specified by a parole authority.

Parole emphasises rehabilitation and reintegration as goals, and thus parole has two operational meanings (Travis & Petersilia, 2001:296). It refers both to the method of making release decisions by a parole board and to a form of community supervision by another office. Clear and Dammer (2003:16) define parole as consisting of two concepts, namely placement and supervision. Suitable offenders are selected by the Correctional Supervision and Parole Board for placement, and these offenders are then supervised by monitoring officials or parole officers in the community.

Parole involves the supervision of offenders who have been released into the community after a period of incarceration. While on parole, offenders must comply with certain requirements and parole conditions stipulated by a parole board or correctional agency (Lawrence, 2008:3). Parole is thus the conditional placement of an offender in the community as approved by a Correctional Supervision and Parole Board after the offender has served a minimum detention period set out by legislation. The offender, now called the parolee, is under the supervision and control of the Community Corrections Office until their full sentence or parole period expires (Louw, 2008:23).

2.3 THEORETICAL FOUNDATIONS OF PAROLE

The theoretical underpinning of parole is an attempt to justify to the community why certain offenders are carefully chosen to be placed on parole (Weiss, 1990:23). According to Clear and Dammer (2003:347), parole is based on three interconnected

principles, namely privilege, contract, and custody. Each of these principles, as part of the theoretical foundation of parole, is discussed in detail below.

2.3.1 The Theory of Grace or Privilege

Parole placement is a privilege to be earned, which means that offenders must prove their readiness to be released into the community to a parole board (or other releasing body) (Travis, Solomon, & Waul, 2001:14). The absence of parole or release as a right means that offenders simply leave the correctional centre at the end of their sentence. In the absence of parole, the measures taken (if any) to ensure that the offender is no longer a threat or danger to society before they are released are not questioned. Thus, the choice involved in releasing an offender is essentially between parole, which means earned release, and no parole, which means automatic release at the end of an offender's sentence (Burke, 1995:5).

Parole is granted to incarcerated offenders as a kind of reward for good conduct or behaviour in a correctional centre. Butler (as cited in Witmer, 1927:47) stated the following with regard to which offenders should be paroled:

Parole should be granted to those who by their ability to keep the rules inside prison give evidence of their ability to keep the law outside, who by their life gain the confidence of the management and whose release is not contrary to the public sense of the community from which they come.

If a parole board decides to approve parole placement after considering all the available information on an offender, it is regarded as an act of grace – therefore, it is a privilege and not a right (Weiss, 1990:23). In other words, an offender could be kept in a correctional centre until a later release date or for the entire duration of their sentence if it were not for the grace of parole boards (Tomasic & Dobinson, 1979:78).

2.3.2 The Consent or Contract Theory

All offenders voluntarily enter into a contract when they are granted parole. They thereby agree to abide by certain terms and parole conditions in exchange for being released early. A violation of any of these conditions will amount to a breach of the contract and can lead to parole being revoked (Nxumalo, 1997:18).

According to Clear and Dammer (2003:347), the parole system is seen as a kind of agreement or contract between an offender and the government, which is established to find a way to meet the needs of both parties. The government has the opportunity to observe whether the offender becomes a law-abiding citizen, and the offender gets to leave the correctional centre early. Parole is therefore an advantageous situation if both parties uphold their promises.

2.3.3 The Custody Theory

This theory implies that the parolee is not free, but is in constructive custody, and that the community has become an extension of their cell in a correctional centre (Weiss, 1990:24). The offender is still the responsibility of the Department of Correctional Services because parole is viewed as an extension of the custodial or incarceration period while they are part of the community (Clear & Dammer, 2003:347). The parolee is in the legal custody of Community Corrections or a parole authority, and their status is one of quasi-inmate, which means that their constitutional rights are automatically limited (Nxumalo, 1997:18).

2.4 PHILOSOPHICAL FOUNDATIONS OF PAROLE

The philosophy of parole emanates from the view that an offender has the opportunity to serve the rest of their sentence in the community, which then becomes one phase of the treatment process. Parole is internationally accepted as a legal method of conditional placement (Louw & Luyt, 2009:5). It becomes a mechanism for social reintegration and is based on extended supervision to protect the public from recidivism (Hamilton, 2010:3).

Whatmore (as cited in Biles, 1988:40) summarises parole as the following:

[a] method of releasing prisoners from institutional treatment to life in the community under prescribed conditions and with the aid of adequate supervision. It is not a right nor a reward for good conduct. It provides the parolee with help and guidance over the difficult period when he endeavours to re-adjust himself to life in the community; it retains control so that he may be returned to custody if he breaks the condition of his parole. Parole is part of the sentence.

Champion (2002:270) argues that parole has been established to promote offender rehabilitation and reintegration into the community. Rehabilitation is promoted by the value that a parole board places on offenders' positive behaviour in correctional centres

(in other words, an offender's programme participation and a clean disciplinary record). Furthermore, parole boards recognise that employment, strong support systems, and post-release services promote successful reintegration (Travis, 2005:53).

Restitution, rehabilitation, reintegration, and community safety are discussed in more detail below as objectives of parole that reflect its philosophy.

2.4.1 Restitution

Restitution is defined as a monetary payment to victims and/or a form of community service to undo the wrongs or damages that were caused by crime (Heinz, Galaway & Hudson, 1976:148). Monetary compensation from offenders that is given to victims or institutions they have harmed is the most common form of restitution. Parole provides opportunities for offenders to repay their financial debt to society and teaches them to take responsibility for their actions (Clear & Dammer, 2003:387; Cromwell & Del Carmen, 1999:5).

Community service, as a condition of parole, is referred to as a form of symbolic restitution where the parolee must perform free labour to benefit the community. Community service restitution is thus both punitive and rehabilitative. It is punitive in that the parolee's time and freedom are restricted until the task is completed. It is rehabilitative in that it allows parolees to do something constructive, it increases their self-esteem, it reduces their isolation from the community, and it generally benefits society (Cromwell & Del Carmen, 1999:6; Stevens, 2006:198).

2.4.2 Rehabilitation

Rehabilitation focuses on changing the offending behaviour and attitudes of offenders in such a way that they no longer need to or wish to commit crime. This can be achieved by providing rehabilitation and treatment programmes such as skills training, educational, vocational, labour, drug abuse, anger management and life skills programmes. These programmes target the specific needs and risks of sentenced offenders (Louw & Luyt, 2009:6).

Van der Westhuizen (1983:40) states that parole is the next logical step in the process of rehabilitation. The offender has a better chance of being successful in the community if they are provided with supervised assistance. However, Clear and Dammer (2003:387)

also point out that rehabilitation has been criticised as being ineffective. Offenders know that if they show that they have been rehabilitated and if they learn to manipulate the system, they will have a better chance of early release.

2.4.3 Reintegration and Community Safety

Parole not only limits the effects of incarceration, but also functions as a mechanism of reintegration (Nxumalo, 1997:56). Parole provides a means through which an offender may make a smooth transition from life in a correctional centre to life in a community with some degree of freedom while they are still under supervision (Champion, 2002:270).

Stevens (2006:291) describes reintegration as the process of finding employment for an offender, restoring family relationships, confirming support systems, and guiding an offender towards an independent, crime-free lifestyle. The offender should be guided and prepared to re-enter into a society that values incarceration more than conditional release. The process of being stigmatised (for example, being thought of as 'once a criminal, always a criminal') can become a problem for many parolees, especially when they attempt to find suitable employment.

The Department of Correctional Services aims to equip offenders with the necessary skills in order to reintegrate them effectively into the community after their parole has been approved. Offenders normally participate in a compulsory pre-release programme where topics such as obtaining employment, finding accommodation, and learning how to manage personal finances receive attention. Community involvement in supporting offenders to adapt to their communities after release is also encouraged during such programmes (Louw & Luyt, 2009:6).

Section 45 of the Correctional Services Act 111 of 1998, as amended (Republic of South Africa, 1998:35) stipulates the following:

- (1) *A sentenced offender must be prepared for placement, release and reintegration into society by participating in a pre-release programme.*
- (2) *Where a sentenced offender is to be placed under correctional supervision or to be released on parole there must be compliance with section 55(3).*
- (3) *At release, sentenced offenders must be provided with material and financial support as prescribed by regulation.*

According to the Department of Correctional Services (s.a.-b:14),

The objective of the pre-release programme is to prepare offenders for successful reintegration into society by providing them with skills and information to enable them to cope with possible challenges they may have to face after their release.

The ultimate goal of the justice community is public safety. Thus, with regard to parole, this means to protect the community from released offenders. It is clear that the most profitable way of obtaining community protection is to turn the offender into a productive, law-abiding citizen, and parole can be a means to this end (Stevens, 2006:291). The supervision, restriction, and monitoring of parolees, as well as the revocation of parole when parolees violate their release conditions, contribute to community safety and protection (Cromwell & Del Carmen, 1999:2).

2.5 PAROLE PLACEMENT

2.5.1 Correctional Supervision and Parole Board

2.5.1.1 Powers and Functions

Correctional Supervision and Parole Boards are independent and statutory bodies that have certain decision-making competencies, except in the case of offenders who are sentenced to life imprisonment, offenders who have been declared as dangerous criminals, and the conversion of sentences of incarceration into correctional supervision. In such cases, recommendations are submitted to the courts *a quo*, which in turn will make a decision regarding conditional placement (Department of Correctional Services, 2004a:2; Nxumalo, 1997:46).

Correctional Supervision and Parole Boards are responsible for making the following decisions (Department of Correctional Services, 2010:31; Ntuli, 2000:157):

- the placement of offenders on day parole, parole, or correctional supervision;
- the placement of offenders on medical parole;
- the release of offenders upon the expiry of their full sentences;
- the approval of the monitoring phases and conditions of supervision; and
- the amendment of conditions or the revocation of an offender's placement on day parole, parole, medical parole, or correctional supervision, depending on the seriousness of the violation.

These powers, functions, and duties of Correctional Supervision and Parole Boards are also stipulated in Section 75(1) of the Correctional Services Act 111 of 1998, as amended (Republic of South Africa, 1998:48-49):

A Correctional Supervision and Parole Board, having considered the report on any sentenced offender serving a determinate sentence of more than 24 months submitted to it by the Case Management Committee in terms of section 42 and in the light of any other information or argument may –

- (a) subject to the provisions of paragraphs (b) and (c) and subsection (1A) place a sentenced offender under correctional supervision or day parole or grant parole or medical parole and, subject to the provisions of section 52, set the conditions of community corrections imposed on the sentenced offender;*
- (b) in the case of any sentenced offender having been declared a dangerous criminal in terms of section 286A of the Criminal Procedure Act, make recommendations to the court on the granting of the placement under correctional supervision, day parole, parole or medical parole and on the period for and, subject to the provisions of section 52, the conditions of community corrections imposed on the sentenced offender; and*
- (c) in respect of any sentenced offender serving a sentence of life incarceration, make recommendations to the Minister on granting of day parole, parole or medical parole, and, subject to the provisions of section 52, the conditions of community corrections to be imposed on such an offender.*

Parole boards have generally been regarded as the historical safety valve used to relieve overcrowding of correctional centres (Rhine, Smith & Jackson, 1991:27). Whether Correctional Supervision and Parole Boards should perform this function is just as controversial as whether judges should take overcrowding of correctional centres into account when making an initial sentencing decision. Parole boards can respond in a number of ways to overcrowding. They can increase the frequency of parole hearings, review the criteria for parole eligibility, or find alternatives to incarceration after parole revocation (Duffee, 1989:424).

A major function of parole boards is to protect the community by acting as gatekeepers in managing an offender's transition from a correctional centre to the community effectively (Burke, 2004:10; Dandurand, Griffiths, Murdoch & Brown, 2008:9).

2.5.1.2 Composition and Appointment

At present, there are 53 Correctional Supervision and Parole Boards appointed countrywide. These Correctional Supervision and Parole Boards are community based, which means that the majority of the members of each Board, including the chairperson and vice-chairperson, are from the local communities (Department of Correctional Services, 2010:5).

Both the chairperson and vice-chairperson of the Correctional Supervision and Parole Boards, as respected and trustworthy members of the community, are responsible and liable for the decisions made by the Boards. They must therefore have the necessary qualities and abilities to be appointed in such a capacity. Furthermore, all of the appointed Board members need to be educated in meeting procedures and administrative processes, and they have to undergo intensive and sufficient training with regard to the relevant legislation and policies governing Correctional Supervision and Parole Boards (Manzini, 2004:4).

Section 74 of the Correctional Services Act 111 of 1998, as amended (Republic of South Africa, 1998:47) delineates the composition of and appointment of members of Correctional Supervision and Parole Boards:

- (1) *The Minister may –*
 - (a) *name each Correctional Supervision and Parole Board;*
 - (b) *specify the seat for each Board;*
 - (c) *determine and amend the area of jurisdiction of each Board.*
- (2) *The Minister must appoint one or more Correctional Supervision and Parole Boards consisting of –*
 - (a) *a chairperson;*
 - (b) *a vice-chairperson;*
 - (c) *.....*
 - (d) *.....*
 - (e) *one official of the Department nominated by the National Commissioner; and*
 - (f) *two members of the community.*
- (3) *The National Commissioner must designate the correctional official referred to in subsection (2)(e) to act as a secretary for a Board.*

2.5.1.3 Criteria for Parole Selection

The criteria for parole selection are not intended for use as a conclusive model. These criteria should rather be seen as a predisposition according to which the Correctional Supervision and Parole Boards may serve the interests of both the community and the offender to the best of their ability and in a responsible manner. Therefore, the primary issue is that the Correctional Supervision and Parole Boards should try to make sound decisions at all times by evaluating offenders objectively and fairly for parole placement. The highest possible form of professionalism must be maintained when dealing with each individual case and its own merits (Department of Correctional Services, 2004b:21).

Correctional Supervision and Parole Boards use different methods and criteria to help them decide which offenders are suitable for parole placement. However, no one knows for sure how each parolee will respond to being placed on parole. Parole boards thus accept the risks such placements potentially pose to the community when they approve parole (Clear & Dammer, 2003:387). Correctional Supervision and Parole Boards will only approve parole once they are satisfied that the sentenced offender meets all the stipulated requirements and criteria of parole (Louw, 2008:98).

Table 7 below indicates the factors that Correctional Supervision and Parole Boards in South Africa consider when they approve parole placement (Department of Correctional Services, 2004b:22-25).

Table 7 Factors considered by Correctional Supervision and Parole Boards in South Africa when placing offenders on parole

| Negative (Aggravating) Factors | Positive (Mitigating) Factors |
|--|--|
| <ul style="list-style-type: none"> • Aggravating factors of the crime • Vulnerability of the victim when the crime was committed • Special relationship and trust that the offender had with the victim (for example, parent/child) • Offender had sufficient time to refrain from criminality/actions (for example, various counts of fraud or assault) • Manner in which the crime was committed, also if the lives of others were endangered • Several victims were involved and the degree of violence inflicted • Murder was committed with explosives or a dangerous weapon • Murder was committed to prevent victim from testifying • Corpse was abused or mutilated | <ul style="list-style-type: none"> • Participation in programmes dealing with offending behaviour • Acquisition of skills (for example, artisan's certificate or particular technical skill) • Improvement of self-control demonstrated by good behaviour and sound work habits • Meritorious behaviour or outstanding performance rendered for Correctional Services • Acceptance of new responsibilities • Assistance with the maintenance of order in correctional centres • Constructive use of leisure or recreation time • Positive support systems (regular visits) • Rendering exceptional service to the community • Positive attempts to develop community's auxiliary resources |

| | |
|--|--|
| <ul style="list-style-type: none"> • Murder was lustful and senseless • Intentionally poisoned or deliberately murdered the victim (ambush, well planned) • Offender was a leader of a gang or group of accomplices, or enticed others to participate in murder • Long history of aggressive criminal behaviour as reflected on SAP69 • Aggressive behaviour is continued in correctional centre • Offender was involved in another crime which is an integral part of current crime • Offender was on parole or in detention, or had escaped or absconded, or on bail pending appeal at the time the crime was committed | <ul style="list-style-type: none"> • Studying further and acquisition of academic qualification • Voluntary performance of work assignments • Significant participation and visible progress in social, psychological, or self-help programmes • Actual improvement in personal circumstances which were the cause of the crime • Change in circumstances (for example, social, economic, or environmental factors that led to the crime) |
|--|--|

Source: Department of Correctional Services, 2004b:22-25

Table 7 refers to the positive (mitigating) and negative (aggravating) factors that Correctional Supervision and Parole Boards consider as criteria for parole selection. According to the Department of Correctional Services (2010:64-67), Louw and Luyt (2009:9), and Nxumalo (1997:69), when counterbalancing these positive and negative factors, there are other factors that also play a role during the parole decision-making process, including the following:

- **Pre-sentence factors:** poor personal, social, and employment history; criminal history/criminal prognosis (a record of previous convictions or the violation of parole conditions); family and marriage history; low education levels; sentence remarks made by the courts; the nature, seriousness, or circumstances of the crime (for example, crime committed in a group context or with other accomplices); the length of the sentence; the age of the offender and victim/s; crime patterns; and the rate of committing crime.
- **Post-sentence factors:** criminal offence committed while incarcerated (parole can be prolonged by a period of one to six months); whether any disciplinary offence was committed during the first quarter of the sentence; an offender's conduct and adaptation during the period of incarceration and their acceptance of authority; the attendance of treatment or rehabilitation programmes which are aimed at correcting offending behaviour; reports by vocational personnel such as social workers, psychologists, educationists, religious workers, and healthcare workers; comments and reports from non-governmental organisations (NGOs); information from victims; positive support system/s; the offender's efforts in finding solutions to personal problems such as drug addiction and low education levels; the adequacy of the Correctional Sentence Plan (including the environment to which the offender will return, the character of those with whom they will associate, their home

circumstances and employment prospects); manifestation of remorse and insight into the causes of their past and current criminal conduct; and restorative justice.

The main criterion considered by all parole boards is the offender's probability of re-offending (recidivism) (The Parole System, 1971:305). Results from a study conducted by Louw (2008) indicated that Correctional Supervision and Parole Boards in South Africa mostly consider an offender's chances of relapse or re-offending as a risk factor before an offender is placed on parole. In addition, previous convictions were identified as a risk factor requiring consideration before parole placement. Furthermore, an offender's previous convictions were regarded as a main factor that could influence the Correctional Supervision and Parole Board's decision regarding an offender's parole placement. In conclusion, Correctional Supervision and Parole Boards are more likely to deny parole if a sentenced offender has previous convictions or a prior criminal history recorded against them. It appears that the Correctional Supervision and Parole Boards consider an offender's previous convictions as an indicator of their increased risk of committing another offence or crime if they are returned to the community (Louw, 2008:132-133).

2.5.1.4 Victim Involvement in Parole Decisions

The strength of the Victims' Rights Movement can be measured by the numerous legislative and policy changes made since 1994. These changes were introduced to align South Africa's parole policy with international trends that recognise the role victims play in the parole decision-making process (Muntingh, 2005:4). The parole policy in South Africa thus allows for direct input from the victims of crime (Department of Correctional Services, 2005:23).

Both Section 75(4) of the Correctional Services Act 111 of 1998, as amended (Republic of South Africa, 1998) and Section 299A of the Criminal Procedure Act 51 of 1977, as amended (Republic of South Africa, 1977) make provision for the involvement of victims in Correctional Supervision and Parole Board hearings. In addition, the Department of Justice published the *Minimum Standards on Services for Victims of Crime* and the *Service Charter for Victims of Crime in South Africa*, which deal with the rights of victims (Department of Correctional Services, 2006:39; Ramadikela, 2007:28).

Section 299A of the Criminal Procedure Act 51 of 1977, as amended (Republic of South Africa, 1977) makes provision for a victim or complainant to have the right to make representations in certain matters relating to the placement of a sentenced offender on

parole, day parole, or correctional supervision. A complainant is understood to be the victim of the crime or a member of the victim's immediate family in the case of a murder (Muntingh, 2005:4).

Section 75(4) of the Correctional Services Act 111 of 1998, as amended (Republic of South Africa, 1998:50) stipulates the following:

Where a complainant or relative is entitled in terms of the Criminal Procedure Act, to make representations or wishes to attend a meeting of a Board, the National Commissioner must inform the Board in question accordingly and that Board must inform the complainant or relative in writing when and to whom he or she may make representations and when and where a meeting will take place.

According to Goff (1999:126), Herman and Wasserman (2001:429), and Petersilia (2003:167), the participation of victims and their involvement in parole decisions contribute positively to the successful reintegration of offenders in significant ways such as the following:

- providing Correctional Supervision and Parole Boards with related information or detailed knowledge about the offender to help assess the potential risks the offender may pose to the community;
- assisting Correctional Supervision and Parole Boards in determining specific parole conditions;
- encouraging offender accountability; and
- furthering the goals of victim empowerment, public safety, and restitution (such as the Restorative Justice Programme which seeks to foster offender reintegration by educating offenders about the impact of their crimes on the victims and by generating remorse that will change future offending behaviour).

2.6 PAROLE SUPERVISION

Supervision is at the centre of the parole process through which the protection of society and the successful reintegration of offenders are achieved (Henningesen, 1981:84). Keegan and Solomon (2004:27) highlight the importance of post-release supervision during the first year after an offender's release on parole as it is during this period when offenders are more likely to re-offend. Post-release (parole) supervision is designed to prevent such recidivism by monitoring offenders' movements to ensure public protection and to assist offenders to re-adjust to society successfully. Community supervision refers

to all activities related to the reintegration and monitoring of offenders once they are released into the community (Luyt, 1999:135).

2.6.1 Community Corrections

2.6.1.1 Definition of Community Corrections

Community Corrections includes all non-custodial measures and forms of supervision regarding offenders who are under the control of the Department of Correctional Services (Department of Correctional Services, 2010:18; Republic of South Africa, 1998:7). In South Africa, there are two alternatives to incarceration, namely correctional supervision and parole, which are collectively referred to as Community Corrections. Community Corrections is the component of offender control that manages offenders in the community (Department of Correctional Services, s.a.-a; Ntuli, 2000:143).

Cromwell, Del Carmen and Alarid (2002:7) define the term 'community corrections' as a correctional sanction in the community whereby offenders have to serve all or a portion of their sentence. In simple terms, it refers to the "placement of offenders in the community, under supervision" (Henningesen, 1981:7).

2.6.1.2 Distinction Between Probation and Parole

Parole is frequently misunderstood and mistaken with probation by the general public, and, therefore, it is imperative and necessary to distinguish between the terms 'parole' and 'probation'. The only similarity is that both terms refer to supervision of an offender in the community (Petersilia, 2003:55).

The word 'probation' comes from the Latin word '*probatio*', which means a period of proving, trial, and forgiveness (Champion, 1999:36). Normally, probation is a court-imposed period of correctional supervision of an offender in the community as an alternative to the offender being incarcerated in a correctional centre. In certain cases, probation can be a combined sentence of incarceration followed by a period of community supervision (Glaze & Bonczar, 2009:1). Probationers are usually first-time offenders and/or are convicted of less serious offences (Champion, 1999:38; Henningesen, 1981:10).

In South Africa, correctional supervision is a community-based sentencing option exercised directly by a court of law. It also refers to a sentencing option where incarceration is converted into correctional supervision after a portion of the incarceration period has been served by the offender in a correctional centre. Offenders who serve a sentence of correctional supervision under certain set conditions are called probationers in the system of Community Corrections (Department of Correctional Services, 2010:17; Muntingh, 2008:52).

Parole refers to a period of time during which offenders are conditionally released from a correctional centre to serve the remainder of their sentence in the community under the control and supervision of the Department of Correctional Services. These offenders are called parolees whilst on parole in the system of Community Corrections (Department of Correctional Services, s.a.-c:10; Department of Correctional Services, 2010:17).

2.6.1.3 Community Corrections – Structure, Functions, and Commencement

W.J. Pienaar (2012), Deputy Director of the Directorate: Supervision at the National Head Office of the Department of Correctional Services stated that, in terms of infrastructure, there are 208 Community Corrections Offices nationally. The number of Community Corrections Offices per region and the average offender caseload per office are represented in the table below.

Table 8 Number of Community Corrections Offices and average offender caseload per region for the 2010/11 financial year

| Region | Caseload (Number of offenders per office) | | | |
|---|---|------------|----------|------------|
| | 0 - 200 | 201 - 1000 | > 1000 | Total |
| Gauteng | 4 | 6 | 3 | 13 |
| KwaZulu-Natal | 19 | 12 | 1 | 32 |
| Limpopo, Mpumalanga & North West | 26 | 26 | 0 | 52 |
| Northern Cape & Free State | 28 | 10 | 1 | 39 |
| Eastern Cape | 33 | 8 | 1 | 42 |
| Western Cape | 13 | 15 | 2 | 30 |
| Total | 123 | 77 | 8 | 208 |

Source: Personal interview, Pienaar, 2012

As seen in Table 8, most of the Community Corrections Offices are small offices (123) with a caseload of less than 200 offenders. Table 8 also illustrates, for example, that the Gauteng region has four small, six medium, and three large Community Corrections Offices. The three large Community Corrections Offices have an average offender caseload of more than a 1000 offenders per office. Moreover, a Supervision Committee is appointed at every Community Corrections Office, and such a committee consists of the following members to review cases on a regular basis (Department of Correctional Services, 2005:11; Department of Correctional Services, 2009:11):

- a correctional supervision official who will act as the chairperson;
- a reintegration case official (monitoring official) who is responsible for the supervision of the offenders;
- a psychologist or social worker (if available); and
- people from the community who are experts in human behavioural sciences may be co-opted, if practicable.

Supervision Committees are responsible for making recommendations regarding the amendment of conditions; the determination and amendment of supervision categories; offender participation in programmes; and decision-making in the case of an offender's violation of their parole conditions. The Committee is also responsible for compiling reports to be presented to the courts, the Correctional Supervision and Parole Board, and the National Commissioner of Correctional Services. These reports concern the actions that should be taken with regard to supervising offenders, referring back to the court *quo* for the imposition of a suitable sentence, and/or revoking correctional supervision or parole (Department of Correctional Services, 2009:10).

The composition and duties of Supervision Committees are set out in Section 58 of the Correctional Services Act 111 of 1998, as amended (Republic of South Africa, 1998:41-42):

- (1) (a) *There must be a Supervision Committee at each community corrections office composed, as prescribed by regulation, of correctional officials involved in the supervision of persons subject to community corrections and, if practicable, of a person or persons from the community who are experts in behavioural sciences.*
- (b) *A Supervision Committee must be managed by correctional officials in the manner prescribed by regulation.*

- (2) *The Supervision Committee must determine the level of supervision for each person subject to community corrections and must review its determination at regular intervals.*
- (3) *The Supervision Committee must review at regular intervals the extent to which the objectives of community corrections are being achieved in respect of each person subject to community corrections.*
- (4) *An additional review may be held at the request of the person subject to community corrections or of the correctional official directly responsible for the supervision of such person.*
- (5) *A person subject to community corrections must be informed of a meeting where his or her case will be discussed, the issues which will be raised and that he or she may make written submissions to be considered by the Supervision Committee.*
- (6) *After having reviewed the extent to which the objectives of community corrections are being achieved in respect of a person subject to community corrections, the Supervision Committee must –*
 - (a) *decide whether the means and level of supervision applied to such person should be modified; and*
 - (b) *submit a report and advise the Correctional Supervision and Parole Board or the National Commissioner, as the case may be, on the desirability of –*
 - (i) *applying for a change in the conditions of the community corrections imposed on such person; or*
 - (ii) *applying for or issuing a warrant for the arrest of such a person.*

The main functions of Community Corrections are summarised by Pienaar (2012) as the following:

- enforcing court-imposed sentences;
- compiling pre-sentence reports;
- monitoring compliance to set conditions;
- coordinating community service activities;
- managing and facilitating programmes for probationers and parolees; and
- handling violations.

The commencement of Community Corrections is set out in Section 55 of the Correctional Services Act 111 of 1998, as amended (Republic of South Africa, 1998:40):

- (1) *Community corrections may not commence without a warrant or appropriate order being lodged at the community corrections office.*

- (2) At every community corrections office the following must be recorded in a register:
- (a) Information about the identity of the person subject to community corrections;
 - (b) the authority for the imposition of community corrections;
 - (c) the conditions of the community corrections order; and
 - (d) the date and hour of commencement and expiry of the sentence or period of community corrections.
- (3)(a) At the commencement of community corrections the person concerned must be informed in writing of –
- (i) the conditions which will be imposed on him or her in a form and language which will enable him or her to understand what he or she is expected to do or to refrain from doing;
 - (ii) the channels of communication for complaints and requests.
- (b) If the person is illiterate, a correctional official must explain this written information through an interpreter if necessary.
- (c) The person concerned must confirm that the information has been understood.

The case management cycle in the Community Corrections system (Department of Correctional Services, s.a.-c:25-29) is shown in Figure 2 below.

Figure 2 Case management cycle in Community Corrections

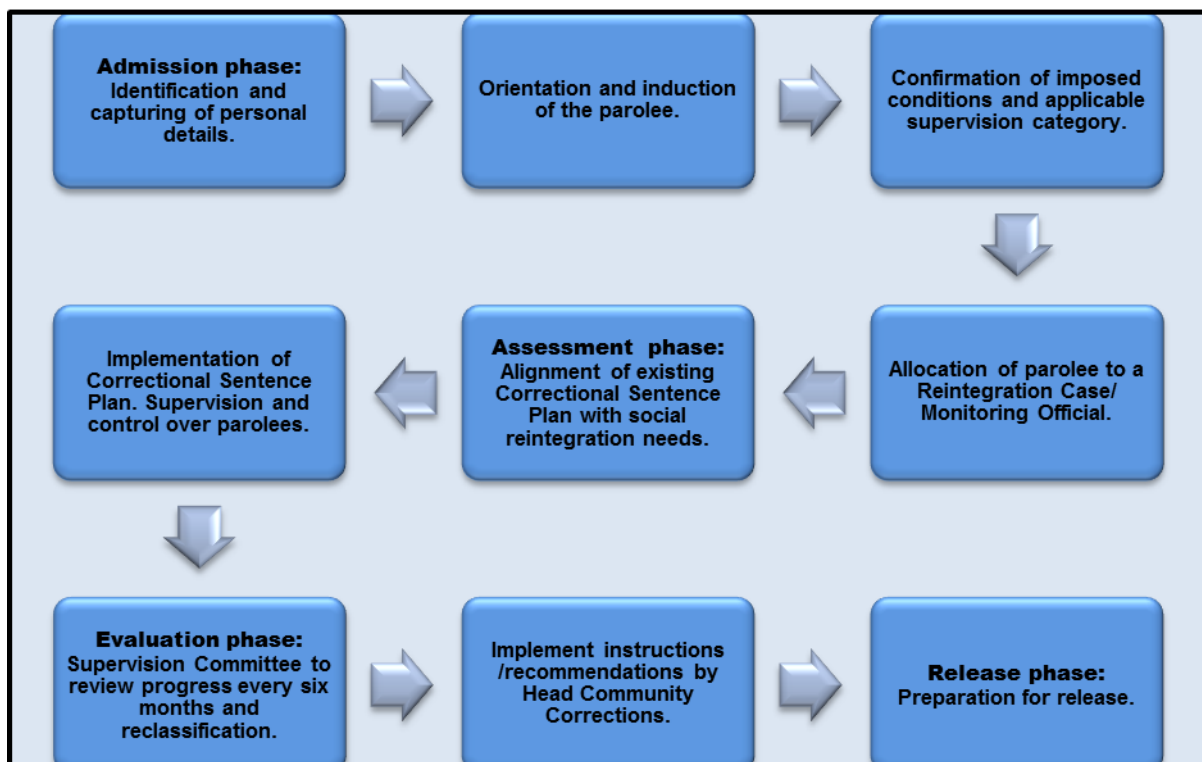


Figure 2 summarises the different phases of case management used by the Department of Correctional Services. During the process of admitting a parolee at a Community Corrections Office, the progress of the parolee (in terms of an individual Correctional Sentence Plan) is monitored and amended until the offender's parole period expires (Department of Correctional Services, s.a.-c:25-29).

2.6.1.4 Objectives and Aims of Community Corrections

The objectives and aims of Community Corrections are addressed in Section 50(1)(a) of the Correctional Services Act 111 of 1998, as amended (Republic of South Africa, 1998:37):

- (i) to afford sentenced offenders an opportunity to serve their sentences in a non-custodial manner;*
- (ii) to enable persons subject to community corrections to lead a socially responsible and crime-free life during the period of their sentence and in future;*
- (iii) to enable persons subject to community corrections to be rehabilitated in a manner that best keeps them as an integral part of society; and*
- (iv) to enable persons subject to community corrections to be fully integrated into society when they have completed their sentences.*

According to Ntuli (2000:157-158), the objectives of Community Corrections are to ensure the successful reintegration of parolees/probationers into the community, to prevent their relapse into crime, and to contribute to the protection of the community.

Section 50(2) of the Correctional Services Act 111 of 1998, as amended (Republic of South Africa, 1998:38) stipulates the following with regard to the aim of Community Corrections:

The immediate aim of the implementation of community corrections is to ensure that persons subject to community corrections abide by the conditions imposed upon them in order to protect the community from offences which such persons may commit.

Thus, the purpose of Community Corrections is to exercise supervision and control over offenders who are directly sentenced to correctional supervision by a court, offenders who are removed from correctional centres and placed under correctional supervision, and

offenders who are released on parole (Smit, 2004:57). According to Champion (1999:275), “[t]he goals of community corrections programmes include facilitating offender reintegration, fostering offender rehabilitation, providing an alternative range of offender punishments, and heightening offender accountability”. The main goal of Community Corrections is thus to accomplish the successful reintegration of offenders into society by providing supervision to ensure public safety (Henningsen, 1981:8).

2.6.1.5 Caseload Assignment and Costs

According to Pienaar (2012), the average daily caseload (regarding probationers and parolees) for 2010 was 66 070 versus an approved staff compliment of 2 070. Thus, a ratio of 1:32 existed in 2010. In other words, one reintegration case official had to monitor an average caseload of 32 offenders. Pienaar (2012) also pointed out that the average daily caseload increased from 2006 (42 376) to 2010 (66 070), while the staff compliment remained the same.

Regarding the cost implications of Community Corrections, Pienaar (2012) indicated that during the 2011/2012 financial year, the per capita cost to keep an offender under Community Corrections was R25.06 per day, compared to R242.77 per day to incarcerate an offender in a correctional centre. Therefore, it can be said that Community Corrections as a community-based, alternative sentencing option is more cost effective than incarceration in South Africa.

2.6.2 Conditions Related to Placement under Community Corrections

Offenders who are placed on parole and integrated into the Community Corrections system are subjected to specific parole conditions until their sentences expire (Ntuli, 2000:116). These imposed parole conditions assist the Department of Correctional Services to exercise effective control and supervision over parolees (Department of Correctional Services, 2010:87). According to Burke, Bellassai and Toborg (1992:2), parole conditions are the mechanisms used to monitor and to guide an offender’s behaviour while they are part of the community. Public confidence in parole is maintained when compliance to parole conditions is linked to parole success (Cromwell *et al.*, 2002:211).

The conditions related to Community Corrections are attached to a profile report (G326). In other words, these are the conditions for parole placement (conditional placement).

The offender must accept and sign for these conditions as recommended by the Case Management Committee and approved by a Correctional Supervision and Parole Board (Louw, 2008:77-78).

After being placed on parole, the parolee will firstly report to a Community Corrections Office where a Supervision Committee will hold a session to adjust or to recommend the set conditions. During this session, the parolee must be present, and his/her case has to be heard. The parolee's work commitments and financial ability are considered in order to determine suitable parole conditions. In order to ensure fairness when the conditions are set for parolees, a correctional official who is proficient in the language of the offender concerned must explain the contents of such conditions to the offender when applicable. The parolee will lastly indicate in writing (by means of signature or thumbprint) that he/she understands the conditions and that failure to comply with the set conditions may result in his/her return to a correctional centre (Department of Correctional Services, 2009:11-12).

Section 52(1) of the Correctional Services Act 111 of 1998, as amended (Republic of South Africa, 1998:38-39) makes provision for the following:

When community corrections are ordered, a court, the Correctional Supervision and Parole Board, the National Commissioner or other body which has the statutory authority to do so, may, subject to the limitations in subsection (2) and the qualifications of this Chapter, stipulate that the person concerned –

- (a) is placed under house detention;*
- (b) does community service in order to facilitate restoration of the relationship between the sentenced offenders and the community;*
- (c) seeks employment;*
- (d) where possible takes up and remains in employment;*
- (e) pays compensation or damages to victims;*
- (f) takes part in treatment, development and support programmes;*
- (g) participates in mediation between victim and offender or in family group conferencing;*
- (h) contributes financially towards the cost of the community corrections to which he or she has been subjected;*
- (i) is restricted to one or more magisterial districts;*
- (j) lives at a fixed address;*
- (k) refrains from using alcohol or illegal drugs;*
- (l) refrains from committing a criminal offence;*
- (m) refrains from visiting a particular place;*
- (n) refrains from making contact with a particular person or persons;*

- (o) *refrains from threatening a particular person or persons by word or action;*
- (p) *is subject to monitoring; ...*

Parole conditions serve two distinct and important purposes, namely the facilitation of rehabilitation and reintegration, and societal protection (The Parole System, 1971:307). For example, when parolees participate in treatment, development, and support programmes, and when they are able to remain employed, it may contribute to their rehabilitation and reintegration. In addition, parole conditions such as house detention and the restriction of a parolee's movement to a certain magisterial district may lead to public safety. Some of the conditions as stipulated in Section 52(1) of the Correctional Services Act 111 of 1998, as amended (Republic of South Africa, 1998) are discussed in more detail below.

2.6.2.1 House Detention

Section 59 of the Correctional Services Act 111 of 1998, as amended (Republic of South Africa, 1998:42) makes provision for the following:

Where a condition of house detention is set in terms of section 52(1)(a), it must stipulate the hours to which the person is restricted daily to his or her dwelling and the overall duration of the limitation.

House detention is classified as a period of time during which an individual parolee is compelled to be at home. House detention conditions differ and depend on the supervision category and monitoring phase in which the parolee is placed. Only the conditions applicable to the specific monitoring phase will apply to a particular parolee. The period of house detention is usually determined by a parolee's expected risk posed to the community and their work commitments (Department of Correctional Services, 2005a:22; Department of Correctional Services, 2009:24).

While under house detention, parolees are normally required to remain at home except for during the following periods (Department of Correctional Services, 2005a:22-23):

- working hours and the duration of the journey to and from work;
- the duration of participating in an organised sport/activity;
- the compulsory engagement in programmes and community service;
- the duration of church attendance (proof must be submitted upon request);

- any other form of commitment that requires the attendance of the offender (proof must be provided); and
- the duration of unemployment (unemployed offenders are compelled to remain at home, but they may be granted permission to seek employment and proof of negotiation must be submitted on request).

2.6.2.2 Community Service

One of the conditions that may be set (if not already ordered by a court) is the rendering of community service as specified in Section 60 of the Correctional Services Act 111 of 1998, as amended (Republic of South Africa, 1998:42):

- (1) *Where a condition of community service is set as part of community corrections, it must stipulate the number of hours which the person is required to serve, which shall not be less than 16 hours per month, unless the court otherwise directed.*
- (2)(a) *The court, Correctional Supervision and Parole Board or other body which has the authority to impose community service may specify where such community service is to be done.*
 - (b) *Such an order may not be changed without the matter being referred back to the court, Board or other body which set the condition unless it provides that the order may be changed by a Supervision Committee.*
 - (c) *If such court, Board or other body does not specify where such community service should be performed, the Supervision Committee must specify the place.*

All offenders placed on parole, where practicably possible, are compelled to do community service as a constructive contribution to serve the community. Community service means compulsory work done at institutions (such as hospitals, police stations, old age homes, or any other suitable community service institution) for a fixed number of hours without payment (Department of Correctional Services, s.a.-a; Republic of South Africa, 1998:7).

Community service, according to the Department of Correctional Services (2009:28), benefits the community because parolees perform essential tasks freely, they are allowed to compensate for the damages they have caused, and it enables community involvement in the correctional administration of justice.

2.6.2.3 Seeking Employment and Employment

In terms of Section 61 of the Correctional Services Act 111 of 1998, as amended (Republic of South Africa, 1998:42), the employment of parolees and parolees seeking employment involves the following:

- (1) *A person subject to community corrections who is required in terms of section 52(1)(c) to seek employment, must make a reasonable effort to find employment and must furnish evidence to the National Commissioner of the attempts that he or she has made in this regard.*
- (2) *The National Commissioner must assist in the attempt to find employment.*

Unemployed parolees are given opportunities to seek employment, but they may be required by the Community Corrections Office to provide proof of their search for employment. Section 62 of the Correctional Services Act 111 of 1998, as amended (Republic of South Africa, 1998:42) further states the following regarding the employment of parolees:

- [a] person subject to community corrections who is required in terms of section 52(1)(d) to take up and remain in employment –*
- (a) may not change his or her employment without the permission of the National Commissioner;*
 - (b) must perform the work to the best of his or her ability and comply with the conditions of the contract of employment; and*
 - (c) may not leave the place of employment during working hours, for purposes unrelated to the employment without the permission of the National Commissioner.*

A parolee is required to comply with the conditions of their employment and may not leave their workplace or change their employment without notifying the Community Corrections Office.

2.6.2.4 Compensation

A court can order a parolee to pay a certain amount of compensation to a victim as a condition of parole. The parolee is required in terms of Section 52(1)(e) and Section 63 of the Correctional Services Act 111 of 1998, as amended (Republic of South Africa, 1998:42-43) to pay compensation to their victim/s, and therefore an agreement must be

reached with the parolee to pay the amount either in a single instalment or in multiple instalments.

2.6.2.5 Programmes

Section 64 of the Correctional Services Act 111 of 1998, as amended (Republic of South Africa, 1998:43) stipulates the following:

- (1) *The court, Correctional Supervision and Parole Board or other body which has the authority to impose treatment, development and support programmes in terms of section 52(1)(f) may specify what programmes the person subject to community corrections must follow.*
- (2) *Only the court, Board or other body which sets the condition may change it, unless the condition itself provides that it may be changed by a Supervision Committee.*
- (3) *If such court, Board or other body does not specify what programmes the person subject to community corrections should follow, the Supervision Committee must specify such programmes.*
- (4) *The person concerned must attend such programmes and stay in attendance for the duration of each individual session of the entire programme, unless leave of absence from a session is granted by the National Commissioner.*

These programmes are generally aimed at addressing specific needs in each individual parolee's case – for example, to prevent further criminality, to aid in drug and alcohol abuse, to improve family responsibilities or relationships, and to obtain life skills (Ntuli, 2000:162).

2.6.2.6 Contribution to Costs

Section 65 of the Correctional Services Act 111 of 1998, as amended (Republic of South Africa, 1998:43) states the following with regard to the cost of Community Corrections:

- (1) *A person who is required in terms of section 52(1)(h) to make a contribution to the cost of the community corrections and a person on day parole must provide the National Commissioner with a statement of income and expenditure.*

- (2) *The National Commissioner may, within the means of such person, determine the contribution to costs which that person must make and may adjust it during the period of supervision and day parole.*

A court, the Correctional Supervision and Parole Board, or the National Commissioner of Correctional Services may specify an amount to be paid by a parolee as a condition of contributing to the cost of Community Corrections, as shown above. In a case where a court has not specified the amount to be paid by the parolee, the Community Corrections Office will determine the specified amount based on a statement of the parolee's income and expenditure.

2.6.2.7 Fixed Address

Section 66 of the Correctional Services Act 111 of 1998, as amended (Republic of South Africa, 1998:43) specifies the following about the parolee's address:

- (1) *When the court, Correctional Supervision and Parole Board or other body which has the authority to impose community corrections, requires a person to live at a fixed address in terms of section 52(1)(j) it must, after consultation with the National Commissioner, determine such address.*
- (2) *Where an address was stipulated by such court, Board or other body but the National Commissioner has subsequently been satisfied that -*
 - (a) *support will not be available to such person living there and that such support cannot be provided from other sources; or*
 - (b) *living at such address will be incompatible with compliance with the prescribed conditions for community corrections, the Commissioner may declare the address unsuitable ...*

A parolee is required to live at a fixed address for the duration of their parole period and may not leave or change their fixed address without the prior consent of the Head of Community Corrections (Department of Correctional Services, 2009:34).

2.6.2.8 Restriction to Magisterial District(s)

Restriction to a magisterial district/s may be set by a court, the Correctional Supervision and Parole Board, or the National Commissioner of Correctional Services as a supervision condition in terms of Section 52(1)(i) of the Correctional Services Act 111 of 1998, as amended (Republic of South Africa, 1998:39). Parolees are not allowed to leave their

magisterial districts without the permission of the Head of a Community Corrections Office (Department of Correctional Services, 2009:35).

2.6.2.9 Use of Alcohol or Illegal Drugs

Section 67 of the Correctional Services Act 111 of 1998, as amended (Republic of South Africa, 1998:43) describes the following procedure with regard to the use of alcohol and/or illegal drugs:

Where there is a reasonable suspicion that a person has used alcohol or illegal drugs in contravention of a condition set in terms of section 52(1)(k), a correctional official may require such a person to allow a designated correctional medical practitioner to take a blood or urine sample in order to establish the presence and concentration of alcohol or drugs in the blood or urine.

2.6.3 Supervision and Monitoring of Parolees

Parole success is closely related to the effectiveness of the supervision provided. Supervision is, therefore, and will remain the cornerstone of successful parole. Parole involves all the activities related to the reintegration, surveillance, and monitoring of parolees at various levels within the community (Stevens, 2006:8).

Section 68(1) of the Correctional Services Act 111 of 1998, as amended (Republic of South Africa, 1998:44) states the following with regard to the supervision and monitoring of parolees: “[w]here a condition of monitoring is set in terms of section 52(1)(p), it must specify the form of monitoring”. In order to ensure compliance with the set conditions, all parolees are subject to monitoring that takes place in the following manner (Department of Correctional Services, s.a.-a; Department of Correctional Services, 2005a:17):

- telephonic contact at work and at home;
- physical visits to the parolee’s residence, workplace, and where they render community service; and
- compulsory visits by the parolee to the Community Corrections Office for consultation purposes.

Telephonic and physical contact should be handled with a sense of discernment and understanding in trying to avoid, as far as possible, embarrassment to the parolee and their family (Department of Correctional Services, 2009:17). The number of visits will

depend on the risk the offender poses to the community (Gideon, 2009:45). Parole supervision, according to Ntuli (2000:116), is aimed at protecting the community. Thus, the risk that parolees might pose to the community will determine the level of parole supervision that is applicable.

Section 57 of the Correctional Services Act 111 of 1998, as amended (Republic of South Africa, 1998:41) specifies the following regarding supervision:

- (1) *All persons subject to community corrections must be supervised in the community by correctional officials.*
- (2) *Such supervision must not invade the privacy of the person concerned more than is necessary to ensure compliance with the conditions of the community corrections imposed.*
- (3) *If during such supervision it is necessary to ensure the safety of a correctional official or of any other person, a correctional official may search a person subject to community corrections and confiscate any weapon found.*
- (4) *A person subject to community corrections must facilitate the supervision process and in particular must not threaten, abuse, obstruct or deliberately avoid a correctional official.*
- (5) *A person subject to community corrections may not be under the influence of alcohol or other drug to an extent that impairs the process of supervision.*
- (6) *A person subject to community corrections may be required to attend and participate in meetings with the correctional official or officials responsible for supervising his or her behaviour or with a Supervision Committee.*

Specific supervision categories and monitoring conditions, which are based on the risk parolees pose to the community, are discussed in the next section.

2.6.3.1 Supervision Categories and Monitoring Phases

A revised classification system for offenders who are subject to Community Corrections has been implemented. The aim of this system is to align the offenders' classification with rehabilitation by requiring more interaction between offenders and their monitoring officials (Department of Correctional Services, 2006:39). According to Pienaar (2012), the previous five phases regarding the supervision categories, namely Phases I to V, were revised. Furthermore, the National Commissioner of Correctional Services approved the implementation of the current supervision categories at all Community Corrections Offices

as from 1 April 2011 (Pienaar, 2012). Table 9 below refers to the current supervision categories and the recommended conditions for probationers and parolees under Community Corrections.

Table 9 Current supervision categories

| Supervision category | Monitoring | House detention |
|----------------------|---|--|
| High risk | <ul style="list-style-type: none"> • Minimum number of contacts: Eight (8) contacts per month • Physical visit at home: A minimum of one face-to-face visit per week to the offender by the reintegration case official (monitoring official) • Physical visit at work: A minimum of one face-to-face visit (when deemed appropriate or necessary) • Physical visit at community service: A minimum of one face-to-face visit per month • Compulsory visit by offender to the Community Corrections Office : A minimum of one monthly face-to-face contact with the reintegration case management supervisor (office consultation) | <ul style="list-style-type: none"> • Highly recommended • Four (4) free hours per week |
| Medium risk | <ul style="list-style-type: none"> • Minimum number of contacts: Four (4) contacts per month • Physical visit at home: A minimum of one face-to-face visit per month to the offender by the reintegration case official (monitoring official) • Physical visit at work: A minimum of one face-to-face visit every two months (when deemed appropriate or necessary) • Physical visit at community service: A minimum of one face-to-face visit per month • Compulsory visit by offender to the Community Corrections Office: A minimum of one face-to-face contact with the reintegration case management supervisor every two months (office consultation) | <ul style="list-style-type: none"> • Optional • Two (2) free hours on daily basis from Monday to Friday and six (6) free hours on Saturdays, Sundays and public holidays (free time not to be later than 22h00) |
| Low risk | <ul style="list-style-type: none"> • Minimum number of contacts: Two (2) contacts per month • Physical visit at home: A minimum of one face-to-face visit every two months to the offender by the reintegration case official (monitoring official) • Physical visit at work: A minimum of one quarterly face-to-face visit (when deemed appropriate or necessary) • Physical visit at community service: A minimum of one face-to-face visit per quarter • Compulsory visit by offender to the Community Corrections Office: A minimum of one face-to-face visit every two months to the reintegration case management supervisor (office consultation) | <ul style="list-style-type: none"> • Optional • Four (4) free hours on daily basis from Monday to Friday and eight (8) free hours on Saturdays, Sundays and public holidays (free time not to be later than 24h00) |

Source: Department of Correctional Services, 2009:17-20

Table 9 shows that all the offenders under Community Corrections are classified according to three supervision categories, namely High, Medium and Low Risk. An Admission Risk Classification Tool for probationers and parolees was developed with the purpose of determining the required level of supervision. This tool is based on a combination of dynamic and static factors for which scores are allocated individually. A final score within a pre-determined range will result in the offender being classified according to one of the three supervision categories. High-risk offenders require intensive supervision because of the possible risk they pose to the community. Medium-risk offenders require regular supervision because of the moderate threat they pose to the community. In comparison, low-risk offenders require minimum supervision because they do not pose an obvious threat or danger to the community. Table 9 further shows that the conditions for house detention and monitoring depend on the predicted risk that parolees may pose to the community. Monitoring conditions include the following: the number of contacts between a parolee and their reintegration case official (monitoring official); the number of physical visits to the parolee's home, work, and place of community service; and the number of compulsory visits by the parolee to the Community Corrections Office (Department of Correctional Services, 2009:17-20; Department of Correctional Services, 2010:88-90).

2.7 CONCLUSION

The social reintegration of sentenced offenders is considered the most challenging phase of rehabilitation. It is also recognised that offenders are especially susceptible to repeat offending at the beginning of the social reintegration process. The strategy to allow offenders to serve part of their sentences in the community is a crucial mechanism to facilitate an offender's transition from a correctional centre to the community (Department of Correctional Services, 2010:6). Correctional Supervision and Parole Boards and Community Corrections are essential and crucial partners in achieving the mission of successful reintegration and in ensuring community safety (Burke & Tonry, 2006:9).

The purpose of the new parole system in South Africa and one of the key objectives of the Department of Correctional Services is to promote the rehabilitation of offenders. The process of ensuring gradual integration of offenders back into the community under controlled circumstances is a technique used to reduce an offender's chance of re-offending (recidivism). Parole should serve as an instrument of on-going rehabilitation in the community in order to provide communities with the opportunity to take responsibility of the rehabilitation process of offenders (Cilliers, 2006:ii). If the ideal of incarceration is to

rehabilitate offenders in order to make them law-abiding citizens, it is the community from which the offender comes and to which they will return after their parole placement that should be more involved in the rehabilitation process (Mnyani, 1994:1).

The central idea of the parole system is that offenders are expected to serve a portion of their sentence in the community, and they risk returning to a correctional centre for the remainder of their sentence if they fail to comply with certain conditions (Travis & Petersilia, 2001:306). Thus, the successful completion of parole means that offenders do not return to correctional centres. There are also no costly re-incarcerations, victimisation is reduced, and a more stable and safer community is established (Burke, 2004:11; Burke & Tonry, 2006:11).

In the following chapter, the researcher focuses on parole violations from an international perspective.

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CHAPTER 3

AN INTERNATIONAL PERSPECTIVE ON PAROLE

VIOLATIONS

3.1 INTRODUCTION

The aim of this chapter is to investigate the available literature on recidivism and, more specifically, on parole violations. The existing literature regarding parole violations is very limited and only a few international studies have generated findings relevant to the discussion.

Over the last 30 years, offenders who have been incarcerated for parole violations have represented an increasingly large percentage of the overall offender population in the United States (Steen & Opsal, 2007:344). Many parolees are returned to correctional centres for committing new crimes or for technical violations of their parole conditions – these offenders account for 35% of new admissions nationally in the United States (Justice Policy Center, 2006:18). Statistically, first-time parolees have a 51% chance of successfully living in the community. Once offenders return to custody and are released again, the probability of successful reintegration into the community declines to 42% (McVey, 2007:4).

Most research in the area of parole violations focuses on Western countries. Therefore, the researcher has only included literature found from the United States of America, Australia, and England and Wales in this study.

3.2 UNITED STATES OF AMERICA

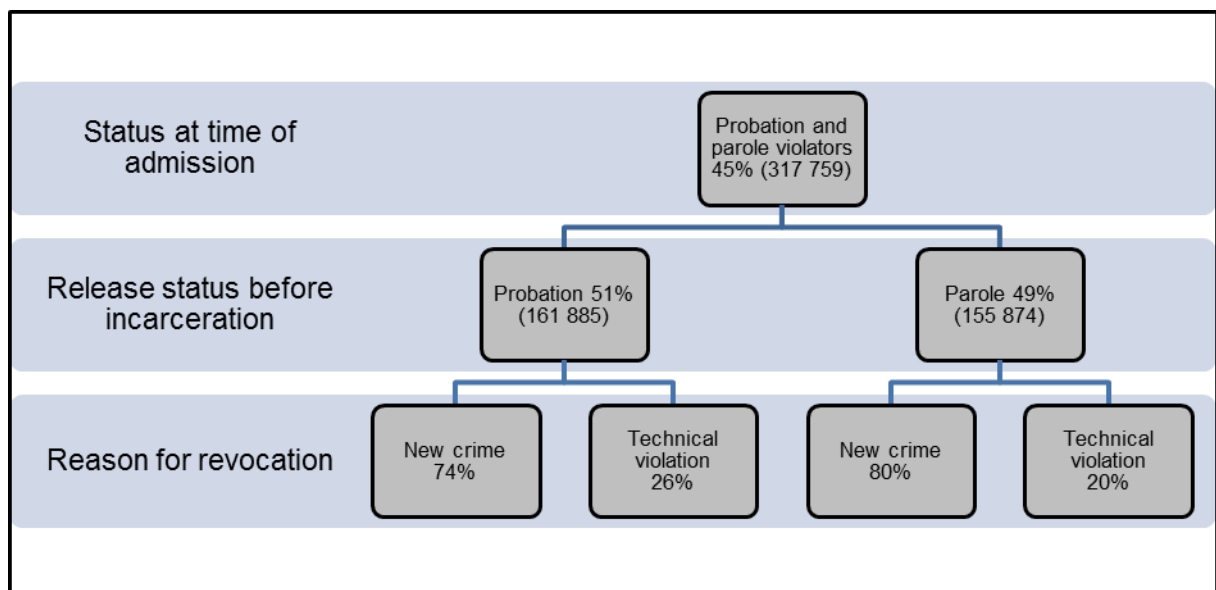
The rate of parole violations in the United States has increased dramatically over the years, and more parolees are returning to correctional centres – both for committing technical violations and new offences. In 1980, 17% of the offenders were re-incarcerated for violating the conditions of their parole supervision and in 2001, parole violators represented 37% of all national admissions to state correctional centres (Bucklen & Zajac, 2009:240, Travis, 2005:31).

Cohen (1995:1) highlights the following results from a national survey consisting of personal interviews that were conducted in 1991 with 13 986 offenders in 277 state correctional centres nationwide:

- Between 1975 and 1991, the number of parole and other conditional release violators admitted to state correctional centres increased from 18 000 to 142 000, which is twice the rate of growth of newly admitted offenders from courts.
- It was found that 35% of the offenders committed a new crime while on probation or parole.
- It was found that 10% of the offenders returned to custody for technical violations of their parole or probation conditions.
- Probation and parole violators comprised 30% of all the offenders in state correctional centres for violent crimes, 56% for property offences, and 41% for drug offences.
- It was found that 85% of the offenders in correctional centres were incarcerated for public-order offences.

Figure 3 below shows the percentage and number of probation and parole violators admitted to state correctional centres in the United States during 1991.

Figure 3 Number and percentage of probation and parole violators admitted to state correctional centres in the United States during 1991



Source: Adapted from Cohen (1995:2)

As seen in Figure 3, 45% of the state offenders were under conditional supervision in the community, either on probation or on parole, at the time they committed their offence. Of

the 155 874 parole violators in correctional centres, 80% were in custody following convictions for a new crime, and the remaining 20% were incarcerated for a technical violation of their parole conditions. About four out of ten of these technical violators (43%) had been arrested, but not convicted for a new crime while on parole supervision in the community (Cohen, 1995:2).

The number of parolees re-incarcerated in Illinois correctional centres increased by 32% from 1991 to 1998. New crime violators or technical violators are classified as parole violators and are subject to parole revocation by the Illinois Prisoner Review Board. A number of dispositions are exercised by this board for an offender whose parole is revoked, for example, re-incarcerating the offender; reinstating the parole at a similar supervision level with increased treatment/programming; or assigning the offender to day reporting, intensive supervision or electronic monitoring, or to a halfway house. In the 1998 financial year, parole violators comprised nearly 25% of correctional centre admissions in Illinois, of which 7% represented technical violations, while new crimes were represented by almost 18% (La Vigne, Mamalian, Travis & Visher, 2003:12-14).

In California, over 50% of all the admissions to correctional centres in 1987 could be attributed to parole violators (Burke, 1997:1). By 2006, 64% of all parolees were returned to correctional centres (Grattet, Petersilia & Lin, 2008:6).

In Maryland, a warrant is issued and a revocation hearing is held before a parolee is returned to a correctional centre for a technical violation. Technical violations usually involve an offender absconding from supervision, failing to report to their parole officer, or testing positive for illegal drugs. In the case of new crimes, the parolee normally serves the revocation time concurrently with the new sentence. Over the years, the number of parole violators returned to correctional centres in Maryland has increased, and, in 2002, 58% of parole revocations were for technical violations, while 42% were for new crimes (La Vigne, Kachnowski, Travis, Naser & Visher, 2003:10-11).

In Virginia, the number of offenders who were re-incarcerated for a parole or probation violation increased slightly from 4 273 (45%) in 1999 to 5 238 (46%) in 2002 (Keegan & Solomon, 2004:31).

In 2001, the majority of admissions to the Michigan Department of Corrections were offenders who were previously either on parole (34%) or on probation (27%) when they committed a new crime or a technical violation of their supervision conditions. Of the 34%

of parole violators re-admitted to correctional centres, 25% were technical violators, while 9% committed new crimes (Solomon, Thomson & Keegan, 2004:9). Ex-offenders under parole supervision who returned to custody for a technical violation accounted for 24% of the offenders released in 2003, of which half (12%) of the parole technical violators were originally incarcerated for non-aggressive offences (Solomon *et al.*, 2004:15-16). In 2003, 3 806 parolees were re-incarcerated for parole violations – 57% of these parolees were re-incarcerated for technical violations, and the remaining 43% received a new sentence after being convicted of a new crime. In another unpublished study by the Michigan Department of Corrections, the Office of Research and Planning (2003, as cited in Solomon *et al.*, 2004:27) found that a large percentage (83%) of parole technical violators actually returned to correctional centres for committing a new offence.

In 2003, almost 36% of all admissions to state correctional centres in Pennsylvania were the result of parole violations. Statistics that are more recent indicate that 56% of the parolees in Pennsylvania usually return to correctional centres within three years of being released (Bucklen & Zajac, 2009:240-241). In Minnesota on 1 July 2008, 13% of the offenders were admitted to correctional centres as parole violators (Minnesota Department of Corrections, 2009:4).

In 2008, technical parole violators comprised 30% of all admissions to correctional centres in Colorado, which indicates an increase from 18% in 1988. Of those offenders revoked from parole and re-incarcerated, 75% were revoked for a technical violation of a condition of parole, while 25% had been convicted of a new crime (Donner, 2009:8).

In Texas (State of Texas Legislative Budget Board, 2011:2), certain indicators such as re-arrest, conviction, probation or parole revocation, and re-incarceration are used to calculate recidivism rates. Recidivism is defined as an offender's return to criminal activity after previous criminal involvement. The Texas Board of Pardons and Paroles has the power to revoke parole and to return an offender to a correctional centre for either committing a new offence or a technical violation. A technical violation occurs when an offender violates the terms of their release conditions established by the Texas Board of Pardons and Paroles. In 2010, of the 42 858 admissions to correctional centres, 6 678 (15.6%) adult offenders had their parole revoked compared to 7 149 (17.0%) in 2009. Of the 6 678 adult parole violators identified in 2010, 5 616 (84.1%) were sent back to correctional centres for committing a new offence, while technical violators accounted for 15.8% of the re-incarcerated parolees (State of Texas Legislative Budget Board, 2011:43-44).

he State of Texas Legislative Budget Board (2011:45) also compiled a profile of re-incarcerated parolees based on statistical analysis. This profile revealed the following significant differences between the 2009 and 2010 parole revocation populations (State of Texas Legislative Budget Board, 2011:45):

- In 2010, the age group 35 to 39 year olds was significantly smaller than in 2009. In contrast, the age group 30 to 34 year olds had a significantly larger share in 2010.
- The average age of re-incarcerated parolees for both 2009 and 2010 was 40 years old.
- Offenders who were 45 years of age and older had the largest representation among the re-incarcerated parolees.
- In 2009 and 2010, the majority of the re-incarcerated parolees were drug and property offenders.

3.2.1 Research on Recidivism among Released Offenders

Carroll, Wiener, Coates, Galegher and Alibrio (1982) investigated parole release decision-making in Pennsylvania by interviewing actual parole cases between October, 1977 and May 1978. The study included 838 released parolees that were followed until early 1980 (Carroll *et al.*, 1982). Results from their one-year follow-up study showed that, of the 838 parolees, 10.5% were convicted of a new crime while on parole, 13.1% were convicted of a technical violation, 4.7% of all parolees committed both a new crime and a technical violation, and 25.5% were re-incarcerated after their parole was revoked by the Parole Board (Carroll *et al.*, 1982:217-218).

In the United States, the Bureau of Justice Statistics (BJS) published two of the largest research studies ever conducted on recidivism of released offenders (Palermo, 2009). In the first study entitled *Recidivism of Prisoners Released in 1983*, Beck and Shipley (1989, as cited in Travis, Solomon, & Waul, 2001:7) tracked 108 580 offenders released from 11 states in 1983 to measure their recidivism rates. Within a three-year period, 63% of these offenders were re-arrested for various offences, 47% were re-convicted, and 41% were re-incarcerated. They also found that offenders released from correctional centres were more likely to re-offend (40% were re-arrested) during their first year after release (Palermo, 2009:3; Travis, Solomon, & Waul, 2001:7).

In the second, more comprehensive study of recidivism entitled *Recidivism of Prisoners Released in 1994*, Langan and Levin (2002, as cited in Petersilia, 2003:140) tracked 272 111 offenders in 15 states for three years from their release in 1994. The study found that 29.9% of the released offenders were re-arrested within the first six months, 44.1% within the first year, and 67.5% within three years of their release (Langan & Levin, 2002:3). The risk of recidivism was the highest during the first year after an offender's release. Results based on re-arrest, re-conviction, and re-incarceration of offenders indicated the following (Langan & Levin, 2002:7; Lyman & LoBuglio, 2006:4; Oliver, 2011:1):

- 67.5% of the offenders were re-arrested for a new offence;
- 46.9% were re-convicted for a new crime;
- 25.4% were re-incarcerated for a new crime;
- 51.8% were returned to correctional centres within three years, either for a new crime or a technical violation of their parole conditions; and
- an estimated 26.4% were re-incarcerated for a technical violation.

Other findings from the Langan and Levin (2002) study showed that offenders who were male, members of minority groups, younger offenders, and offenders with longer prior criminal records were significantly more likely to re-offend. The type of crime committed by an offender was also a reliable predictor of recidivism, with property offenders being the most likely to re-offend, followed by drug, public order, violent, and sex offenders (Steen & Opsal, 2007:349).

The Pew Center on the States (2011), assisted by the Association of State Correctional Administrators (ASCA), conducted a comprehensive survey aimed at generating the first state-by-state examination of recidivism rates. Published in 2011, the *Pew/ASCA Survey* required estimates of recidivism for two cohorts of offenders released from correctional centres in 1999 and 2004 (Pew Center on the States, 2011:2). The analysis of recidivism trends was based on data reported by 33 states for the 1999 release cohort, while 41 states provided data for offenders released in 2004. The survey results regarding the recidivism rates of the 1999 release cohort showed that 45.4% of the offenders were returned to correctional centres within three years, of which 19.9% were returned for a new crime, while 25.5% were returned for a technical violation. Recidivism findings among the 2004 releases revealed a similar picture where 43.3% of the offenders were re-incarcerated within three years – 22.3% of these offenders were re-incarcerated for a new crime, while 21.0% were re-incarcerated for a technical violation (Pew Center on the States, 2011:12-13).

The Hampden County Sheriff's Department initiated a comprehensive study of recidivism rates for offenders released in 1998 and 1999 from the Hampden County Correctional Centre in Massachusetts. The results of the study indicated that the recidivism rate of the offenders released in 1998 after one year, was 12.0%, while after two years, it was 28%. In 1999, the recidivism rate after one year was 21.9% (Massachusetts Sentencing Commission, 2002:2-3).

In Massachusetts, recidivism is recorded along three dimensions, namely re-arraignment (any court appearance or revocation hearing following release), re-conviction, and re-incarceration for either a new offence or a technical violation of probation or parole. Since 1998, the Hampden County Sheriff's Department has conducted an on-going study of recidivism and found that 68% of the offenders released in 2004 were re-incarcerated for a new crime, while nearly one-third (32%) of the released offenders were re-incarcerated for technical violations of probation and parole (Lyman & LoBuglio, 2006:8-11).

According to Kohl, Hoover, McDonald and Solomon (2008:7), the Massachusetts Department of Correction defines a recidivist as "any inmate released from the Department of Correction in a given year who is re-incarcerated within three years of his or her release to the community for either a new sentence or a technical violation". In 2002, a Massachusetts recidivism study analysed data regarding 1 786 male offenders released to the community. The majority (65%) of the 2002 offender cohort were released on their sentence expiry date, while 623 (35%) were released on parole. The study reported the following findings (Kohl *et al.*, 2008:21-23):

- The recidivism rate among parolees was 45%, compared with 36% for those released on their sentence expiry date.
- Among the 623 parolees, 29% were re-incarcerated for a parole violation.
- The majority (58%) of first-year re-offenders were returned for committing a new sentence – of those returned for parole violations (40%), 12% committed a new crime, while 28% committed a technical violation.
- Parole violation rates were highest in the first year after release.
- Almost half (47%) of the re-offenders were returned to correctional centres within one year of release, but most offenders or two-thirds (67%) re-offended within the first 18 months after their release.

Available statistics for Pennsylvania indicate that over half (56%) of offenders released on parole supervision will return to state correctional centres within three years of being released, either for a technical violation or for committing a new crime. In late 2002, the

Pennsylvania Department of Corrections responded to this trend of increasing parole violator admissions by initiating a study on the recidivism process of parole violators. The primary objective of this study was to explore the types of events that may have contributed to released offenders' parole failure and their subsequent re-incarceration. The study was conducted in two phases – the first phase involved administering a detailed survey to nearly 550 parole violators who were returned to state correctional centres, and the second phase involved an analysis of a comparison group sample of successful parolees. The findings from the first phase of the study revealed three underlying factors that are evident among parole violators. These factors were (1) violators tend to hold unrealistic expectations of life outside a correctional centre; (2) violators tend to maintain anti-social attitudes, values, and beliefs that support their offending behaviour; and (3) violators tend to have inadequate coping or social problem-solving skills, especially when faced with emotional instability or daily life problems (Bucklen, 2005:1-2).

According to Mandelstam (2009:122), the researchers Grattet, Petersilia and Lin followed adult offenders on parole in California during 2003 and 2004 to conduct what is considered the largest, most comprehensive study of the causes and consequences of parole violations and revocations. Approximately half (49%) of the parolees in the study had at least one violation report, while nearly one-quarter (24%) had multiple parole violation reports. Each report could contain multiple violations of any type (for example, criminal violations and technical violations). More than one-third (35%) of all the recorded parole violations were for non-criminal or technical violations, while the majority of technical violations were for absconding (in other words, the parolee missed appointments or the parolee's whereabouts were unknown) (Grattet, Petersilia & Lin, 2008:12). The researchers found that the strongest predictor of parole violation risk was the number of times the parolee had been incarcerated as an adult. They also found that the risk for all types of violations is highest during the first six months after an offender is released from a correctional centre (Grattet *et al.*, 2008:13). Furthermore, the study found that more intensive parole supervision increased the risk of all violations. The study also showed that parolees who commit property and drug crimes have a higher recidivism risk than parolees who commit violent and sexual offences (Grattet *et al.*, 2008:15).

A recidivism study conducted in New Hampshire sampled and tracked a group of 1 012 offenders released during the 2005 financial year. The objective of the study was to determine the recidivism rate of the offenders who returned to a state correctional centre within three years of their release. A total of 502 offenders returned to a correctional centre within three years of their release, which resulted in an overall recidivism rate of

49.6% (Schwartz, 2010:i). The recidivism rate for offenders released from a parole revocation was 53.9%, and represented 40.8% of all returns (Schwartz, 2010:16). The following is a summary of the additional findings regarding this group of offenders:

- Offenders convicted of violent crimes had the lowest recidivism rate by crime category at 43.3%, while the highest rates of re-offending were for offenders convicted of property crimes at 56.1% (Schwartz, 2010:18).
- Offenders with one or more prior incarcerations had a recidivism rate of 53.4%, compared to 45.2% for offenders who had no prior incarcerations (Schwartz, 2010:20).
- Male offenders who were between the ages of 20 and 25 years old at the time of their release had the highest recidivism rate at 58.5%, followed by the age group 25 to 30 year olds at 51.9% (Schwartz, 2010:25).
- The average length of time offenders spent in the community before returning to custody was 10.3 months, with 50% of all re-offenders returning to correctional centres within 8.2 months after their release (Schwartz, 2010:35).

A 2007 cohort study of recidivism by the State of New Hampshire's Department of Corrections (2012) showed that, from a total of 1 095 released offenders, 515 (47.0%) returned to correctional centres within three years of their release in 2007. Findings from the study regarding the reasons for offenders' return to prison revealed that 157 (30.5%) recidivists had their parole status revoked for technical violations or for violating the conditions of parole, while 229 (44.4%) were either arrested for a new charge or sentenced for a new crime (State of New Hampshire Department of Corrections, 2012:1-4).

The Office of Policy and Management followed 16 241 sentenced offenders for a three-year period (2005 to 2008) after these offenders were released or discharged by the Connecticut Department of Correction in 2005 (State of Connecticut Office of Policy and Management, 2010:10). In Connecticut, the recidivism rates for offenders showed the following results with regard to a period of three years from the time of their release (State of Connecticut Office of Policy and Management, 2010):

- 67.5% of the offenders were re-arrested;
- 53.7% were convicted for a new crime;
- 56.5% were returned to correctional centres for either a new sentence or technical violations;
- 36.6% were re-incarcerated for a new custodial sentence; and

- 36.7% were re-incarcerated within six months after their release.

The State of New York tracked 24 503 offenders released from the Department of Correctional Services in 2006. An analysis of the return to custody data was based on a three-year follow-up period (Staley & Kim, 2010:1-2). Within three years after release, 41% of the released offenders returned to custody, of which 31% of the offenders were returned for technical parole violations, while 11% were convicted for new crimes. The Division of Parole returned almost three-quarters of all the parolees to correctional centres for technical violations of their parole conditions (Staley & Kim, 2010:3). The 2006 cohort spent an average of 11.7 months in the community before being returned to custody, whereas parole violators returned more quickly (within 9.9 months) (Staley & Kim, 2010:5).

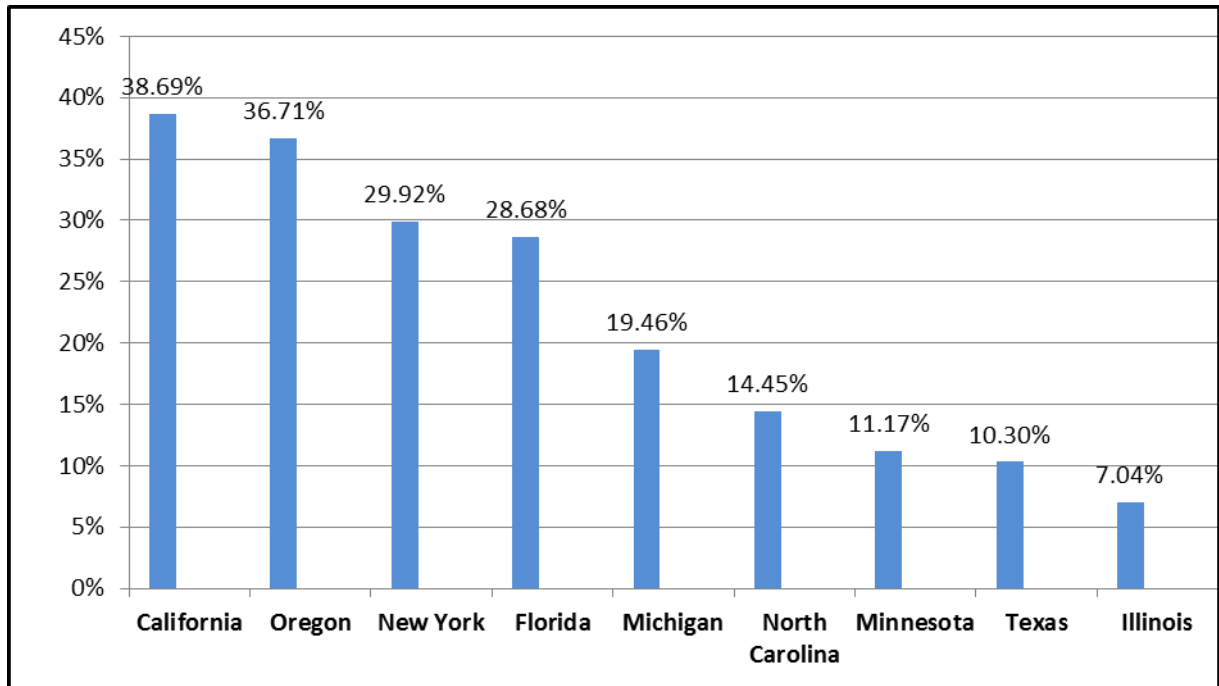
Five states (Maine, New Mexico, Oregon, Utah, and Wyoming) were selected in 2009 to participate in a multistate study on parole violations and revocations. The study identified a sample of offenders who were released on parole in 2005 and 2006 (Iwama & Orchowsky, 2011:8). A summary of the findings relating to the percentage of technical violations and parole revocations showed the following (Iwama & Orchowsky, 2011:10):

- More than half of the offenders committed one or more technical violations during the study period in three states (Utah, 75%; New Mexico, 68%; Oregon, 57%), and almost half (45%) of the offenders committed one or more technical violations in a fourth state (Maine).
- The three states that had the largest proportion of technical violators also had the largest proportion of offenders with two or more technical violations (New Mexico, 39.9%; Oregon, 38.2%; Utah, 47.2%).
- Parole revocation rates varied from 27% in Oregon to 61% in Utah.
- In New Mexico and Wyoming, the majority (70%) of the offenders' parole was revoked for technical violations.

Oliver (2011) used the publicly available *Prisoners Released in 1994 Dataset* to examine the extent to which nine individual-level factors explained variations in recidivism rates within three years of offenders being released from correctional centres across 15 states. The nine factors were gender, age at first arrest, race, age at release, number of prior arrests, type of current offence, time served, admission type, and release type. Parole violations, as one form of recidivism, were analysed with regard to offenders released from custody in 1994 (Oliver, 2011:ii). However, data on technical violations was only available for nine of the 15 states (Oliver, 2011:112). The following graph displays the

percentage of offenders that were re-incarcerated for parole violations from the nine states.

Graph 2 Offenders re-incarcerated for parole violations according to state



Source: Adapted from Oliver (2011:117)

As seen in Graph 2, the offenders were returned to correctional centres for criminal or technical parole violations, with a low of 7.04% in Illinois and a high of 38.69% in California (Oliver, 2011:117-118). Additional findings showed that four individual-level factors were related to an increased probability of committing parole violations. The first factor was prior arrests. Offenders who had more prior arrests were more likely to have their parole revoked. A second factor was prior failure on parole – offenders incarcerated with multiple parole violations were at a higher risk of offending than other offenders. A third factor found to be associated with an increased probability of committing parole violations was release type. Offenders released via discretionary parole were lower risk offenders and were less likely to violate parole than those released via mandatory supervised released. Lastly, an unexpected finding was that offenders who had served more time in correctional centres were more likely to have their parole revoked than offenders who had served less time in such centres (Oliver, 2011:128-129).

3.3 AUSTRALIA

In New South Wales, offenders released on parole supervision are allowed to live and work in the community if they comply with their parole conditions. Offenders are not always returned to correctional centres after a violation of their parole conditions, but repeated and/or serious violations (for example, re-offending) can result in parole revocation and immediate return to custody (Jones, Hua, Donnelly, McHutchison & Heggie, 2006:1).

In the *Report on Government Services* (ROGS) of 2006 that used re-incarceration to measure recidivism, it was estimated that more than 38% of Australian offenders were re-incarcerated within two years after being released in 2002/03 (Drabsch, 2006:1). This percentage increased to 45% when other corrective service sanctions were included in the measure (Payne, 2007:60). The New South Wales Audit Office (2006, as cited in Drabsch, 2006:1) indicated that 47% of offenders returned to some form of corrective services within two years of being released, with 44% subjected to a further term of incarceration. Re-offending was particularly high among offenders who had originally been incarcerated for breaching a drug court order or their parole conditions, as well as for economic offences and assault (Drabsch, 2006:3).

3.3.1 Recidivism Studies

Payne (2007:xi) highlighted a number of interesting findings from descriptive research studies about recidivism in Australia:

- Makkai and Payne (2003, as cited in Payne, 2007:62) found that about two in every three offenders were previously incarcerated.
- Jones *et al.* and Ross and Guarnieri (2006, 1996, as cited in Payne, 2007:62) discovered that about one in four offenders were re-convicted within three months of being released from correctional centres.
- Jones *et al.* and Thompson (2006, 1995, as cited in Payne, 2007:62) revealed that between 35% and 41% of offenders were re-incarcerated within two years of being released.
- The recidivism rates appeared reasonably consistent over time (Payne, 2007:63).

In New South Wales, early research studies carried out by Dewdney and Miner (1976) and Gorta (1982) focused on risk factors regarding parole violations that subsequently

resulted in parole revocation (Smith & Jones, 2008:2). Dewdney and Miner (1976, as cited in Smith & Jones, 2008:2) studied trends in parole revocation among a small sample of parolees and found that a long criminal history and prior violations were predictive of parole failure. Gorta (1982, as cited in Smith & Jones, 2008:2) conducted a more comprehensive study and found that being unmarried, being unemployed, having a more extensive criminal background (both as a juvenile and as an adult), and having accommodation and substance abuse problems while on parole all increased the likelihood of parole revocation.

Gorta (1982:1-2) sampled 250 parolees from a total of 1 283 offenders released on parole in 1974 and collected data over a follow-up period of five years. Results, according to three broad parole outcomes (completed, breached, or revoked), indicated the following:

- It was found that 138 (55%) offenders completed their parole period without incidents.
- It was found that 46 (18%) offenders breached their parole conditions.
- It was found that 66 (26%) offenders had their parole revoked and were re-incarcerated.
- It was also established that almost half (48%) of the 66 offenders had their parole revoked within three months of release, and almost all (83%) of these offenders had their parole revoked within one year.

A study conducted by Thompson (1989, as cited in Jones *et al.*, 2006:2) focused on parole populations by assessing the re-offending patterns of 202 offenders randomly selected from all offenders who had been released on parole between July and November 1981. Thompson (1989) found that 68% of the offenders had been re-convicted for an offence or parole violation, while 38% had been returned to correctional centres within two years of their release. In addition, a survival analysis revealed that there was no relationship between the length of sentences and re-offending, nor was there a connection between the offender's age at release and their risk of re-incarceration (Jones *et al.*, 2006:2).

In the Victoria area, Ross and Guarnieri (1996) examined the recidivism patterns of 838 offenders release from correctional centres between May 1985 and December 1986. By using both re-conviction and re-incarceration measures, Ross and Guarnieri (1996, as cited in Drabsch, 2006:7-8) found the following:

- Approximately 25% of the offenders were re-convicted for a further offence within three months of their release.

- A total of 74% of the offenders were re-convicted of at least one offence.
- A total of 54% of the offenders were re-incarcerated at least once within seven years of their release.
- A history of prior offences, the age of onset of offending (14 years old or younger), and property offences were identified as the most serious prior offences and were considered risk factors for re-conviction or re-incarceration.

In 2006, a report was published in New South Wales that explored the patterns of re-offending among 2 793 offenders who had been released on parole in the 2001/02 financial year (Jones *et al.*, 2006:2). The report defined re-offending or recidivism as reappearance in court, re-conviction for a new offence, and/or re-incarceration (Jones *et al.*, 2006:9). After a two-year observation period, the results indicated the following with regard to New South Wales:

- 68% of the parolees reappeared in court;
- 64% of the offenders were re-convicted; and
- 41% of the offenders were re-incarcerated.

In addition, Jones *et al.* (2006) used a statistical technique known as survival analysis to demonstrate the risk of re-offending among parolees. They found that 23% of the offenders studied re-offended within three months of their release, 52% re-offended within one year, and 64% re-offended within two years (Jones *et al.*, 2006:6; Payne, 2007:61). The study also showed that the risk of re-offending was increased for parolees who had multiple prior custodial sentences; had at least one or more prior drug conviction/s; were younger; were indigenous; had been serving sentences for violence, for property crimes, or for breaching justice orders; and had been given parole by a court rather than a parole authority (Jones *et al.*, 2006:9). A 94% chance of re-conviction within two years of release was estimated for offenders who had all of these risk factors, including offenders who had served shorter sentences of between two and twelve months (Smith & Jones, 2008:7).

3.4 ENGLAND AND WALES

For the purposes of this chapter, failure on licence (supervision) is defined as any behaviour displayed by parolees that leads to re-conviction, or to parole revocation, and to recall (return) to correctional centres (Nuttall, Barnard, Fowles, Frost, Hammond, Mayhew, Pease, Tarling & Weatheritt, 1977:65).

A study (Nuttall *et al.*, 1977) that included a sample of 203 parolees who had failed within two years (1 April 1968 to 31 March 1970) while on parole in England and Wales found that the recall rate was highest among offenders who failed soon after their release. Of those who failed, 25 men (12%) did so within a week, 62 (31%) within a month, and almost two-thirds within three months after their release (Nuttall *et al.*, 1977:65).

Almost three in five offenders are re-convicted within two years following their release from correctional centres, while ex-offenders account for at least 18% of all crimes committed in England and Wales (Social Exclusion Unit, 2002:13). In 2000, correctional statistics on re-offending for England and Wales showed the following (Social Exclusion Unit, 2002:14):

- Male offenders were more likely to be re-convicted than female offenders were as it was found that 58% of male offenders were re-convicted within two years compared to 51% of female offenders.
- Short-term offenders with sentences of less than 12 months were more likely to be re-convicted than those serving longer sentences – 61% of male offenders serving up to 12 months were re-convicted within two years compared to 56% of those serving between 12 months and four years. The comparable figures for female offenders were 56% and 35% respectively.
- Younger offenders and those incarcerated for economic crimes (for example, burglary, theft, and handling of stolen property) were all more likely to be re-convicted – the reconviction rate for these offenders was over 80%.
- The possibility of re-conviction increased with the number of previous convictions – 95% of offenders with 11 or more previous convictions would be re-convicted within two years of their release.

The number of offenders who returned to correctional centres in the United Kingdom more than trebled between 2000 and 2005. In 2000 and 2001, 3 182 offenders were returned to custody for breaches of their licence/supervision conditions or curfew. This amount increased to more than 11 081 in 2004 and 2005. At the end of 2005, recalled offenders in England and Wales comprised approximately 11% of the population of local correctional centres (Lloyd, Deighton, Bye & Dobson, 2005:7).

A possible explanation for the increase in recall rates in England and Wales is that offenders sentenced to incarceration of 12 months or more are released under community supervision when they have served half of their sentence (Dandurand, Griffiths, Murdoch & Brown, 2008:24). According to Padfield and Maruna (2006, as cited in Dandurand *et*

al., 2008:24), these offenders have more opportunities to violate their conditions as they are under community supervision until the end of their sentence. It is also likely that the longer period of community supervision may actually benefit offenders as they spend less time in correctional centres, which reduces the effects of institutionalisation (Dandurand *et al.*, 2008:24).

The prison statistics of 2002 and the *Offender Management Caseload Statistics 2004* indicated that in 2002 and 2003, 420 parolees were recalled and thus represented 13% of the offenders on licence (under supervision). In 2004 and 2005, 710 parolees (17% of those on licence) were returned to correctional centres. Less than 6% of the offenders released on parole (discretionary conditional release) were recalled for committing a further offence while supervised under the England and Wales system (Padfield & Maruna, 2006:331). In 2002, the most common reason for recalls was for offenders breaching their Home Detention Curfew (HDC) conditions, which accounted for 54%. Generally, failure to comply with these conditions includes being absent from the monitoring address during curfew hours, threatening monitoring staff, damaging the monitoring equipment, or failing to be present for the installation of a new telephone line or equipment. Other offenders (26%) were recalled because it was not possible to monitor them, whereas only 16% of those on HDC were recalled and charged with a new offence (Padfield & Maruna, 2006:332).

Offenders with determinate sentences are released on a licence (supervision) that normally consists of six standard conditions, but some individualised licences may include 15 or 16 licence conditions. Many offenders are recalled for failing to comply with their conditions, in particular the following, rather unclear standard condition (Padfield, 2012:35):

[t]o be well behaved, not to commit any offence and not to do anything which could undermine the purpose of your supervision, which is to protect the public, prevent you from re-offending and help you to re-settle successfully into the community.

The number of offenders with determinate sentences who were recalled to correctional centres in 2009 and 2010 was 13 919, compared to only 2 457 offenders recalled in 2000 and 2001. The quarter ending in March 2011 indicated that the numbers of these offenders still seemed to be rising as 3 821 offenders had their licences revoked and were recalled to custody (Padfield, 2012:39). Such recalls may be either for a standard recall or for a fixed-term recall (28 days) (Padfield, 2012:36-37). Once offenders are returned to

a correctional centre, they are informed in writing of the reasons for their recall within 24 hours. They are also informed of their right to challenge the recall and are given a lengthy recall dossier. Their recall is then reviewed by a single member of the Parole Board who will consider the case on the basis of the paperwork only, or by an oral hearing with two or three members (Padfield, 2012:37).

During May and June 2011, Padfield (2012:39) interviewed 46 offenders (36 men and 10 women) about their experiences of recall to correctional centres by carrying out a small research project in two local correctional centres in England and Wales. Thirteen of the 46 offenders breached one or more of their supervision conditions, while 33 were recalled for allegations of committing new offences. During the interviews, the offenders indicated that the dossier they received was too complicated, that it contained outdated information, and that the correctional personnel were uninformed and unhelpful. They felt unsure about the release process and had little knowledge or understanding of what was being done to further their case (Padfield, 2012:41).

3.5 CONCLUSION

Most international studies only focus on the recidivism rates regarding offenders released from custody. The reasons why parolees violate their conditions, the underlying behaviour of parolees, and/or the causal factors related to parole violations are often overlooked or not included in these studies.

According to Steen and Opsal (2007:344), only a handful of studies examine the factors contributing to parole revocation. Also according to Steen and Opsal (2007), little is known about parole violators, what they do to be re-incarcerated, or what factors make an offender successful or unsuccessful while on parole. The post-release circumstances and experiences of parolees, as well as their previous incarceration experiences, are critical to understand the recidivism process. Brooks, Solomon, Kohl, Osborne, Reid, McDonald, and Hoover (2008:4) reported that “[n]ationally, few data exist concerning whether those returning for technical violations have also committed a new crime or the extent to which re-incarcerating technical violators contribute to public safety”.

Questions regarding the impact of parole violators, especially technical violators, on correctional resources remain largely unanswered (Bucklen & Zajac, 2009:240). Research studies on reintegration thus need to focus on improving the understanding of

offenders' experiences of incarceration, their transition into the community, and their experiences of living in the community, as well as how these factors influence recidivism.

In the following chapter, the researcher examines parole failure as an event of recidivism and focuses on the parole revocation process.

Research studies on reintegration need to focus on improving our understanding of how the experiences of incarceration, transition to community, and living in the community influence recidivism.

The researcher will now examine parole failure as an event of recidivism in the next chapter and also focus on the parole revocation process.

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CHAPTER 4

RECIDIVISM EVENTS: PAROLE FAILURE AND

REVOCAATION

4.1 INTRODUCTION

The success and effectiveness of a parole system is considered in terms of recidivism or post-release criminality (Maltz, 1984:54). Recidivism rates reflect the degree to which released offenders have been rehabilitated and the role correctional programmes (parole) play in reintegrating offenders back into society (McKean & Ransford, 2004:8).

The chairpersons or vice-chairpersons of Correctional Supervision and Parole Boards in South Africa have indicated that placing an offender on parole is a risk factor if there is a high chance that they might re-offend or commit another crime (Louw, 2008:152-153). A shortcoming of the parole system is the fact that South Africa does not have a scientific system or mechanism in place to determine the re-conviction rates of parolees or to test whether the terms of incarceration contribute to a decrease in recidivism rates (Cilliers & Smit, 2007:99). Furthermore, there is no system to assess whether the different programmes undertaken within a correctional centre contribute to decrease of re-offending rates (McLaughlin & Muncie, 2003:341).

One of the goals of community supervision is to promote compliance with the supervision strategies that involve holding offenders accountable for their actions, monitoring and controlling offender behaviour, and developing rehabilitation programmes that cater specifically to offender needs (Burke, 2001:8). Supervision strategies that include a level of treatment or rehabilitation in combination with surveillance techniques have been shown to reduce recidivism (Travis, Solomon & Waul, 2001:20).

Parole failure can be grouped into three categories, namely arrest for another crime, absconding, and violation of parole conditions (Willbach, 1936:366). According to Burke, Bellasai, and Toborg (1992:2), violation of parole conditions might indicate that offenders require help, that there is increased risk, or that some kind of intervention is required.

According to Grattet, Petersilia, and Lin (2008:34), parolees face the following three major types of recorded recidivism events while on parole:

- technical violations of parole;
- arrests for new crimes (a form of parole violation); and
- parole revocation.

The first recidivism event is that parolees can violate the terms of their parole conditions. Some conditions are standardised, and thus all parolees must abide by these conditions. For example, a parolee must report changes in their residential address to the appropriate authorities. In addition, a parolee typically has a set of special conditions that relate to the crime for which they were convicted. Violation of any of these conditions may result in a verbal or written warning, and even the revocation of parole after taking the following into account: the risk posed by the offender to the community, the nature/seriousness of the violation, and the objective of offender accountability (Grattet *et al.*, 2008:34). The second major recidivism event is an arrest for a new crime. When a parolee is arrested, a court will first evaluate the case. If the offender is found guilty, they will be given a new sentence (the length will be appropriate to the crime), and their parole period will be reset. In this case, the process is the same as the process regarding other violations, although sometimes the parolee will be returned to a correctional centre even though the new charges are dismissed. Sometimes a parolee who has committed a new crime will be allowed to continue on parole while undergoing criminal proceedings for the new crime. In such cases, the parolee is typically held in custody, which makes returning to a correctional centre less necessary to protect public safety (Grattet *et al.*, 2008:35). The third type of recidivism event is parole revocation as a consequence of repeated or major violations of parole. If a Supervision Committee feels that the violation is serious and that the parolee poses a risk to public safety, they can recommend that the parolee should be returned to a correctional centre (Department of Correctional Services, 2009:44).

4.2 DEFINITION OF RECIDIVISM

“The term recidivism originates from the Latin word *recidere*, which means to fall back.” (Payne, 2007:4). In the criminological literature available, recidivism has often been described as “the reversion of an individual to criminal behaviour” and the term is frequently used interchangeably with other similar terms such as “repeat offending” or “re-offending” (Maltz, 1984:1). The most common meanings of recidivism are re-conviction, re-arrest, revocation of parole or correctional supervision, and re-incarceration (Champion, 1994:87).

Schoeman (2009:13) proposes that recidivism should be defined as follows:

Recidivism is a behaviour process or pattern whereby an offender, who was previously been found guilty of a crime and sentenced in a court of law, commits a further unspecified offence (within the survival period) and is found guilty of this offence and receive a further undetermined sentence in a court of law.

The Massachusetts Sentencing Commission (2002:13) defines a recidivist as an offender with a new arrest or a technical violation of probation or parole that results in re-incarceration in the year following the offender's release from a correctional centre. The Massachusetts Department of Corrections (DOC) defines a recidivist as, "[a]ny inmate released from the DOC in a given year who is reincarcerated within three years of his or her release to the community for either a new sentence or a technical violation." (Kohl, Hoover, McDonald & Solomon, 2008:7).

In summary, there is no single, consistent, or universally agreed definition for recidivism (Gould, 2010:13; Maltz, 1984:22; Muntingh, 2005:30). A common theme that seems to underpin every definition is that recidivism is generally used for describing repetitive criminal behaviour and furthermore, a recidivist offender is an individual who relapses into criminal activity (Payne, 2007:4).

The White Paper on Corrections (Department of Correctional Services, 2005b:146) acknowledges that there is no reliable data in South Africa available on recidivism or a system in place for monitoring and analysing recidivism.

For the purposes of this study the researcher suggests that recidivism or re-offending can only be measured once an offender has been re-incarcerated for either a new crime or a technical violation of parole (Institute for Security Studies, 2007:14).

4.3 REINTEGRATION CHALLENGES AS PREDICTORS OF RECIDIVISM

The readiness of a community to receive and accept an offender back can be determined by considering factors such as family attitude (or the presence of a support system), employment opportunities, the type of environment the offender will return to, and community bias or stigmatisation. According to Seiter and Kadela (2003:361),

Offenders have historically returned to the communities from which they were sentenced, generally to live with family members, attempt to find a job and successfully avoid future criminality. The environment to which they return is drastically different from the one they left regarding availability of employment, family support, community resources and willingness to assist ex-offenders.

The White Paper on Corrections (Department of Correctional Services, 2005b:63) clearly states that the vast majority of South Africa's offenders originate from communities and families that are plagued by poverty, hunger, unemployment, crime, a distorted value system, and absent figures of authority and care. Winthrop (as cited in Witmer, 1927:56) describes the situation as the following:

The cardinal principle of good parole work, or of any effective care of prisoners after release, is the preparation of the environment into which they will go. This involves primarily the prisoner's relation with his family, with prospective employers, and with former associates.

Factors outside of a correctional centre are often better predictors of parole success. A study by Anderson, Schumacker, and Anderson (1991, as cited in Champion, 2002:324) examined 760 adult correctional centre releases. They found that only 177 of the released offenders became parole violators. Positive results were reported about the parolees' success, and factors such as favourable employment opportunities, marital status, participation in academic or vocational training programmes while on parole, and prior problems with substance abuse seemed to be crucial in determining parole success (Champion, 2002:324).

However, with limited support during the process of reintegration, former offenders pose public safety risks to communities. According to the Bureau of Justice Statistics in the United States, more than half of such offenders are re-incarcerated for a new crime or parole violation within three years after their release (Justice Policy Center, 2006:16).

Offenders facing release often report feeling anxious about re-connecting with their families, finding employment, and managing their finances when they returned to their communities (Travis *et al.*, 2001:18). Some offenders indicate that they are under a lot of pressure during this early pre-release phase, mainly because they are unsure where they will live, how their family and friends will receive them, and how they will pay for essential items (Taxman, Young & Byrne, 2003:12). Released offenders face a number of significant challenges including finding employment, finding housing, and locating a

variety of social services to curb recidivism (Kubrin & Stewart, 2006:168). Ex-offenders rely on these community resources to help them successfully reintegrate into society and to comply with their conditions of parole supervision (Kubrin & Stewart, 2006:169).

Offenders released from correctional centres face a multitude of difficulties (such as those identified above) that create obstacles preventing them from successfully reintegrating into their communities. They remain largely uneducated, unskilled, and usually remain without strong family support systems. It is thus not surprising that most parolees fail and that re-arrests are most common within the first six months after their release (Petersilia, 2001:364-365).

The Social Exclusion Unit of the United Kingdom has identified the following nine key factors that influence the risk of re-offending or recidivism (Social Exclusion Unit, 2002:6):

- **Education** – Most offenders have no education, or they have a limited or severely disrupted education (Muntingh, 2005:7). Offenders who attend education and training courses are less likely to re-offend, but they are not often given the appropriate opportunities to address these needs, both in the correctional centre and after their release (Social Exclusion Unit, 2002:43).
- **Employment** – Most offenders have never experienced permanent employment (Muntingh, 2005:7). “Research shows that employment reduces the risk of re-offending by between a third and a half” (Social Exclusion Unit, 2002:52). In many cases, the vocational training and employment opportunities available in a correctional centre do not match the current requirements of the labour market, and a criminal record can be an obstacle to securing employment (Social Exclusion Unit, 2002:54, 59). Friends, families, and former employers remain the most common sources of assistance for offenders wanting to find a job while released into society (Social Exclusion Unit, 2002:56).
- **Drug and alcohol misuse** – The majority of offenders have a history of substance abuse (Petersilia, 2003:4).
- **Mental and physical health** – The prevalence of severe mental disorders, as well as chronic and infectious illnesses (for example, tuberculosis or HIV/AIDS), among sentenced offenders is far greater than among the general population (Justice Policy Center, 2006:6). Even when offenders receive sufficient physical and mental health services while they are incarcerated, they often experience limited access and inadequate links to community-based healthcare once they are released (Social Exclusion Unit, 2002:76).

- **Attitudes and self-control** – Offenders often originate from socially excluded groups in society that may regard crime as the only way of life or as an easy way of making money. Many offenders grow up in a neighbourhood where crime is seen as acceptable (Social Exclusion Unit, 2002:78). “Understanding the behaviour, reasons and conditions that lead them into offending may not be self-evident.” (Muntingh, 2005:7).
- **Institutionalisation and life skills** – Many offenders come from disadvantaged family and educational backgrounds that are worsened by early institutionalisation (or incarceration) and limited opportunities to develop the life-skills needed to function in society (Muntingh, 2005:7; Social Exclusion Unit, 2002:86).
- **Housing** – Homeless ex-offenders are more likely to be re-convicted (Social Exclusion Unit, 2002:94). Metraux and Culhane (2004:151) also found that released offenders who do not have stable housing arrangements are more likely to return to a correctional centre.
- **Financial support and debt** –A lack of money, especially during the first few weeks after release, will considerably increase the risk of re-offending (Muntingh, 2005:8; Social Exclusion Unit, 2002:105).
- **Family relationships** – Maintaining contact with families through letters, phone calls, and personal visits can play a critical role in preventing re-offending (Hairston, 1988:51). However, support and advice for families is limited, visiting facilities are often inadequate, and families are seldom involved in the release process of a family member from a correctional centre. “Also, there is scarcely any post-release support, which is the time when relationships are at most risk of breaking down.” (Social Exclusion Unit, 2002:111).

A South African research study commissioned by Khulisa, a non-governmental organisation, highlighted the following challenges experienced by young offenders released from correctional centres in specific provinces (Muntingh, 2005:14-15):

- securing financial stability and sustainability;
- securing employment;
- dealing with temptation;
- addressing issues of mental and physical health;
- being accepted back into family networks;
- finding adequate housing;
- establishing community acceptance and avoiding stigmatisation;
- developing and maintaining relationships; and

- increasing low levels of literacy.

In another South African study, ex-offenders described a variety of challenges they experienced upon release and identified the following four main problem areas during the focus group discussions (Muntingh, 2009:19):

- finding employment;
- re-establishing family relationships;
- re-connecting to the community and to society; and
- resisting the temptation to return to a correctional centre.

In the White Paper on Corrections (Department of Correctional Services, 2005b:64), dysfunctional families are considered to be the main contributor to offending and re-offending. Results from a study conducted by Louw (2008:133) confirmed that poor support systems were also seen by participants from Correctional Supervision and Parole Boards as the main barrier preventing successful placement on parole.

According to Travis, Cincotta and Solomon (2003, as cited in Justice Policy Center, 2006:12), “[i]ncarceration, as a result, can drastically disrupt the spousal relationships, parent-child relationships, and family networks.” Thus, incarceration potentially affects the financial responsibilities; emotional support systems, and living arrangements (Justice Policy Center, 2006:12). Research by Sullivan, Mino, Nelson and Pope (2002, as cited in Justice Policy Center, 2006:12) has shown that recidivism rates can be reduced by strengthening the family structure and by maintaining supportive family contact through letters, phone calls, and personal visits (Hairston, 1988:51).

South African research done in 2003 highlights the importance of families during an offender’s incarceration and after their release. The researchers, Lomofsky and Smith (2003, as cited in Muntingh, 2005:26) evaluated the Tough Enough Programme – a correctional centre-based programme run by the National Institute for Crime Prevention and the Reintegration of Offenders (NICRO). The study observed the following with regard to families (Muntingh, 2005:25-26):

- Two-thirds of the participants had experienced unconditional acceptance by their families since their release from a correctional centre.
- Families and friends were identified as the main source of support for released offenders.
- The support of families and friends was seen to be very valuable.

- The family was one of the main factors that encouraged change in the participants' lives.

The White Paper on Corrections (Department of Correctional Services, 2005b:65) recognises that the family is the primary level at which corrections should take place. The researcher feels that a strong support system (family) is a key ingredient in the successful reintegration of an offender.

Substance abuse among offenders presents significant challenges to the reintegration process (Justice Policy Center, 2006:10). Studies have found that, while most offenders have a history of drug or alcohol abuse, only a small percentage of these offenders receive treatment while they are incarcerated and after their release (Beck, 2000; Mumola, 1999; Winterfield & Castro, 2005). Importantly, drug treatment during incarceration at a correctional centre has been shown to reduce drug use and criminal behaviour, especially when combined with post-release treatment in the community (Travis *et al.*, 2001:25).

According to Harlow (2003, as cited in Justice Policy Center, 2006:4), a key factor of successful offender reintegration is for an offender to find and maintain legitimate employment placement. However, low levels of education, insufficient work experience, and limited vocational skills serve as obstacles preventing job placement (Justice Policy Center, 2006:4). Only a few offenders gain marketable employment skills and improve their literacy levels during the incarceration period (Petersilia, 2003:4). The majority of ex-offenders, especially those with criminal records, have virtually no chance of being employed and do not usually learn useful skills while they are incarcerated (Madikane, 2011:29). The stigma attached to incarceration and the presence of a criminal record makes employers reluctant to hire ex-offenders (Travis *et al.*, 2001:31).

As a result of their incarceration in a correctional centre, parolees suffer from the stigma of being 'ex-cons' or from the general belief that once a person becomes a criminal, they will always remain a criminal. The community responds negatively to such labels by rejecting and distrusting people who have been incarcerated. Community stigmatisation thus makes it more difficult for parolees to reintegrate/re-adjust to society successfully, which can affect their chances of finding and keeping a job as well as their personal relationships (Henningsen, 1981:10). According to Braithwaite's theory (1989, as cited in Huggins, 2009:18), a community's response to criminality can be to reintegrate or to

stigmatise the offender, with reintegration leading to lower amounts of offending behaviour and stigmatisation leading to higher amounts of offending behaviour.

Grattet *et al.* (2008:15) found that more intensive parole supervision increased the risk of reported violations, which corresponds to the findings of other research. In other words, higher levels of parole supervision and monitoring result in more parolees being returned to correctional centres for violations of their parole conditions. Helfgott and Gunnison (2008:2) found that ex-offenders believed that their Community Corrections officers were unsupportive and that these officials did not truly understand their reintegration needs. According to Burden (2009:40), possible determinants of parolee recidivism rates are “the number of law enforcement and parole officers in an area, parole officer caseload size, and [the] type of community”.

Based on the above findings, the researcher is of the opinion that the recidivism rates of offenders on parole are affected by reintegration challenges such as poor family relationships, substance abuse, unemployment, negative stereotyping and community stigmatisation, and a lack of post-release support.

4.4 PROFILE OF SOUTH AFRICAN PAROLE VIOLATORS

Offenders who are returned to correctional centres for violating their parole conditions (technical violations) or for committing a new offence while under parole supervision are called parole violators (Austin, 2001:318). The researcher used the names of 14 463 male offenders who were returned to correctional centres during the period 2006 to 2009 in an attempt to profile South African parole violators. The data was obtained from the *Admission and Release System* of the Department of Correctional Services (s.a.).

The following practical difficulties and limitations were found when analysing the data:

- The data from the *Admission and Release System* only included male parole violators.
- The original report consisted of 42 963 names, but after the data was scrutinised, only 14 463 names of male offenders were used for the purpose of this study because of the following reasons:
 - Sentence groups from the original data, such as detainee, null, unsentenced, and reformatory, had to be eliminated. The duplication of names also had to be eliminated.

- The study only included those offenders who were sentenced for parole break, and, therefore, other crime categories were excluded.
- It is difficult to determine the reliability and validity of the results.

The researcher used Excel pivot tables (Microsoft Excel, 2010) to perform all of the descriptive statistical analyses. The results of the analyses are presented below in tables and graphs. The available variables used for the analyses included the following: regions, age groups, sentence groups, and crime categories.

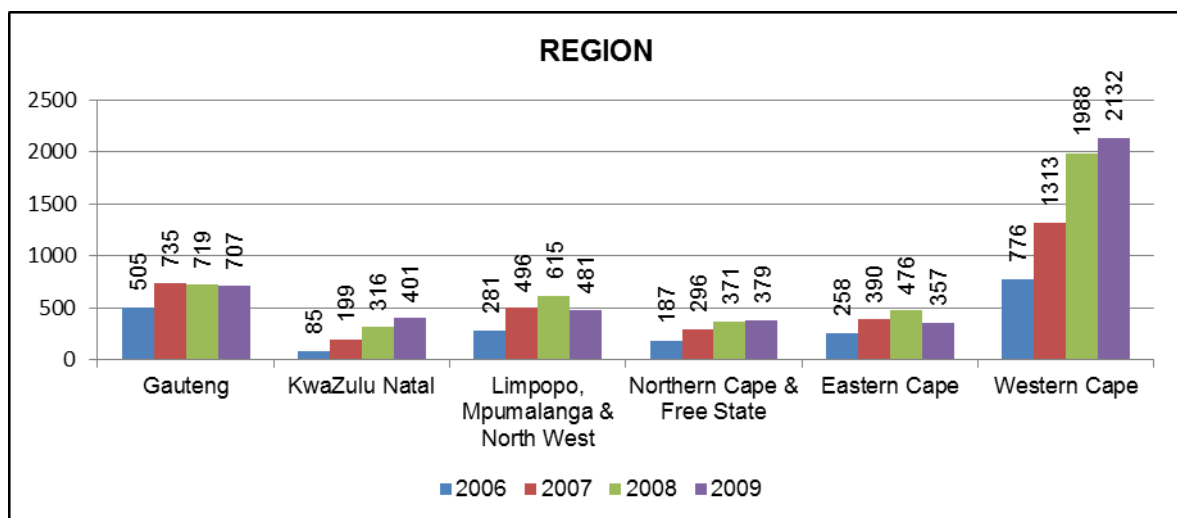
4.4.1 Regions

The Department of Correctional Services divides South Africa into six regions (Van Zyl, 2011:10). The regional variations regarding parole violations are presented in Table 10 and Graph 3 below.

Table 10 Profiling South African parole violators per region

| Region | 2006 | 2007 | 2008 | 2009 | Total |
|----------------------------------|-------------|-------------|-------------|-------------|---------------|
| Gauteng | 505 | 735 | 719 | 707 | 2666 |
| KwaZulu-Natal | 85 | 199 | 316 | 401 | 1001 |
| Limpopo, Mpumalanga & North West | 281 | 496 | 615 | 481 | 1873 |
| Northern Cape & Free State | 187 | 296 | 371 | 379 | 1233 |
| Eastern Cape | 258 | 390 | 476 | 357 | 1481 |
| Western Cape | 776 | 1313 | 1988 | 2132 | 6209 |
| Total | 2092 | 3429 | 4485 | 4457 | 14 463 |

Graph 3 Profiling South African parole violators per region



The data shown in Table 10 and Graph 3 illustrates that most of the parole violators were from the Western Cape region, followed by the Gauteng region during the period 2006 to 2009. The total number of male parolees who were re-incarcerated for parole violations increased each year in the KwaZulu-Natal, Northern Cape and Free State, and Western Cape regions. Although KwaZulu-Natal showed an increase in the number of parole violators, this region still had the lowest total number of male parolees re-incarcerated for parole violations when compared to the other regions.

4.4.2 Age Groups

Table 11 and Graph 4 illustrate the different age groups of parole violators who returned to correctional centres during the period 2006 to 2009.

Table 11 Profiling South African parole violators per age group

| Age | 2006 | 2007 | 2008 | 2009 | Total |
|--------------|-------------|-------------|-------------|-------------|---------------|
| <18 years | 38 | 34 | 45 | 28 | 145 |
| 18-25 years | 718 | 1206 | 1491 | 1462 | 4877 |
| 26-35 years | 812 | 1371 | 1815 | 1891 | 5889 |
| 36-45 years | 375 | 631 | 844 | 770 | 2620 |
| 46-55 years | 126 | 154 | 232 | 247 | 759 |
| 56+ years | 23 | 33 | 58 | 59 | 173 |
| Total | 2092 | 3429 | 4485 | 4457 | 14 463 |

Graph 4 Profiling South African parole violators per age group

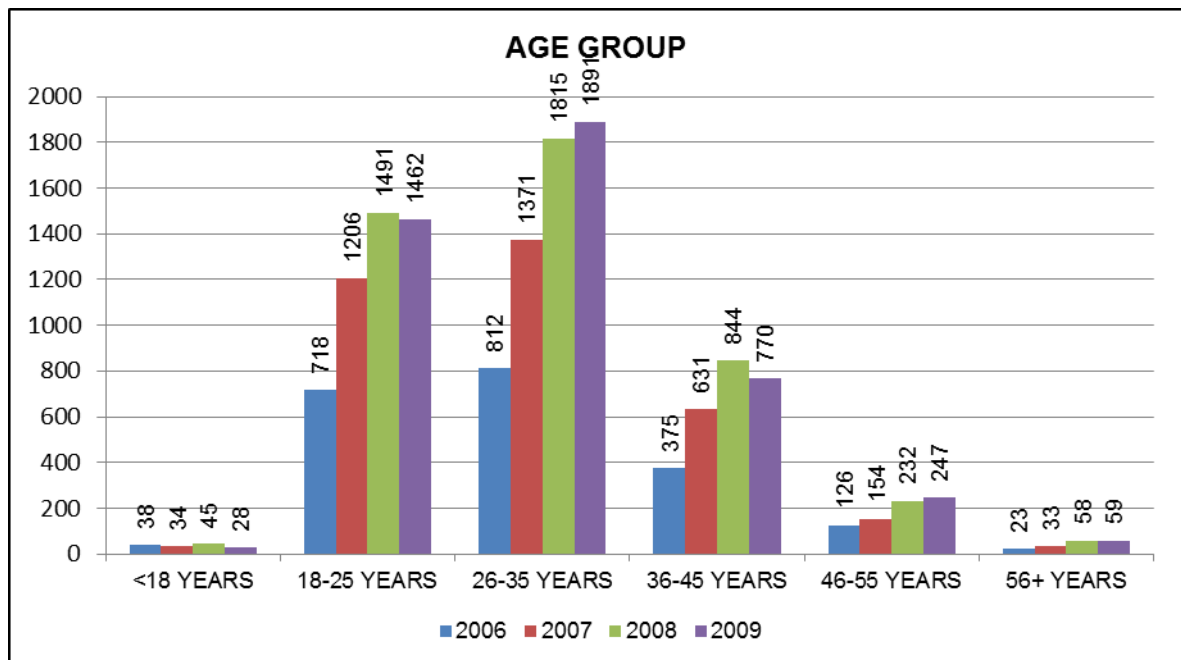


Table 11 and Graph 4 indicate that most of the offenders sentenced for parole violations were more likely to be between the ages of 26 and 35 years old, followed by the age group 18 to 25 year olds. Young parolees between the ages of 18 and 35 years old pose the greatest risk with regard to all types of violations (Grattet et al., 2008:13).

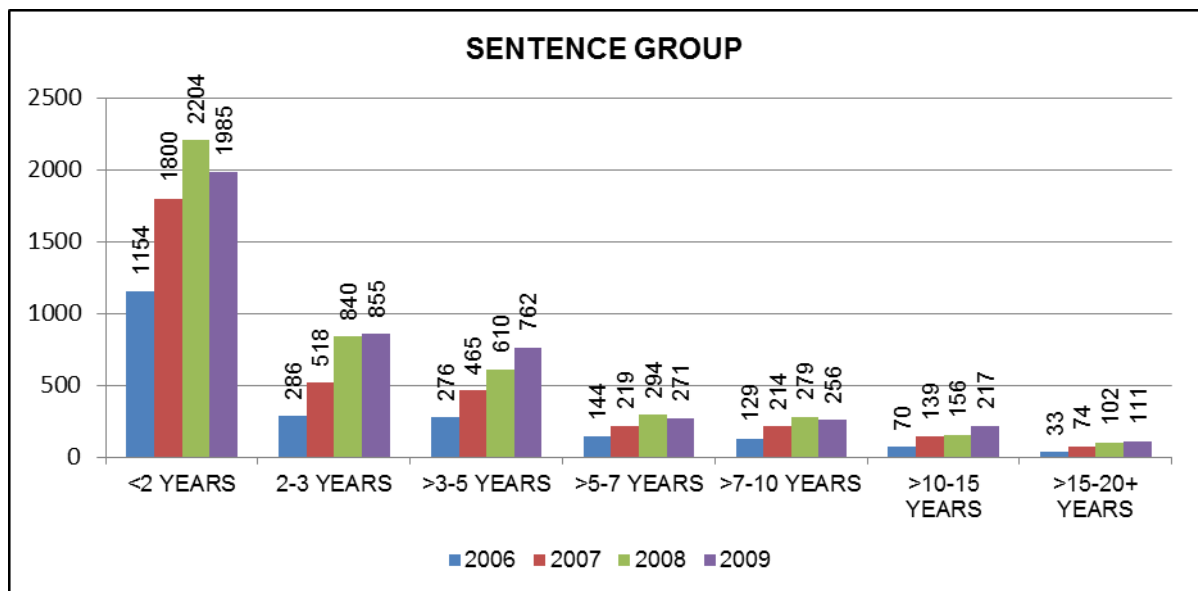
4.4.3 Sentence Groups

Officials of the Department of Correctional Services use the *Admission and Release System* to capture the kinds of sentences that offenders are given (as reflected on the warrant for arrest and detention of offenders). The data is then categorised according to different sentence groups as shown in Table 12 and Graph 5 below.

Table 12 Profiling South African parole violators per sentence group

| Sentence Group | 2006 | 2007 | 2008 | 2009 | Total |
|----------------|-------------|-------------|-------------|-------------|---------------|
| <2 years | 1154 | 1800 | 2204 | 1985 | 7143 |
| 2-3 years | 286 | 518 | 840 | 855 | 2499 |
| >3-5 years | 276 | 465 | 610 | 762 | 2113 |
| >5-7 years | 144 | 219 | 294 | 271 | 928 |
| >7-10 years | 129 | 214 | 279 | 256 | 878 |
| >10-15 years | 70 | 139 | 156 | 217 | 582 |
| >15-20+ years | 33 | 74 | 102 | 111 | 320 |
| Total | 2092 | 3429 | 4485 | 4457 | 14 463 |

Graph 5 Profiling South African parole violators per sentence group



According to the data shown in Table 12 and Graph 5, the majority of parole violators were categorised as short-term offenders during the period 2006 to 2009. These offenders were re-incarcerated for sentences of imprisonment of less than two years. A reason for the majority of offenders being short-term offenders might be that most of these parole violators committed technical violations of their parole and only had to serve the remainder of their parole periods in correctional centres.

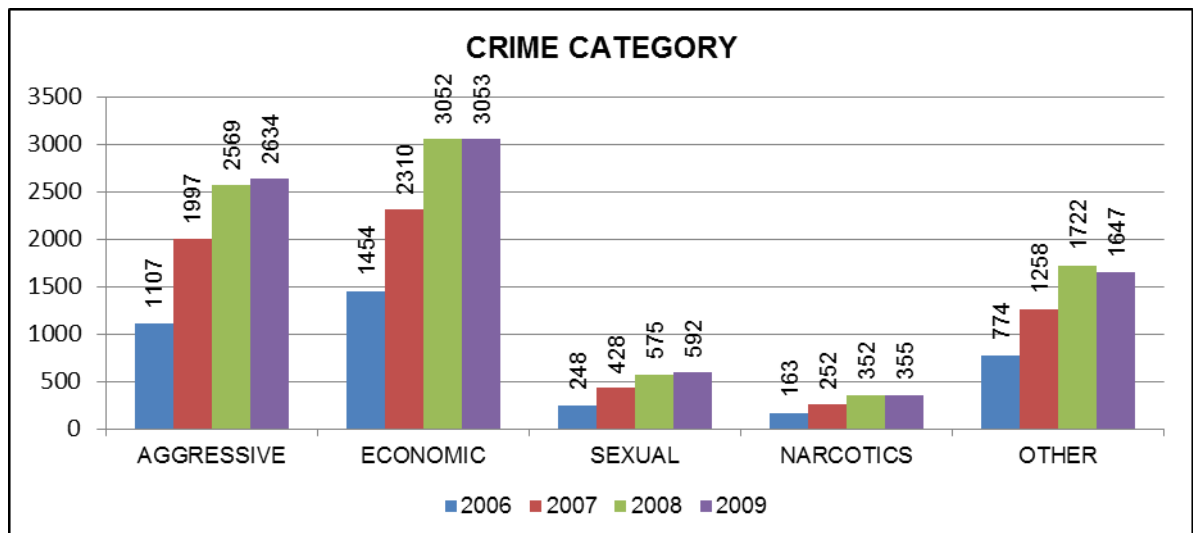
4.4.4 Crime Categories

The crime category 'other' refers to crimes that cannot specifically be categorised into the other categories. For example, crimes against family life, crimes that disrupt good order, crimes that disrupt safety, and offences committed in a correctional centre cannot be classified into any of the other categories. The data analysis according to crime category excluded absconding and technical violations of parole. Table 13 and Graph 6 below show the number of parole violators per crime category.

Table 13 Profiling South African parole violators per crime category

| Crime Category | 2006 | 2007 | 2008 | 2009 | Total |
|----------------|-------------|-------------|-------------|-------------|---------------|
| Aggressive | 1107 | 1997 | 2569 | 2634 | 8307 |
| Economic | 1454 | 2310 | 3052 | 3053 | 9869 |
| Sexual | 248 | 428 | 575 | 592 | 1843 |
| Narcotics | 163 | 252 | 352 | 355 | 1122 |
| Other | 774 | 1258 | 1722 | 1647 | 5401 |
| Total | 3746 | 6245 | 8270 | 8281 | 26 542 |

Graph 6 Profiling South African parole violators per crime category



The results shown in Table 13 and Graph 6 illustrate that, between the 2006 and 2009, economic crimes constituted the highest number of crimes committed by parole violators, followed by aggressive crimes. The total number of offenders for the crime category 'narcotics' was the lowest when compared to the results for the other crime categories for each year, which might indicate that parolees are less likely to re-offend by committing drug-related or alcohol-related crimes.

4.4.5 Absconding

Absconding is defined as fleeing, escaping, or permanently leaving the magisterial district, or as the action of changing one's residential address without permission (Jones, 2004:335). In other words, absconders avoid being monitored or the whereabouts of the monitored parolees are unknown. Absconding, as a violation of parole, was analysed separately according to region and ethnic group. The results of these analyses are shown in Table 14 and Table 15 below.

Table 14 Number of parolees who absconded per region

| Regions | 2006 | 2007 | 2008 | 2009 | Total |
|----------------------------------|-------------|-------------|-------------|-------------|--------------|
| Gauteng | 5 | 10 | 9 | 7 | 31 |
| KwaZulu Natal | 0 | 1 | 1 | 2 | 4 |
| Limpopo, Mpumalanga & North west | 2 | 14 | 12 | 13 | 41 |
| Northern Cape & Free State | 4 | 6 | 11 | 16 | 37 |
| Eastern Cape | 4 | 4 | 8 | 0 | 16 |
| Western Cape | 38 | 56 | 177 | 134 | 405 |
| Total | 53 | 91 | 218 | 172 | 534 |

Table 15 Number of parolees who absconded per ethnic group

| Ethnic group | 2006 | 2007 | 2008 | 2009 | Total |
|---------------------|-------------|-------------|-------------|-------------|--------------|
| Asian | 0 | 0 | 0 | 0 | 0 |
| African | 19 | 39 | 69 | 44 | 171 |
| Coloured | 31 | 49 | 146 | 123 | 349 |
| White | 3 | 3 | 3 | 5 | 14 |
| Total | 53 | 91 | 218 | 172 | 534 |

Table 14 indicates that absconding occurred more frequently in the Western Cape region during the period under study. According to the results shown in Table 15, more offenders from the coloured ethnic group absconded with regard to each year from 2006

to 2009 while they were on parole. This result might indicate that parolees from the coloured ethnic group are more likely to abscond from parole than any other ethnic group.

4.4.6 A Closer Analysis of the Profile of South African Parole Violators

The analysis below is derived from the discussion of the results shown in the tables and graphs above. One could argue that the profile of South African parole violators is strongly influenced by the following aspects found to be relevant during the analysis of the data:

- Most parole violators were found to be from the Western Cape region.
- It was found that the total number of parole violators increased per year during the period under study in the Western Cape region.
- Parole violators were more likely to be between the ages of 18 and 35 years old.
- The majority of parole violators were re-incarcerated with sentences of imprisonment of less than two years.
- The parolees were more likely to re-offend by committing economic crimes. These numbers are closely followed by aggressive crimes, then drug-related or alcohol-related crimes.
- Absconding was found to occur more frequently in the Western Cape region. The finding that absconding is highest among the coloured ethnic group should be viewed in the light of the various population groups that were previously localised according to ethnic classification. Therefore, a correlation can be made between the Western Cape and the data obtained regarding the coloured ethnic group. One should also consider the fact that the Western Cape region has an over-representation of the coloured population group as compared to the general population, which may strongly influence the composition of the inmate population in this region. However, further studies are necessary in this area to determine whether this statistic is significant in any way.

4.5 PAROLE REVOCATION

The term 'revocation' refers to the "formal termination of a parolee's conditional freedom and the reinstatement of imprisonment" (Cromwell & Del Carmen, 1999:241), or the "formal withdrawal of the privilege of being on parole, in which the parole board may impose further sanctions, including incarceration" (Jones, 2004:334).

Parole revocation is authorised by the Correctional Supervision and Parole Board, and, depending on the nature and severity of the violation of the parole conditions, parolees are brought back to correctional centres to serve the remainder of their sentence (Louw, 2008:100). In simple terms, parole revocation follows parole supervision if parolees violate their conditions of parole (Burke & Tonry, 2006:12).

Parole revocation is not automatic since minor violations can result in lesser sanctions being imposed on offenders. Revocation is still important for parolees to avoid because it means losing their freedom once more when they are returned to a correctional centre to serve the rest of their sentence (Cromwell, Del Carmen & Alarid, 2002:211).

4.5.1 Reasons for Parole Revocation

According to the Minnesota Department of Corrections (2009:9) and the Legislative Budget Board of the State of Texas (2011:10), parole can be revoked for the following two reasons:

- committing of a new crime; or
- violating the conditions of parole supervision (a technical violation).

A technical violation refers to an offender's failure to comply with a specific condition, including non-criminal behaviour (Burke & Tonry, 2006:12; Petersilia, 2003:87). Clear and Dammer (2003:383) argue that technical violations, such as failing to report a change of address to the Community Corrections Office, are controversial because they involve behaviour that is not criminal. In practice, parolees are returned to correctional centres only if they continuously demonstrate a pattern of non-compliance, or if they are found guilty for committing another crime. Parole revocations seldom result from a single technical violation because correctional centres are far too overcrowded to make this type of strictness a common practice (Clear & Dammer, 2003:383).

Louw (2008:138) found that the most important factors resulting in parole revocation in South Africa seemed to be poor support systems or a loss of support, and/or technical violations of parole conditions. The existing literature regarding parole revocations is quite limited, but there are some studies that examine the factors contributing to parole revocation (White, Mellow, Englander & Ruffinengo, 2010:8). Kassebaum (1999, as cited in Steen & Opsal, 2007:348) examined parole revocation patterns in Hawaii by tracking released offenders for two to three years and by identifying factors associated with parole failure. Kassebaum (1999) found that the probability of parole revocation increased for

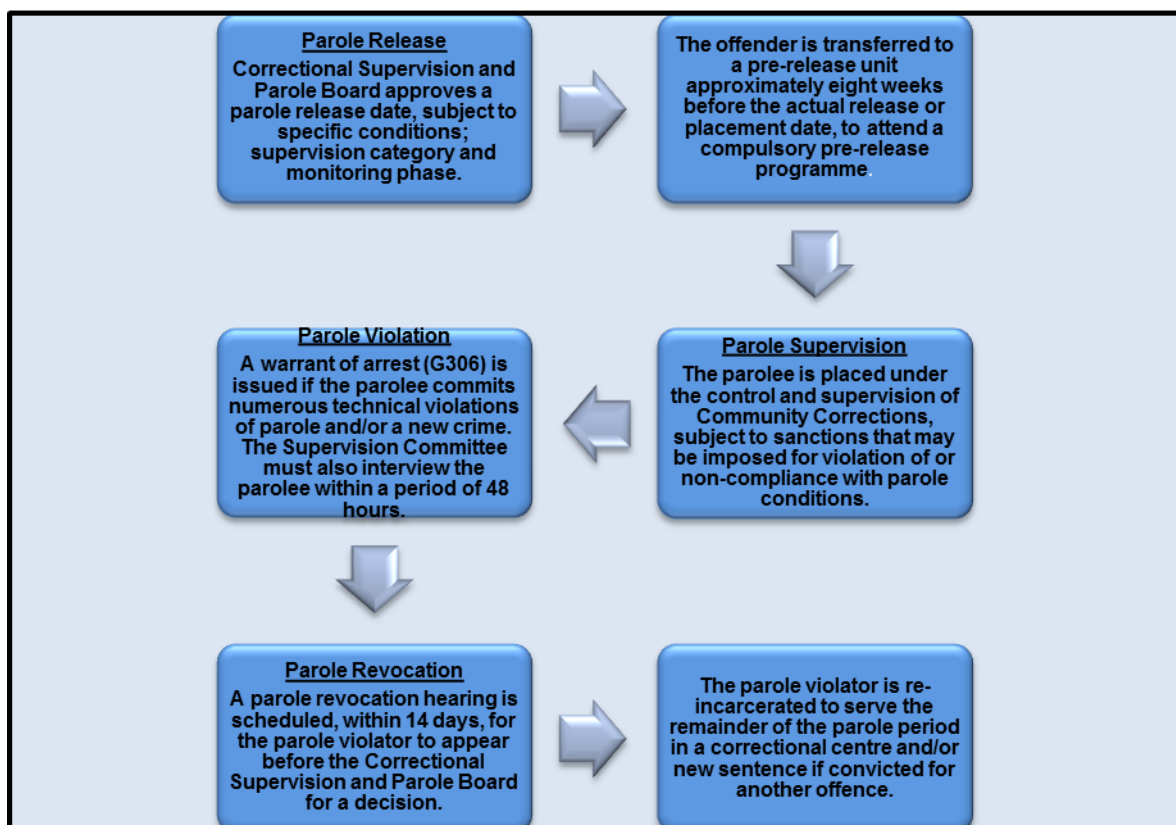
the following groups of parolees: parolees who were not released for the first time, drug users, unemployed parolees, and parolees characterised by their parole officers as unwilling to accept responsibility for personal change. In a 2001 study, Kassebaum and Davidson-Corondo (as cited in Steen & Opsal, 2007:349) found that only two factors had a significant effect on parole revocation, namely the offender's history of criminal behaviour and whether the offender had a conventional lifestyle.

4.5.2 Parole Revocation Process

The purpose of a comprehensive parole revocation hearing is to determine if the violation of an offender's conditional release is serious enough to result in revoking parole supervision (Abadinsky, 1991:230). Correctional overcrowding, the seriousness of the violation, and the recommendations of a Supervision Committee are considered factors that might influence a parole revocation decision (Champion, 1994:90).

Figure 4 below shows a summary of the parole revocation process from a South African perspective. The functions of parole release and parole supervision, as discussed in Chapter 2, precede the parole revocation process in the figure.

Figure 4 Parole revocation process



In less serious cases such as when a parolee violates their parole conditions because of a technical reason, the Supervision Committee may only reprimand a parolee after the Committee is satisfied with the proof submitted by the parolee during the interview (Department of Correctional Services, 2005a:39). Where parolees commit numerous violations of their conditions, the Supervision Committee may take one of the following steps against such parolees in consultation with the Head of Community Corrections (Department of Correctional Services, 2005a:39; Department of Correctional Services, 2009:43):

- adjusting or extending supervision conditions;
- placing suspended community service into operation or imposing community service;
- increasing house detention;
- making the attendance of additional programmes compulsory (where applicable);
or
- giving written instructions for parolees to appear before the Correctional Supervision and Parole Board.

In more serious cases (such as when a parolee repeatedly violates their parole conditions, if they are arrested for an alleged crime, or if they fail to report to the Supervision Committee), the Head of Community Corrections must issue a G306 warrant (Annexure F) within a period of 48 hours to order the detention of a parolee in a correctional centre (Department of Correctional Services, 2005a:39). In such cases, the Supervision Committee must immediately compile a comprehensive report and conduct an investigation. The report, which is attached to the G306 warrant, is provided to the Correctional Supervision and Parole Board who must then make a decision within 14 days regarding the parolee (Department of Correctional Services, 2005a:40; Department of Correctional Services, 2010:39).

The Supervision Committee may only use a period of 48 hours or less to decide whether to place parole violators back in the system of Community Corrections. After a period of 48 hours, the Correctional Supervision and Parole Board, who authorised the placement of such offenders, must decide what steps should be taken against the parole violator (Department of Correctional Services, 2009:47). The Correctional Supervision and Parole Board may make one of the following decisions (Department of Correctional Services, 2005a:40-41; Department of Correctional Services, 2009:44):

- alter the condition/s of the parolee and place them on parole again if the offender indicates in writing that they accept the amended set conditions (if the parolee does not accept the revised set conditions, they must continue to serve the remainder of the sentence in the correctional centre);
- disagree with the recommendation/s of the Supervision Committee and then place the parolee on parole again with a final written warning; or
- agree with the recommendation/s of the Supervision Committee to revoke parole supervision and for the parolee to serve the remainder of their sentence in a correctional centre until the Correctional Supervision and Parole Board considers their re-placement within a period of two years.

When an offender is instructed by the Supervision Committee to appear before the Correctional Supervision and Parole Board, the Head of Community Corrections must ensure that the relevant reintegration case or monitoring official is present during such a meeting to present the Board with information. The Board must also ensure that the offender is offered sufficient opportunity to present their case (Department of Correctional Services, 2010:95).

According to Steen and Opsal (2007:347), there are at least three theoretical reasons to expect discretion in parole revocation decisions. Firstly, parolees have fewer legal rights during revocation proceedings since the parole revocation decision is an administrative function rather than a legal decision. Secondly, parole revocation hearings are relatively invisible. In many cases, these hearings take place in correctional centres (Steen & Opsal, 2007:347). Finally, parole has become a management tool rather than a reintegration programme for offenders. Thus, revocation decisions are mostly centred on the assessment of the risk posed by a parolee to the community (Steen & Opsal, 2007:348).

4.5.3 Sanctions for Non-Compliance with Parole Conditions

A sanction refers to “any consequence or combination of consequences, listed for the respective incidents of non-compliance with conditions” (Department of Correctional Services, 2009:40). Non-compliance with the conditions imposed on a parolee is addressed in Section 70(1) of the Correctional Services Act 111 of 1998, as amended (Republic of South Africa, 1998:44):

If the National Commissioner is satisfied that a person subject to community corrections has failed to comply with any aspect of the conditions imposed on him or her, or any duty placed upon him or her in terms of any section of this Chapter, the National Commissioner –

- (a) *may, depending on the nature and seriousness of the non-compliance –*
- (i) *reprimand the person;*
 - (ii) *instruct the person to appear before the Correctional Supervision and Parole Board that is situated closest to the place of residence of such person or the Board which has jurisdiction within the area where the non-compliance took place, or other body which imposed the conditions of community corrections;*
 - (iii) *issue a warrant for the arrest of such person; and*
- (b) *must, if he or she is satisfied that the person has a valid excuse for not complying with any such condition or duty, instruct that the community corrections be resumed subject to the same conditions or duties applicable to that person.*

Table 16 below indicates the possible sanctions that a Supervision Committee may impose on a parolee for minor violations of parole conditions, whereas Table 17 refers to the possible sanctions for non-compliance and more serious violations.

Table 16 Possible sanctions for minor violations

| Type of non-compliance (violation) | Recommended action or imposed sanction | Description |
|--|--|---|
| Failing to participate in compulsory programmes | <ul style="list-style-type: none"> • Verbal warning • Written warning | Failure to attend the programme as prescribed by the Correctional Supervision and Parole Board without a valid reason |
| Failing to take up or remain in employment as a condition | <ul style="list-style-type: none"> • Written warning | Offenders terminate their employment without valid reasons |
| Refusing to be subjected to alcohol/drugs testing during monitoring | <ul style="list-style-type: none"> • Final written warning • Increased alcohol/drug testing | Failure to comply with the instruction of a reintegration case official to be subjected to breathalyser or blood or urine sample |
| Using alcohol/drugs | <ul style="list-style-type: none"> • Written warning • Increased alcohol/drug testing • Refer back to the Correctional Supervision and Parole Board | Failure to comply with the condition not to use alcohol/drugs as ordered by the Correctional Supervision and Parole Board |
| Failing to pay victim compensation | <ul style="list-style-type: none"> • Written warning • Refer back to the court | Failure to submit proof of payment |
| Failing to contribute financially to the cost of community corrections | <ul style="list-style-type: none"> • Refer back to the court or Correctional Supervision and Parole Board | Failure to contribute financially to the cost of community corrections as ordered by the court or Correctional Supervision and Parole Board |

| | | |
|---|--|---|
| Failing to report for compulsory office consultations | <ul style="list-style-type: none"> • Written warning • Final written warning • Refer to Correctional Supervision and Parole Board | Failure to report on the scheduled date as agreed |
| Failing to participate in community service | <ul style="list-style-type: none"> • Written warning • Reinstate suspended hours of community service | Failure to report at the community service institution to render community service or failure to complete community service |
| Failing to follow instructions issued by correctional officials | <ul style="list-style-type: none"> • Written warning | Offenders who deliberately disobey a lawful instruction given by correctional officials |
| Failing to be subjected to monitoring | <ul style="list-style-type: none"> • Written warning • Adjust level of supervision | Offenders avoid being monitored by correctional official/s or appointed volunteer/s |
| Failing to be subjected to searching | <ul style="list-style-type: none"> • Written warning | Offenders avoid being searched by correctional official/s or appointed volunteer/s |

Source: Adapted from *Correctional Services, 2009:40-42; Department of Correctional Services, 2010:92-95*

Table 17 Possible sanctions for major violations

| Type of non-compliance (violation) | Recommended action or imposed sanction | Description |
|---|--|--|
| Committing new offences or crimes | <ul style="list-style-type: none"> • Recommend parole revocation to Correctional Supervision and Parole Board or Head of Correctional Centre | Found guilty of having committed a criminal offence whilst under the system of Community Corrections |
| Failing to reside at approved residential address | <ul style="list-style-type: none"> • Final written warning • Recommend parole revocation to Correctional Supervision and Parole Board or Head of Correctional Centre | Offender changes address without informing the Head of Community Corrections |
| Denying access to residence and searches | <ul style="list-style-type: none"> • Recommend parole revocation to Correctional Supervision and Parole Board or Head of Correctional Centre | Offenders who fail to give access to their residence for purposes of effective monitoring or resistance to searching of premises |
| Absconding from parole supervision | <ul style="list-style-type: none"> • Recommend parole revocation to Correctional Supervision and Parole Board or Head of Correctional Centre • Provisionally revoke parole subject to the decision of the Correctional Supervision and Parole Board or Head of Correctional Centre | Any offender who absconds and thereby avoids being monitored |
| Failing to disclose status as a sex offender | <ul style="list-style-type: none"> • Recommend parole revocation to Correctional Supervision and Parole Board or Head of Correctional Centre | Any sex offender who fails to disclose their status as a sex offender upon admission at the Community Corrections Office |
| Making contact with a particular person or persons without approval | <ul style="list-style-type: none"> • Recommend parole revocation to Correctional Supervision and Parole Board or Head of Correctional Centre • Provisionally revoke parole subject to the decision of the Correctional Supervision and Parole Board or Head of Correctional Centre | Offenders who fail to observe a condition imposed by the Correctional Supervision and Parole Board or Head of Correctional Centre to refrain from making contact with a particular person/s without approval |

| | | |
|--|---|--|
| Threatening a particular person or persons by word or action | <ul style="list-style-type: none"> • Final written warning • Recommend parole revocation to Correctional Supervision and Parole Board or Head of Correctional Centre • Provisionally revoke parole subject to the decision of the Correctional Supervision and Parole Board or Head of Correctional Centre | Offenders who fail to observe a condition imposed by the Correctional Supervision and Parole Board or Head of Correctional Centre by making threats to a particular person by word or action |
| Leaving magisterial district/s without permission | <ul style="list-style-type: none"> • Recommend parole revocation to Correctional Supervision and Parole Board or Head of Correctional Centre • Provisionally revoke parole subject to the decision of the Correctional Supervision and Parole Board or Head of Correctional Centre | Offenders who leave magisterial districts without permission or without notifying the Head of Community Corrections of their whereabouts |
| Resisting arrest by authorised official | <ul style="list-style-type: none"> • Recommend parole revocation to Correctional Supervision and Parole Board or Head of Correctional Centre • Provisionally revoke parole subject to the decision of the Correctional Supervision and Parole Board or Head of Correctional Centre | Offenders who resist to be arrested by an authorised official for failing to comply with set conditions |

Source: Adapted from Correctional Services, 2009:40-42; Department of Correctional Services, 2010:92-95

In practice, one finds a considerable amount of inconsistency with regard to the handling of violations. For example, one offender may have a record of numerous technical violations, and they may still be on parole. However, the parole of another offender may be revoked after a minor technical violation. When imposing sanctions for violations of parole conditions, there is a need to maintain a certain amount of consistency and fairness to ensure the credibility of Community Corrections (Burke, 1997:3-4).

4.6 CONCLUSION

A large percentage of offenders fail while on parole and return to custody as a result of parole violations and revocations (Burke & Tonry, 2006:7). According to Madikane (2011:29),

Ultimately offenders will have to choose between pursuing the rockier path that leads to real reintegration and becoming a productive, law abiding citizen, or living a life of luxury built on the foundations of crime with sound prospects of eventually returning to prison.

The rate of parole revocation has also generated controversy. Too many parole revocations lead to correctional centre overcrowding, while too few revocations lead to

concerns about community safety. A balance must thus be achieved between reintegrating offenders into society and protecting the public (Cromwell *et al.*, 2002:226).

Thus, an important first step in shaping policy with regard to improving community safety is to develop a thorough understanding of the characteristics of recidivists and their reintegration challenges (Keegan & Solomon, 2004:2). It is critical for recidivism research to understand the types of offenders who are more likely to violate their parole conditions and to have their parole revoked.

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CHAPTER 5

ANALYSIS AND DISCUSSION OF QUANTITATIVE DATA

5.1 INTRODUCTION

During the first phase of the two-phase sequential mixed methods research study, the researcher used self-administered questionnaires (Annexure C) as a quantitative data collection method. The respondents required for the quantitative phase of the study were selected by means of probability sampling by making use of the stratified sampling method.

A representative sample of 111 respondents was selected from a population of 1 111 adult male parole violators from the Gauteng region. The questionnaires were administered per correctional centre and ethnic group during August to September 2010. The population consisted of the following ethnic groups: Asian (8), African (960), coloured (73), and white (70). A simple random sample of 10% was then drawn from each ethnic group. Only 103 respondents from the selected correctional centres completed the questionnaires (see 1.5.3.1, Table 5). Thus, the missing value for completed questionnaires by the sample was eight (one questionnaire from the coloured ethnic group and seven questionnaires from the African ethnic group remained incomplete).

The final questionnaire consisted of the following four sections:

- Section A: General information;
- Section B: Life inside a correctional centre (before parole);
- Section C: Life after incarceration (on parole); and
- Section D: Return to a correctional centre (parole revocation).

Before administering the questionnaires to the respondents, the researcher handed an informed consent form (Annexure A) to each respondent. This form explained the study's purpose, procedures, and risks, as well as the participants' rights. The respondents then indicated their willingness to participate in the study by signing a copy of the document. A covering letter (Annexure B) to explain the purpose and procedures of the study was also attached to the questionnaire.

The respondents understood that their participation in the study was voluntary. The researcher further assured the respondents that the information they provided would be kept confidential and that they would remain anonymous at all times.

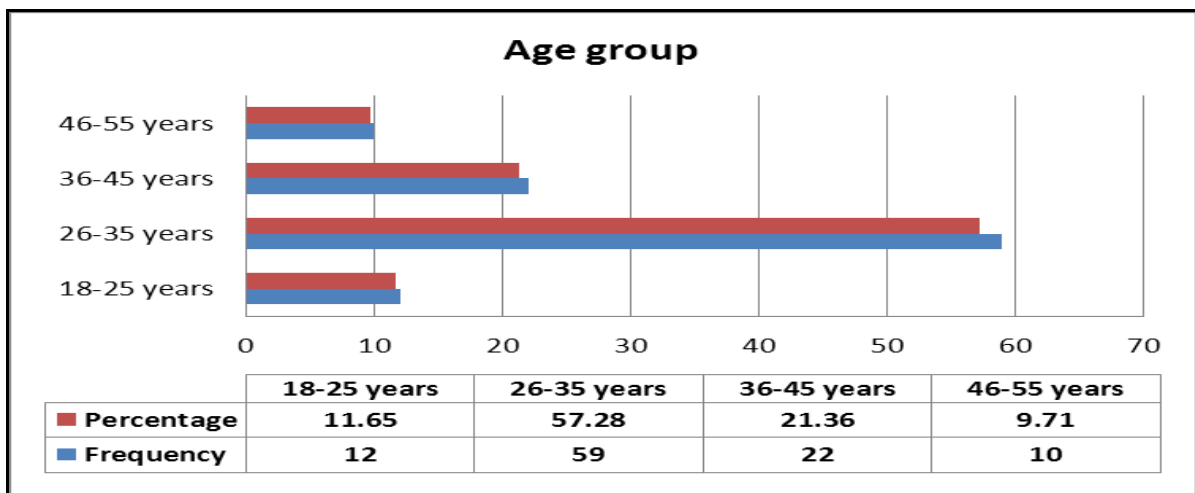
A coding scheme was incorporated into the questionnaire to enable the researcher to enter the codes directly from the questionnaire into a Microsoft Excel (2010) spreadsheet. The spreadsheet consisted of columns that contained the question responses. Each respondent corresponded to a certain row. The cell where each column and row met represented the specific response that the respondent gave for a particular question or item.

A statistical technique called descriptive statistical analysis was used to analyse the data collected from the 103 completed questionnaires. The data was analysed by means of frequencies (frequency tables and graphs) to describe one variable and cross tabulations (contingency tables) to show bivariate quantitative data.

5.2 GENERAL INFORMATION: SECTION A

Section A of the self-administered questionnaire provided the researcher with a description of the sample and background or general information regarding the parole violators. The various age groups that were applicable to the respondents are shown in Graph 7 below.

Graph 7 Age groups of respondents



According to the data shown in Graph 7, more than half ($n=59$) or 57.28% of the male parole violators in the sample were between the ages of 26 and 35 years old. A random

sample was drawn from each ethnic group as mentioned above. The respondents completed only 103 questionnaires. Table 18 shows the total number of respondents who completed the questionnaires. The information shown below is arranged according to ethnic group.

Table 18 Number of respondents who completed the questionnaires according to ethnic group

| Ethnic group | Frequency | Percentage | Cumulative frequency | Cumulative percentage |
|---------------------|------------------|-------------------|-----------------------------|------------------------------|
| Asian | 1 | 0.97 | 1 | 0.97 |
| African | 89 | 86.40 | 90 | 87.37 |
| Coloured | 6 | 5.83 | 96 | 93.20 |
| White | 7 | 6.80 | 103 | 100.00 |

In Table 18, the sample is described according to the various ethnic groups. The table shows that one Asian respondent (0.97%), 89 African respondents (86.40%), six coloured respondents (5.83%), and seven white respondents (6.80%) completed the questionnaires.

Findings from a recidivism study conducted by Hetz-Burrell and English (2006) in the United States showed that single offenders were more likely to re-offend than married offenders within 24 months after their release from Community Corrections in Colorado. Furthermore, the study found that the offenders with higher education levels had lower recidivism rates (Hetz-Burrell & English, 2006:40). The findings regarding the marital status of the respondents with regard to the current study are reflected in Table 19 below.

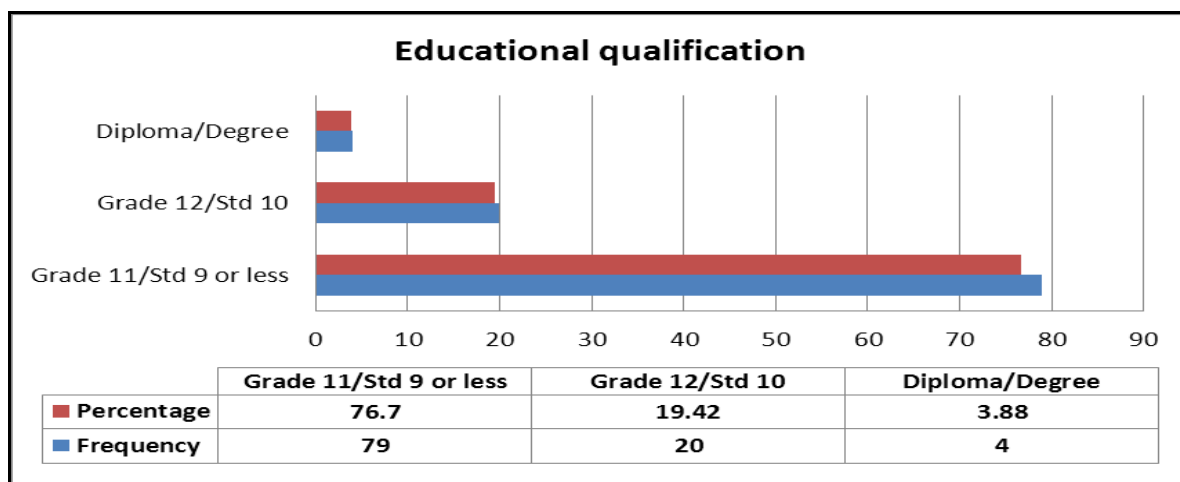
Table 19 Marital status of respondents

| Marital status | Frequency | Percentage | Cumulative frequency | Cumulative percentage |
|-----------------------|------------------|-------------------|-----------------------------|------------------------------|
| Single | 91 | 88.35 | 91 | 88.35 |
| Married | 8 | 7.77 | 99 | 96.12 |
| Divorced | 2 | 1.94 | 101 | 98.06 |
| Widowed | 2 | 1.94 | 103 | 100.00 |

Table 19 indicates that the majority of the respondents at 88.35% (n=91) were single. The researcher postulates that single offenders are more likely to violate their parole conditions as shown by the results reported above. Future correlation research in South Africa is necessary to establish a relationship between marital status and criminality among offenders.

The level of qualification of each respondent is displayed in Graph 8 below. The respondents were asked the following question to establish their education levels: “What is your highest educational qualification?”

Graph 8 Educational qualifications of respondents



Graph 8 shows that a percentage of 76.70% (n=79) had low educational qualifications of Grade 11 or less, and only 3.88% (n=4) of the respondents indicated that they had completed a diploma or degree. As previously discussed, offenders with limited education are more likely to re-offend and tend to violate their parole conditions more frequently.

Findings from a study conducted in Ireland indicated higher recidivism rates among the following groups of offenders: males, younger persons, offenders with less formal education, unemployed offenders, and illiterate offenders (O’Donnell, Baumer & Hughes, 2008:134). Research has also shown that offenders who have lower levels of educational skills are less employable and more likely to be re-incarcerated (Przybylski, 2008:38). The results of the respondents’ responses to the following question are presented in Table 20: “How would you describe your residential area/home address?”

Table 20 Respondents’ residential area descriptions

| Residential area | Frequency | Percentage | Cumulative frequency | Cumulative percentage |
|-------------------------|-----------|------------|----------------------|-----------------------|
| Rural (Country/Village) | 3 | 2.91 | 3 | 2.91 |
| Township | 79 | 76.70 | 82 | 79.61 |
| Informal settlement | 5 | 4.85 | 87 | 84.47 |
| Urban (City/Town) | 16 | 15.53 | 103 | 100.00 |

According to the data shown in Table 20, a high percentage 76.70% (n=79) of the male offender sample indicated that they lived in townships. In South Africa, the term 'township' (or 'location' as they were called previously) typically refers to urban living areas that were reserved for non-white population groups from the late 19th century until the end of apartheid (Department of Co-operative Governance and Traditional Affairs, 2009:6). Townships are usually built on the outskirts of most towns and cities and are characterised by small, poor quality houses, with a number of large informal settlements nearby (Department of Co-operative Governance and Traditional Affairs, 2009:13). Informal settlements (or 'squatter camps' as they are called in South Africa) are illegal or unauthorised clusters of shacks made from plywood, corrugated metal, sheets of plastic, and cardboard boxes. These settlements, unlike the urban areas, often do not have proper sanitation, water supply, or electricity available (Srinivas, s.a.).

Table 21 refers to the respondents' responses when they were asked to describe their relationships with their parent/s or parental figure/s, family members, and friends.

Table 21 Relationship descriptions given by the respondents

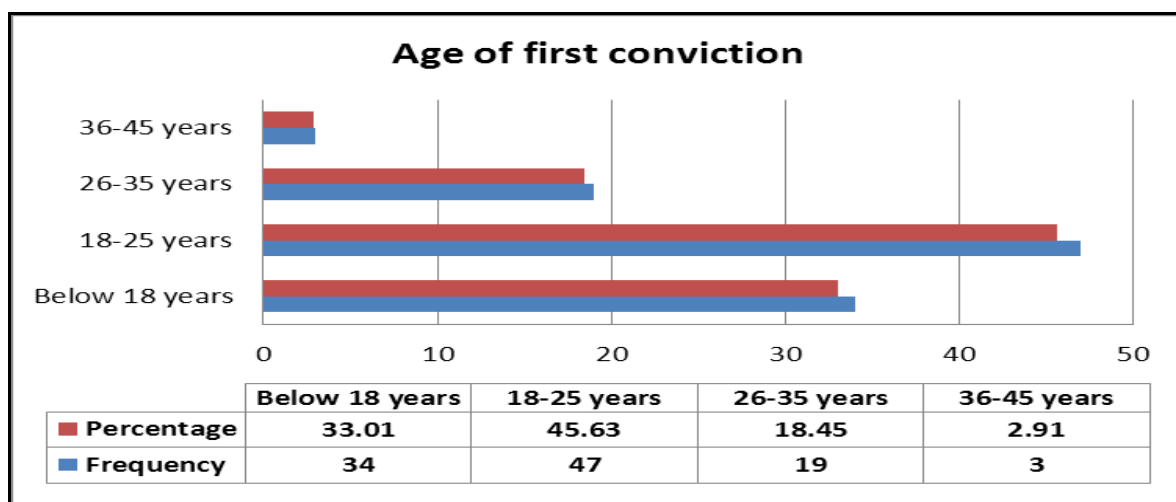
| Relationships | | | | | | |
|---------------|-------------|-------------|-------------|-------------|-------------|------------|
| Variable | Poor | Fair | Average | Good | Excellent | Total |
| Parent/s | 16 15.53 | 7 6.80 | 12 11.65 | 37 35.92 | 31 30.10 | 103 |
| Family | 17 16.50 | 10 9.71 | 13 12.62 | 46 44.66 | 17 16.50 | 103 |
| Friend/s | 27 26.21 | 21 20.39 | 10 9.71 | 35 33.98 | 10 9.71 | 103 |
| Total | 60 | 38 | 35 | 118 | 58 | 309 |

Most of the respondents indicated that their relationships were 'good' to 'excellent'; however, the results shown in Table 21 also reveal that the respondents collectively had fairly poor relationships with their parent/s, family, and friends. These poor relationships might be a factor contributing to parole violations.

A finding highlighted by Payne (2007:xiii) in a report on recidivism in Australia was that the probability of an offender re-offending was the highest for young offenders between the ages of 17 and 21 years old. Grattet, Petersilia and Lin (2008:13) also found that young parolees between the ages of 18 and 30 years old posed the greatest risk with regard to all types of violations.

Graph 9 below presents the group's responses to the following question: "How old were you when you were first convicted of a crime?"

Graph 9 Age of first conviction



The results seen in Graph 9 show that almost 46% (n=47) of the respondents were between the ages of 18 and 25 years old, and 33% (n=34) of the respondents were below the age of 18 years old when they were first convicted of a crime. The results show that offenders might be involved in criminal behaviour at a young age.

The respondents had to rate their knowledge regarding the use of technology such as computers, cell phones, and auto banks. The relevance of this information is that it can be used to determine the respondents' degree of knowledge or abilities in terms of making use of technology in their daily routines. Table 22 below represents the responses regarding the respondents' knowledge of technology.

Table 22 Respondents' knowledge of technology

| Knowledge of technology | | | | | | |
|-------------------------|-------------|-------------|-------------|-------------|-------------|------------|
| Variable | Don't know | Poor | Average | Good | Excellent | Total |
| Computer | 41 39.81 | 16 15.53 | 23 22.33 | 18 17.48 | 5 4.85 | 103 |
| Cell phone | 8 7.77 | 3 2.91 | 18 17.48 | 46 44.66 | 28 27.18 | 103 |
| ATM | 25 24.27 | 5 4.85 | 7 6.81 | 39 37.86 | 27 26.21 | 103 |
| Total | 74 | 24 | 48 | 103 | 60 | 309 |

According to the data shown in Table 22, most of the respondents knew how to use cell phones. It was found that a relatively high percentage of 39.81% (n=41) did not know how

to use computers, and another 15.53% of the respondents (n=16) rated their knowledge of using computers as 'poor'.

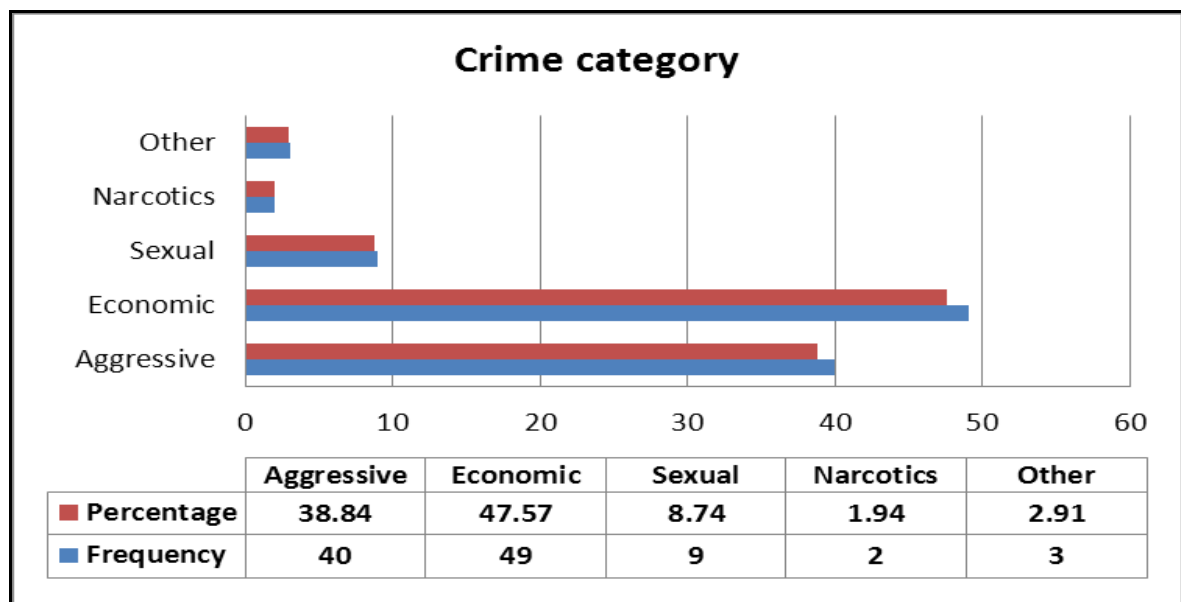
5.3 QUESTIONS RELATING TO SECTION B: LIFE INSIDE A CORRECTIONAL CENTRE (BEFORE PAROLE)

The data analysed from Section B of the self-administered questionnaires provided the researcher with information on the respondents' life experiences inside a correctional centre before parole placement (pre-release/sentence period).

5.3.1 Categories of Crimes Committed

The sample of parole violators had to indicate which crime category they were originally sentenced for before they were placed on parole. Their responses are shown in Graph 10 below.

Graph 10 Categories of crimes committed



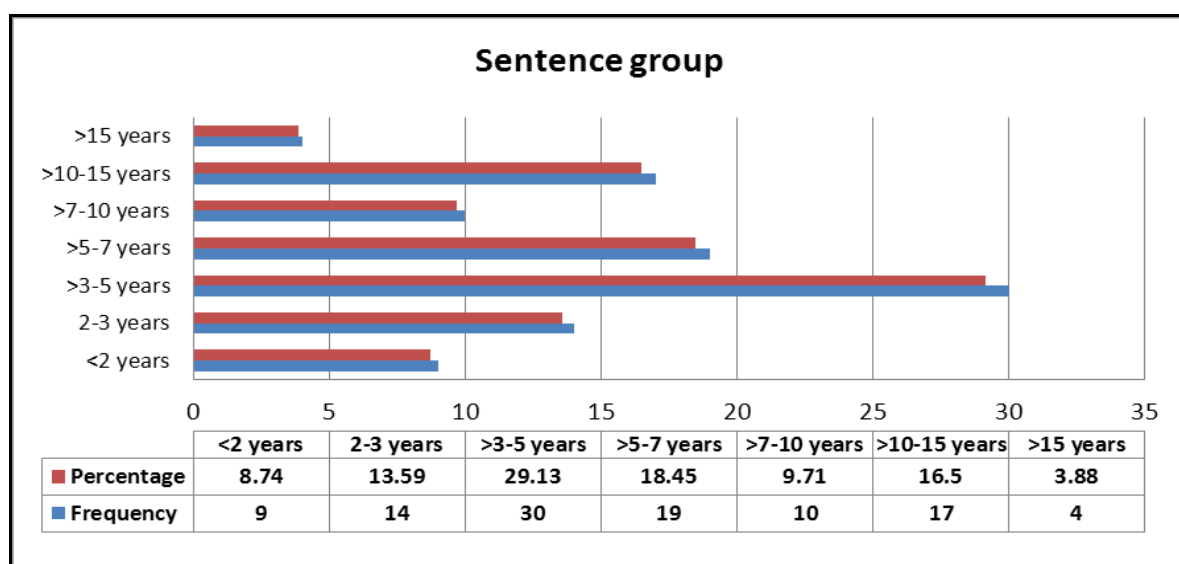
The results shown in Graph 10 indicate that number of economic crimes (47.57%, n=49), followed by the number of aggressive crimes (38.84%, n=40) were the highest with regard to the respondents' original offences. The crime category 'narcotics' had the lowest percentage of responses at only 1.94% (n=2). The crime category 'other' consisted of 2.91% of the respondents. This crime category refers to crimes that cannot be specifically

categorised into the other categories. Such crimes include crimes against family life, good order, safety, and offences committed in a correctional centre.

5.3.2 Length of Sentence

The respondents were asked the following question: “What was the length of your sentence before parole placement?” The results with regard to this question are presented in Graph 11 below.

Graph 11 Length of sentence



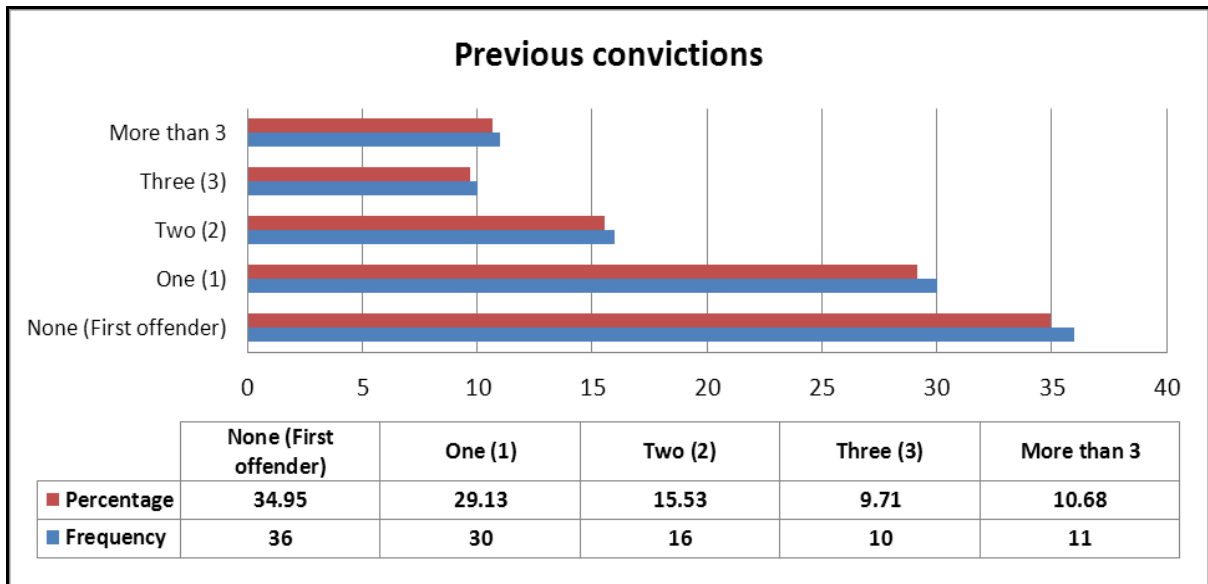
According to the data shown in Graph 11, 29.13% (n=30) of the respondents were previously sentenced to incarceration for a period of more than three to five years, followed by 18.45% (n=19) of the respondents who were sentenced to incarceration for more than five to seven years.

5.3.3 Previous Convictions

In 2000, correctional statistics regarding re-offending in England and Wales showed that the probability of re-conviction increases with the number of previous convictions (Social Exclusion Unit, 2002:14). Most offenders who return to correctional centres have extensive criminal histories (Justice Policy Center, 2006:16). Another finding highlighted by Payne (2007:xi) in a report on recidivism in Australia was that nearly two in every three offenders had been previously incarcerated.

In a study on parole violations and revocation in California, the researchers found that the single largest predictor of parole violations was the number of prior incarcerations of an offender as an adult (Grattet, Petersilia & Lin, 2008:72). Another question posed to the respondents was the following: “How many previous convictions do you have?” The results of their responses are reflected in Graph 12 below.

Graph 12 Previous convictions



Graph 12 indicates that 34.95% (n=36) of the respondents had no previous convictions or were first-time offenders. However, an aggregated percentage of 65.05% (n=67) of the respondents had one or more previous convictions. According to the researcher, previous convictions or prior criminal history might be one of the strongest risk factors to use to predict re-offending.

5.3.4 Monthly Visits

Recidivism rates are reduced when offenders are able to stay connected with their families through letters, phone calls, and personal visits during their incarceration period (Hairston, 1988:51). Table 23 refers to respondents’ answers regarding the following question: “How many visits per month did you receive from your family and friends while incarcerated?”

Table 23 : Monthly visits from family and friends received by the respondents while incarcerated

| Visits | Frequency | Percentage | Cumulative frequency | Cumulative percentage |
|-------------|-----------|------------|----------------------|-----------------------|
| None | 18 | 17.48 | 18 | 17.48 |
| One (1) | 33 | 32.04 | 51 | 49.52 |
| Two (2) | 24 | 23.30 | 75 | 72.82 |
| Three (3) | 12 | 11.65 | 87 | 84.47 |
| Four (4) | 5 | 4.85 | 92 | 89.32 |
| More than 4 | 11 | 10.68 | 103 | 100.00 |

According to the data shown in Table 23, only 17.48% (n=18) of the respondents indicated that they did not receive any visits per month during incarceration. The results further revealed that, although most of the respondents kept contact with their families and friends through monthly visits, they still failed while on parole. Further investigations are necessary to determine if maintaining family connections through monthly visits reduces recidivism in a South African context.

5.3.5 Services and Rehabilitation Programmes

Substance abuse treatment, educational programmes, and employment services that are made available to incarcerated and released offenders are most frequently cited as the key to reducing recidivism (McKean & Ransford, 2004:4). Furthermore, such treatment, care, and development programmes that aim to assist offenders in their rehabilitation process or path can be identified as the following types of programmes: educational, skills training, social work, psychological, and spiritual or religious programmes (Cilliers & Smit, 2007:87).

Treatment, development, and support services provided by the Department of Correctional Services are addressed in Section 41 of the Correctional Services Act 111 of 1998, as amended (Republic of South Africa, 1998:32-33):

- (1) *The Department must provide or give access to as full a range of programmes and activities, including needs-based programmes, as is practicable to meet the educational and training needs of sentenced offenders.*
- (2)(a) *Sentenced offenders who are illiterate or children must be compelled to take part in the educational programmes offered in terms of subsection (1).*

- (b) *Such programmes may be prescribed by regulation.*
- (3) *The Department must provide social and psychological services in order to develop and support sentenced offenders by promoting their social functioning and mental health.*
- (4) *The Department must provide as far as practicable other development and support programmes which meet specific needs of sentenced offenders.*

Section 40(1) of the Correctional Services Act 111 of 1998, as amended (Republic of South Africa, 1998:32) further states on labour for sentenced offenders that:

- (a) *Sufficient work must as far as is practicable be provided to keep sentenced offenders active for a normal working day and a sentenced offender may be compelled to do such work.*
- (b) *Such work must as far as is practicable be aimed at providing such offenders with skills in order to be gainfully employed in society on release.*

An important strategic goal of the Department of Correctional Services is to “provide offenders with needs-based programmes and interventions to facilitate social reintegration” (Mchuchu-Ratshidi, 2012:3).

5.3.5.1 Availability of Services

Post-sentence factors such as reports by workplace supervisor/s, social worker/s, psychologist/s, educationist/s, religious worker/s, and healthcare worker/s are taken into account when an offender is considered for possible parole placement by a Correctional Supervision and Parole Board (Louw, 2008:72-73, 98) (see 2.5.1.3).

According to Kalideen (2006:1), many offenders are placed on parole without seeing a psychologist or social worker because of the critical shortage of staff and the lack of available rehabilitation processes. Dissel (2012:48) also reports a serious shortage of social workers and psychologists within the Department of Correctional Services. The lack of vocational personnel affects the abilities of Correctional Supervision and Parole Boards to consider the various aspects of individual cases. This fact, ultimately, is a direct violation of the Department of Correctional Services’ own requirements for an offender to be placed on parole. The respondents were asked the following question: “How often were the following services available in correctional centres?” Their responses are presented in Table 24 below.

Table 24 Availability of services

| Availability of services | | | | |
|---------------------------------|--------------|------------------|---------------|--------------|
| Variable | Never | Sometimes | Always | Total |
| Social work | 32 31.07 | 38 36.89 | 33 32.04 | 103 |
| Spiritual care | 23 22.33 | 30 29.13 | 50 48.54 | 103 |
| Educational | 34 33.01 | 31 30.10 | 38 36.89 | 103 |
| Psychological | 68 66.02 | 21 20.39 | 14 13.59 | 103 |
| Health care | 16 15.53 | 46 44.66 | 41 39.81 | 103 |
| Labour/work | 39 37.86 | 23 22.33 | 41 39.81 | 103 |
| Total | 212 | 189 | 217 | 618 |

The respondents indicated, as seen in Table 24, that services such as spiritual and healthcare services were available to them most of the time, while mixed results were found with regard to services concerning labour. The results further confirmed the lack of psychological and social work services available to offenders. The lack of these services may eventually have an impact on the parole decision-making process.

5.3.5.2 Correctional Programmes

Correctional programmes are needs-based programmes aimed at addressing and correcting offending behaviour (Department of Correctional Services, s.a:8). Table 25 below represents the correctional programmes that were available to the respondents while they were incarcerated.

Table 25 Correctional programmes available to the respondents while incarcerated

| Correctional programmes | | | |
|--------------------------------|-------------|-------------|--------------|
| Variable | Yes | No | Total |
| Anger management | 60 58.25 | 43 41.75 | 103 |
| Sexual offenders programme | 30 29.13 | 73 70.87 | 103 |
| Substance abuse | 42 40.78 | 61 59.22 | 103 |
| Life skills | 84 81.55 | 19 18.45 | 103 |
| Restorative justice | 15 14.56 | 88 85.44 | 103 |
| Other | 33 32.04 | 70 67.96 | 103 |
| Total | 264 | 354 | 618 |

The total number of 'yes' responses, as shown in Table 25, indicate which of the correctional programmes were completed by the respondents. The combined number of 'no' responses show that more offenders did not participate in correctional programmes to address their specific needs than those who did. The majority of the parole violators (n=84) completed a life skills programme while they were incarcerated. The second largest number of offenders attended an anger management programme (n=60), while only 14.56% of the respondents attended a restorative justice programme. It was found that 40.78% of the respondents completed a substance abuse programme.

Substance abuse among offenders presents significant challenges to the reintegration process. Substance abuse treatment in correctional centres has been shown to reduce drug use and criminal activity, especially when coupled with aftercare treatment in the community (Travis, Solomon & Waul, 2001:25). Therefore, the researcher feels that it is important for more offenders to participate in substance abuse programmes.

5.3.5.3 Skills Training or Development Programmes

According to the White Paper on Corrections (Department of Correctional Services, 2005b:75), one of the key objectives of the correctional system is the "enhancement of the productive capacity of offenders". For this reason, the Department of Correctional Services is responsible for ensuring that offenders are properly trained with regard to market-related skills.

Ms Padayachee (2011) from the National Institute for Crime Prevention and the Reintegration of Offenders (NICRO) stated that the total number of eligible offenders who participated in skills development programmes showed a minimal increase of 237 (0.18%) between 2011 and 2013, and 244 (0.33%) between 2013 and 2015. Furthermore, "skills development is a significant indicator in the successful reintegration of offenders" (Padayachee, 2011:5).

Table 26 below depicts the number of respondents that successfully attended skills training or development programmes. The total number of 'yes' responses, as seen in Table 26, indicate which of the skills training or development programmes were completed by the respondents.

Table 26 Skills training or development programmes completed by the respondents

| Skills training- or development programmes | | | |
|---|-------------|-------------|--------------|
| Variable | Yes | No | Total |
| Woodwork/carpentry | 25 24.27 | 78 75.73 | 103 |
| Welding | 13 12.62 | 90 87.38 | 103 |
| Plumbing | 12 11.65 | 91 88.35 | 103 |
| Electrical | 11 10.68 | 92 89.32 | 103 |
| Bricklaying | 16 15.53 | 87 84.47 | 103 |
| Tiling | 10 9.71 | 93 90.29 | 103 |
| Painting | 21 20.39 | 82 76.61 | 103 |
| Other | 15 14.56 | 88 85.44 | 103 |
| Total | 123 | 701 | 824 |

According to the data represented in Table 26, most of the respondents or parole violators did not successfully attend skills training or development programmes while they were incarcerated in correctional centres. The combined number of 'no' responses show that the Department of Correctional Services has failed to provide market-related work skills to offenders. Parole success can only be achieved when sentenced offenders develop a good work ethic and when they acquire skills to be employed productively in society once they are released.

5.3.5.4 Pre-Release Programme

According to Muntingh (2009:23), "Effective post-release support must start with effective release preparation to reduce the risk of re-offending and increase the potential for successful re-entry". Pre-release programmes are implemented by the Department of Correctional Services to ensure that offenders are mentally and socially prepared for release into the community, thereby reducing the offenders' chances of re-offending (Dissel, 2012:33; Mchuchu-Ratshidi, 2012:3).

Section 45(1) of the Correctional Services Act 111 of 1998, as amended clearly states that a sentenced offender must be prepared for placement, release, and reintegration into society by the offender's participation in a pre-release programme (Republic of South

Africa, 1998:35). The responses to the following question are shown in Table 27: “Did you successfully participate in a pre-release programme before parole placement?”

Table 27 Pre-release programme participation by respondents

| Pre-release programme | Frequency | Percentage | Cumulative frequency | Cumulative percentage |
|-----------------------|-----------|------------|----------------------|-----------------------|
| Yes | 74 | 71.84 | 74 | 71.84 |
| No | 29 | 28.16 | 103 | 100.00 |

The results shown in Table 27 indicate that 28.16% (n=29) of the respondents did not attend a pre-release programme, while 71.84% (n=74) of the respondents successfully participated in a pre-release programme before parole placement. Although a high percentage of offenders participated in a pre-release programme to prepare them for successful parole placement and reintegration into the community, they still violated their parole conditions and were re-incarcerated.

A follow-up question was posed to the respondents who indicated that they had participated in a pre-release programme. These respondents had to indicate the extent to which they agreed or disagreed with the statement that the pre-release programme prepared them for parole placement and reintegration into society.

Table 28 Respondents’ opinions regarding pre-release programmes in preparing them for reintegration into society

| Pre-release programme | Frequency | Percentage | Cumulative frequency | Cumulative percentage |
|-----------------------|-----------|------------|----------------------|-----------------------|
| Strongly disagree | 3 | 4.05 | 3 | 4.05 |
| Disagree | 8 | 10.81 | 11 | 14.86 |
| Neutral | 14 | 18.92 | 25 | 33.78 |
| Agree | 38 | 51.35 | 63 | 85.13 |
| Strongly agree | 11 | 14.87 | 74 | 100.00 |

Table 28 shows that 51.35% (n=38) of the respondents (from the 74 respondents who completed pre-release programmes) agreed that the programme prepared them for parole placement and reintegration into society. Another 14.87% (n=11) of the respondents strongly agreed with the statement. A further 10.81% of the respondents claimed that they did not gain anything positive from the pre-release programme. These results imply that 38.97% of the respondents (28.16% shown in Table 27 and 10.81% shown in Table 28) did not benefit from the pre-release programmes.

From the above findings, one can conclude that parole success is not necessarily guaranteed when offenders successfully participate in a pre-release programme before parole placement. Furthermore, it is important for the Department of Correctional Services to re-evaluate the impact of their current pre-release programmes with regard to preparing offenders successfully for parole placement and reintegration into society.

5.3.6 Correctional Sentence Plan (CSP)

The aim of a Correctional Sentence Plan is to provide guidance to sentenced offenders from their admission to a correctional centre until their release date and full reintegration into society. The White Paper on Corrections of 2005 (Department of Correctional Services, 2005b:133) recommends that the Department of Correctional Services should develop an individualised Correctional Sentence Plan for each offender with a sentence of more than 24 months based on the following needs:

- correcting offending behaviour (corrections plan);
- incorporating security needs that take the human rights of the individual into account (security plan);
- incorporating physical and emotional health needs (care plan);
- considering education and training needs (development plan);
- considering needs regarding physical accommodation allocations (facilities plan); and
- considering needs in terms of post-release support required for the successful social reintegration of the offender (aftercare plan).

The following tables refer to the respondents' responses regarding Correctional Sentence Plans.

Table 29 Respondents' knowledge of Correctional Sentence Plans

| CSP | Frequency | Percentage | Cumulative frequency | Cumulative percentage |
|-----|-----------|------------|----------------------|-----------------------|
| Yes | 49 | 47.57 | 49 | 47.57 |
| No | 54 | 52.43 | 103 | 100.00 |

Table 30 Development of individual Correctional Sentence Plans for respondents

| Individual CSP | Frequency | Percentage | Cumulative frequency | Cumulative percentage |
|----------------|-----------|------------|----------------------|-----------------------|
| Yes | 40 | 81.63 | 40 | 81.63 |
| No | 9 | 18.37 | 49 | 100.00 |

The respondents were asked the following question: “Do you know what a Correctional Sentence Plan is?” More than half (n=54) or 52.43% of the respondents responded ‘no’ to the question, as seen in Table 29. According to the results shown in Table 30, 81.63% (n=40) of the respondents indicated in a follow-up question that an individual Correctional Sentence Plan was developed to address their risks and specific rehabilitation needs.

5.3.7 Substance (Drug) Abuse

Substance abuse is a prevailing problem among incarcerated offenders (McKean & Ransford, 2004). Furthermore, it is a common cause of recidivism and prevents offenders from finding stable employment after they are released (McKean & Ransford, 2004:4). The results of the responses to the following question are shown in Table 31: “Did you know of other inmates who abused drugs while incarcerated?”

Table 31 Respondents’ knowledge of drug abuse by other inmates

| Drug abuse by others | Frequency | Percentage | Cumulative frequency | Cumulative percentage |
|-----------------------------|------------------|-------------------|-----------------------------|------------------------------|
| Yes | 77 | 74.76 | 77 | 74.76 |
| No | 26 | 25.24 | 103 | 100.00 |

The results shown in Table 31 illustrate that 74.76% (n=77) of the sample knew of other inmates who abused drugs. This high percentage of ‘yes’ responses shown in Table 31 may be an indication of the prevailing drug problem in correctional centres.

The following question regarding drug abuse was posed to the respondents: “Did you have a drug abuse problem during your sentence period?” Their responses to this question are represented in Table 32 below.

Table 32 Number of respondents who experienced drug abuse problems during their sentence period

| Personal drug abuse | Frequency | Percentage | Cumulative frequency | Cumulative percentage |
|----------------------------|------------------|-------------------|-----------------------------|------------------------------|
| Yes | 23 | 22.33 | 23 | 22.33 |
| No | 80 | 77.67 | 103 | 100.00 |

According to the data shown in Table 32, only 22.33% (n=23) of the respondents indicated that they had a drug abuse problem while they were incarcerated. It was not possible to determine if these offenders received treatment for their drug abuse problems. Further

investigations are necessary to determine if substance abuse among incarcerated offenders causes recidivism in a South African context.

5.3.8 Parole Conditions and Supervision Phases

Table 33 below refers to the respondents' answers when they were asked the following question: "Were your parole conditions and supervision phases clearly explained to you before parole placement?"

Table 33 Respondents' opinions on whether their parole conditions and supervision phases were clearly explained to them

| Conditions and phases | Frequency | Percentage | Cumulative frequency | Cumulative percentage |
|-----------------------|-----------|------------|----------------------|-----------------------|
| Yes | 86 | 83.50 | 86 | 83.50 |
| No | 17 | 16.50 | 103 | 100.00 |

Although a high percentage of 83.50% (n=86) responded 'yes' to the question, it is a concern that 16.50% (n=17) of the respondents indicated that the conditions and phases of their parole were not clearly explained to them.

5.3.9 Material or Financial Support

When offenders leave correctional centres to return to their communities, their immediate needs (transportation, personal identification, food, clothing, and a minimal amount of money to fulfil these basic needs) are often overlooked (La Vigne, Davies, Palmer & Halberstadt, 2008:8).

Section 45(3) of the Correctional Services Act 111 of 1998, as amended (Republic of South Africa, 1998:35) stipulates vaguely that:

[a]t release, sentenced offenders must be provided with material and financial support as prescribed by regulation.

Table 34 below presents the responses to the following question: "Was any material or financial support provided prior to parole placement?"

Table 34 Material or financial support given to respondents

| Financial support | Frequency | Percentage | Cumulative frequency | Cumulative percentage |
|--------------------------|------------------|-------------------|-----------------------------|------------------------------|
| Yes | 29 | 28.16 | 29 | 28.16 |
| No | 74 | 71.84 | 103 | 100.00 |

The results shown in Table 34 indicate that 71.84% (n=74) of the respondents did not receive any material or financial assistance when they were released on parole.

5.3.10 Correctional Official as a Rehabilitator

The White Paper on Corrections (Department of Correctional Services, 2005b:112), which is a primary strategic and operational document of the Department of Correctional Services, states that “every member [official] is a rehabilitator”. The manner in which correctional officials perform their tasks with regard to the rehabilitation of offenders can positively contribute to an environment of rehabilitation and correction of offending behaviour (Department of Correctional Services, 2005b:112).

According to Mr Mathabathe, a parliamentary researcher, offenders complain that correctional officials do not treat them with respect (Parliamentary Monitoring Group, 2012). Mr Mathabathe suggests that the Department of Correctional Services needs to develop a new mind-set as the concept of rehabilitation and what is expected of officials is unclear to many such officials with regard to their role in offender rehabilitation (Parliamentary Monitoring Group, 2012). Furthermore, Mr Mathabathe also states that offenders often attend classes presented by other inmates, which is problematic as the instructors are sometimes bribed with rewards like cigarettes to mark everyone present at such classes (Parliamentary Monitoring Group, 2012).

With regard to correctional officials as rehabilitators, the respondents were asked the following question: “Do you believe that every correctional official is a rehabilitator?” Their results are presented in Table 35.

Table 35 Respondents’ answers concerning whether they believed correctional officials are rehabilitators

| Rehabilitator | Frequency | Percentage | Cumulative frequency | Cumulative percentage |
|----------------------|------------------|-------------------|-----------------------------|------------------------------|
| Yes | 37 | 35.92 | 37 | 35.92 |
| No | 66 | 64.08 | 103 | 100.00 |

The results shown in Table 35 indicate that a high percentage of 64.08% (n=66) responded 'no' to the question. Therefore, they did not believe that correctional officials could act as rehabilitators. In other words, most of the offenders in the sample had a lack of confidence in the rehabilitation capabilities of correctional officials.

5.3.11 Parole Decision Statements

The respondents had to indicate the extent to which they agreed or disagreed with particular statements regarding parole decisions. Their responses are represented in Table 36 below.

Table 36 Respondents' opinions regarding parole decision statements

| Parole decision statements | | | | | | |
|---|-------------------|-------------|-------------|-------------|----------------|------------|
| Variable | Strongly disagree | Disagree | Neutral | Agree | Strongly agree | Total |
| The participation in rehabilitation programmes is considered an important factor for parole approval. | 1 0.97 | 1 0.97 | 17 16.50 | 55 53.40 | 29 28.16 | 103 |
| Positive support systems and residential address play an important role for parole placement. | 1 0.97 | 1 0.97 | 6 5.83 | 40 38.83 | 55 53.40 | 103 |
| Parole decisions are only based on a Social Worker's report. | 8 7.77 | 21 20.39 | 16 15.53 | 38 36.89 | 20 19.42 | 103 |
| Confirmation of an employment offer increases the chances of parole placement. | 12 11.65 | 14 13.59 | 20 19.42 | 38 36.89 | 19 18.45 | 103 |
| The amount of disciplinary offences committed effects parole decisions negatively. | 7 6.80 | 16 15.53 | 17 16.50 | 39 37.86 | 24 23.30 | 103 |
| Previous convictions or parole violations are considered as a risk factor for parole placement. | 10 9.71 | 11 10.68 | 16 15.53 | 46 44.66 | 20 19.42 | 103 |
| The Parole Board is qualified to make informed and correct parole decisions. | 10 9.71 | 4 3.88 | 10 9.71 | 46 44.66 | 33 32.04 | 103 |
| Total | 49 | 68 | 102 | 302 | 200 | 721 |

As displayed in Table 36, positive results were found with regard to the subject of parole decisions. The majority of the respondents (parole violators) agreed with the statement

that participation in rehabilitation programmes is an important factor for parole approval. Furthermore, the majority of the respondents also agreed that positive support systems and one's residential address play an important role in parole placement. The respondents believed that Correctional Supervision and Parole Boards can only make a parole release decision after offenders complete certain programmes and after the offenders' residential address is positively confirmed.

The above results support the finding that offenders generally regard participation in rehabilitation programmes as a method of influencing Correctional Supervision and Parole Boards (Cilliers & Smit, 2007:99). Offenders also know that if they show a level of rehabilitation and if they learn to manipulate the system, they will have a better chance of parole placement (Clear & Dammer, 2003:387).

However, the results also revealed that some of the respondents had misconceptions concerning the parole decision-making process. Twelve (11.65%) of the respondents indicated that they strongly disagreed with the statement that the confirmation of an employment offer increases the chances of parole placement. A further 14 (13.59%) of the respondents disagreed with this statement. Furthermore, 21 respondents (20.39%) felt that previous convictions or parole violations were not considered risk factors for parole placement by Correctional Supervision and Parole Boards.

5.4 QUESTIONS RELATING TO SECTION C: LIFE AFTER INCARCERATION (ON PAROLE)

Section C of the questionnaire focused on the experiences, perceptions, opinions, and challenges of parole violators' lives while on parole (in other words, during the post-release period).

5.4.1 Purpose of Parole

The respondents had to indicate the extent to which they agreed or disagreed with statements regarding the purpose of parole. Their responses are shown in Table 37 below.

Table 37 Respondents' responses regarding the purpose of parole

| Purpose of parole | | | | | | |
|---|-------------------|-------------|-------------|-------------|----------------|------------|
| Variable | Strongly disagree | Disagree | Neutral | Agree | Strongly agree | Total |
| Promotes rehabilitation | 4 3.88 | 7 6.80 | 15 14.56 | 52 50.49 | 25 24.27 | 103 |
| Serves as reward/incentive for good behaviour | 4 3.88 | 5 4.85 | 9 8.74 | 60 58.25 | 25 24.27 | 103 |
| Reduces correctional centre overcrowding | 4 3.88 | 16 15.53 | 8 7.77 | 41 39.81 | 34 33.01 | 103 |
| Functions as a reintegration mechanism | 8 7.77 | 14 13.59 | 27 26.21 | 38 36.89 | 16 15.53 | 103 |
| Helps to protect the community | 10 9.71 | 16 15.53 | 17 16.50 | 40 38.83 | 20 19.42 | 103 |
| Total | 30 | 58 | 76 | 231 | 120 | 515 |

According to the data shown in Table 37, the majority of the respondents seemed to agree that the purpose of parole is either to serve as a reward or incentive for good behaviour, or to promote rehabilitation. Offenders are led to believe that good institutional behaviour is an important criterion for favourable parole release.

The supervision and monitoring of parolees and the revocation of parole (when the requirements of parole conditions are not met) contribute to community safety and protection. Therefore, community safety is one of the objectives of parole. It is therefore a concern that 9.7% (n=10) of the respondents, shown in Table 37, strongly disagreed with the statement that the purpose of parole is to help protect the community from released offenders.

5.4.2 Parole Conditions and Monitoring Phases

Section 55(3)(a) of the Correctional Services Act 111 of 1998, as amended (Republic of South Africa, 1998:40) stipulates the following:

At the commencement of community corrections the person concerned must be informed in writing of –

- (i) *the conditions which will be imposed on him or her in a form and language which will enable him or her to understand what he or she is expected to do or to refrain from doing...*

The respondents had to indicate which of the parole conditions stipulated in Section 52(1) of the Correctional Services Act 111 of 1998, as amended, applied to them. These conditions are listed in Table 38 below. Note that the researcher has already discussed some of these conditions in detail (see 2.6.2).

Table 38 Respondents' experiences of applicable parole conditions

| Applicable parole conditions | | | |
|---|-------------|--------------|--------------|
| Variable | Yes | No | Total |
| Subject to monitoring | 93 90.29 | 10 9.71 | 103 |
| Placed under house detention | 81 78.64 | 22 21.36 | 103 |
| Community service | 63 61.17 | 40 38.83 | 103 |
| Seek employment | 72 69.90 | 31 30.10 | 103 |
| Take up and remain in employment | 51 49.51 | 52 50.49 | 103 |
| Pay compensation or damages to victim/s | 19 18.45 | 84 81.55 | 103 |
| Participate in treatment, development and support programmes | 51 49.51 | 52 50.49 | 103 |
| Participate in mediation with victim | 19 18.45 | 84 81.55 | 103 |
| Participate in family group counselling or conferencing | 43 41.75 | 60 58.25 | 103 |
| Contribute financially to the cost of Community Corrections | 35 33.98 | 68 66.02 | 103 |
| Restricted to one or more magisterial district/s | 53 51.46 | 50 48.54 | 103 |
| Fixed residential address | 85 82.52 | 18 17.48 | 103 |
| Refrain from using alcohol or illegal drugs | 68 66.02 | 35 33.98 | 103 |
| Refrain from committing a criminal offence | 70 67.96 | 33 32.04 | 103 |
| Refrain from visiting a particular place | 65 63.11 | 38 36.89 | 103 |
| Refrain from making contact with a particular person/s | 45 43.69 | 58 56.31 | 103 |
| Refrain from threatening a particular person/s by word or action | 64 62.14 | 39 37.86 | 103 |
| Attend compulsory office consultations with Supervision Committee | 78 75.73 | 25 24.27 | 103 |
| Other | 1 0.97 | 102 99.03 | 103 |
| Total | 1056 | 901 | 1957 |

Parole conditions such as being subject to monitoring, having a fixed residential address, and being placed under house detention received the highest number of 'yes' responses. The high number of positive responses indicates that these conditions are the most common parole conditions. The highest number of 'no' responses were for conditions such as paying compensation for the damage caused to victim/s and participating in mediation with the victim. These responses indicated less applicable parole conditions.

The researcher found it alarming that more than 30% of the respondents believed that parole conditions such as refraining from using alcohol or illegal drugs and committing a criminal offence were not applicable to them. These results cause one to question if the respondents' parole conditions were clearly explained to them before they were released on parole.

When the questionnaires were administered to the sample of adult male parole violators, parolees were, in general, subject to specific supervision phases (Phases I-IV). The data for the quantitative phase of the study was collected from August to September 2010. The supervision phases that were applicable at the time of conducting the research were later reviewed and reduced to three supervision risk categories, namely high, medium, and low risk. The revised supervision categories were implemented on 1 April 2011 (see 2.6.3.1). Thus, the previous supervision categories were applicable to the respondents and are therefore investigated below. Table 39 below refers to the supervision categories that were relevant before 1 April 2011.

Table 39 Supervision categories relevant before 1 April 2011 (Phases I-IV)

| Phase | Monitoring | House detention |
|-----------------|--|--|
| Phase I | <ul style="list-style-type: none"> •Be physically visited at home, at least four (4) times a month •Be visited at work at least once a month •Be compelled to pay a visit to the Community Corrections Office or any place as agreed upon at a scheduled time for the purpose of consultation, at least twice (2) a month | <ul style="list-style-type: none"> •Working hours and the duration of the journey to and from work •Four (4) hours shopping period per week (on any day from Monday to Sunday) •Periods of compulsory engagement in programmes/ community service |
| Phase II | <ul style="list-style-type: none"> •Be physically visited at home, at least three (3) times a month •Be visited at work at least once a month •Be compelled to pay a visit to the Community Corrections Office or any place as agreed upon at a scheduled time for the purpose of consultation, at least once (1) a month | <ul style="list-style-type: none"> •Working hours and the duration of the journey to and from work •Six (6) hours shopping period per week (on any day from Monday to Sunday) •Periods of compulsory engagement in programmes/ community service |

| | | |
|------------------|---|---|
| Phase III | <ul style="list-style-type: none"> •Be physically visited at home, at least twice (2) a month •Be visited at work at least once a month •Be compelled to pay a visit to the Community Corrections Office or any place as agreed upon at a scheduled time for the purpose of consultation, at least once (1) a month | <ul style="list-style-type: none"> •Working hours and the duration of the journey to and from work •Two (2) free hours per day (Monday to Friday) •Six (6) hours shopping period per day (Saturday and Sunday) •Periods of compulsory engagement in programmes/ community service |
| Phase IV | <ul style="list-style-type: none"> •Be physically visited at home, at least once (1) a month •Be visited at work at least once every 2nd month •Be compelled to pay a visit to the Community Corrections Office or any place as agreed upon at a scheduled time for the purpose of consultation, at least once every 2nd month | <ul style="list-style-type: none"> •Working hours and the duration of the journey to and from work •Three (3) free hours per day (Monday to Friday) •Eight (8) hours shopping period per day (Saturday and Sunday) •Periods of compulsory engagement in programmes/ community service |

Source: Department of Correctional Services, 2005a:17-18, 22-23

Table 39 shows that each supervision phase's conditions for monitoring and house detention depend on the predicted risk that a parolee may pose to the community. The monitoring conditions include the following: a number of physical visits to the parolee's home and place of work, and a number of compulsory visits by the parolee to the Community Corrections Office (Department of Correctional Services, 2005a:22-23). Under house detention, parolees are normally compelled to be at home, but this excludes the periods indicated in Table 39.

In order to ensure compliance with the set parole conditions, all parolees are placed in a specific monitoring phase. The respondents were asked to indicate which monitoring phase they were placed in when they were released on parole. The results are displayed in Table 40 below.

Table 40 Monitoring phase applicable to the respondents while they were on parole

| Monitoring phase | Frequency | Percentage | Cumulative frequency | Cumulative percentage |
|-------------------------|------------------|-------------------|-----------------------------|------------------------------|
| Don't know | 24 | 23.30 | 24 | 23.30 |
| Phase I | 44 | 42.72 | 68 | 66.02 |
| Phase II | 21 | 20.39 | 89 | 86.41 |
| Phase III | 9 | 8.74 | 98 | 95.15 |
| Phase IV | 5 | 4.85 | 103 | 100.00 |

All offenders should know which monitoring phase they are placed in when they are released on parole. However, according to the data shown in Table 40, 23.30% (n=24) of the respondents indicated that they did not know which supervision phase they had been placed in while on parole.

5.4.3 Relationship with and Support from Correctional Supervision Officials

Reintegration case officials, also known as ‘monitoring officials’ or sometimes called ‘parole officers’ by offenders, are correctional officials responsible for the monitoring and supervision of parolees and probationers (Department of Correctional Services, s.a.:10). During the quantitative phase of the study, the term ‘reintegration case official’ was replaced with ‘correctional supervision official’ after the researcher consulted with specific experts in the field to review the content of the draft questionnaire.

The results of the responses to the following question are presented in Table 41: “How would you describe your relationship with your correctional supervision official (parole officer)?”

Table 41 Relationship with correctional supervision official

| Relationship | Frequency | Percentage | Cumulative frequency | Cumulative percentage |
|--------------|-----------|------------|----------------------|-----------------------|
| Poor | 39 | 37.86 | 39 | 37.86 |
| Fair | 17 | 16.50 | 56 | 54.37 |
| Average | 5 | 4.85 | 61 | 59.22 |
| Good | 30 | 29.13 | 91 | 88.35 |
| Excellent | 12 | 11.65 | 103 | 100.00 |

Approximately 38% (n=39) of the respondents described their relationship with their correctional supervision official as ‘poor’, and another 16.50% (n=17) of the respondents indicated that their relationship with their correctional supervision official was ‘fair’. In other words, more than half of the parole violators experienced the relationship they had with their ‘parole officer’ as negative. Only 11.65% (n=12) of the respondents indicated that they had an excellent relationship with their correctional supervision official. The respondents also had to indicate how supportive or helpful their correctional supervision official (parole officer) was towards them while they were on parole. These results are represented in Table 42 below.

Table 42 Support from correctional supervision official

| Support | Frequency | Percentage | Cumulative frequency | Cumulative percentage |
|----------------|------------------|-------------------|-----------------------------|------------------------------|
| Never | 36 | 34.95 | 36 | 34.95 |
| Seldom | 8 | 7.77 | 44 | 42.72 |
| Sometimes | 30 | 29.13 | 74 | 71.84 |
| Often | 8 | 7.77 | 82 | 79.61 |
| Always | 21 | 20.39 | 103 | 100.00 |

The results shown in Table 42 are distressing as approximately 35% (n=36) of the respondents never received any support or help from their correctional supervision official, and an additional 8% (n=8) of the respondents seldom received any support or help from their correctional supervision official while they were on parole.

An important key objective of the correctional system is to provide guidance and support to probationers and parolees within the community (Department of Correctional Services, 2005b:74-75). The Department of Correctional Services should ensure that the reintegration of offenders back into the community is a supervised process and that the necessary services are available to individuals.

The researcher further pursued an exploration of the quantitative results represented in Table 41 and Table 42 during the qualitative phase of the study with a subsample of focus group participants (see 6.3.2).

5.4.4 Neighbourhood and Address During Parole

The White Paper on Corrections (Department of Correctional Services, 2005b:63) states that the vast majority of South Africa's offenders originate from communities and families that are plagued by poverty, hunger, unemployment, crime, a distorted value system, and absent figures of authority and care.

Offenders usually return to their communities of origin (the community in which they lived when they were sentenced) to live with family members, to attempt to find a job, and to avoid future criminality (Seiter & Kadela, 2003:361). The environment to which they return is drastically different from the one which they left behind when they were incarcerated because of factors such as the availability of employment, family support, community resources, and the willingness of others to assist ex-offenders (Seiter & Kadela,

2003:361). Post-release support and readily available neighbourhood resources and services are vital for parolees to reintegrate into society successfully, to comply with supervision conditions, and to curb recidivism (Kubrin & Stewart, 2006: 71). Criminologists generally see the community environment a parolee returns to as a potential factor affecting violations (Grattet, Petersilia & Lin, 2008:66).

Table 43 below represents the group’s responses to the following question: “When you were placed on parole did you return to the same neighbourhood you had lived in before incarceration?”

Table 43 Responses regarding returning to the neighbourhood of origin while on parole

| Same neighbourhood | Frequency | Percentage | Cumulative frequency | Cumulative percentage |
|--------------------|-----------|------------|----------------------|-----------------------|
| Yes | 81 | 78.64 | 81 | 78.64 |
| No | 22 | 21.36 | 103 | 100.00 |

Table 43 shows that a high percentage of 78.64% (n=81) of the respondents returned to the same neighbourhood they lived in before they were incarcerated. Further studies are necessary to establish a correlation between neighbourhood factors and parole recidivism.

The majority of released offenders live with family or friends until they can find employment, a stable salary, and their own housing (Justice Policy Center, 2006:8; Seiter & Kadela, 2003:367). Parolees thus rely heavily on their family for both emotional and financial support. Although staying with family and friends seems to be the best and most affordable option for parolees, these living arrangements may not be stable or even practicable in the long run (La Vigne *et al.*, 2008:13). In light of this information, the respondents were asked to indicate whom they stayed with when they were placed on parole. The results of their responses are presented in Table 44 below.

Table 44 Respondents’ housing arrangements during the parole period

| Address | Frequency | Percentage | Cumulative frequency | Cumulative percentage |
|------------|-----------|------------|----------------------|-----------------------|
| Parent/s | 57 | 55.34 | 57 | 55.34 |
| Wife | 9 | 8.74 | 66 | 64.08 |
| Relative/s | 28 | 27.18 | 94 | 91.26 |
| Friend/s | 5 | 4.85 | 99 | 96.12 |
| Other | 4 | 3.88 | 103 | 100.00 |

According to the data shown in Table 44, more than half (n=57) or 55.34% of the respondents stayed with their parent/s when they were placed on parole, while another 27.18% (n=28) of the respondents stayed with relatives. The results from Table 44 are in line with the findings from Table 19 where most of the respondents (88.35%) indicated that they were single and not married.

5.4.5 Involvement of Family and Close Friends in Criminal Activities

Table 45 depicts the respondents' responses to the following question: "Have your family and close friends ever been involved in any criminal activities?"

Table 45 Involvement of family and close friends in criminal activities

| Criminal activities | Frequency | Percentage | Cumulative frequency | Cumulative percentage |
|----------------------------|------------------|-------------------|-----------------------------|------------------------------|
| Yes | 29 | 28.16 | 29 | 28.16 |
| No | 74 | 71.84 | 103 | 100.00 |

Table 45 shows that 71.84% (n=74) of the respondents indicated that their family and friends were not involved in criminal activities. Further studies conducted by separating the two groups (in other words, family and friends) could provide more significant results regarding the respondents' family and friends' involvement in criminal activities and the impact such involvement (or the lack thereof) has on parole violations.

5.4.6 Employment

According to the Department of Correctional Services (2005b:75), "[e]mployment and making a contribution to the wealth of the community by means of production is a key component to rehabilitation and the prevention of recidivism". Finding and maintaining a job is a critical element of successful offender reintegration (Justice Policy Center, 2006:4).

Despite the crucial role employment plays in reducing re-offending, released offenders receive little assistance and advice with regard to finding employment and/or job training. Friends, families, and previous employers remain the most common sources of help for parolees who want to find a job when they are released (Social Exclusion Unit, 2002:56).

With regard to a research study conducted by Brooks, Solomon, Kohl, Osborne, Reid, McDonald, and Hoover (2008:42), when the offenders under study were released, they reported that one of the biggest challenges while in the community was finding stable employment. They also indicated that job-related assistance, training, and placement would have been most helpful in their transition to the community (Brooks *et al.*, 2008). Most of the respondents in the study found work in the community after they were released, but employment was unstable for most (Brooks *et al.*, 2008).

In 2008, a Parolee Needs Assessment Survey conducted by the Center for the Study of Correctional Education at the California State University showed that 60% of the 179 respondents indicated that their greatest need was assistance in finding employment, with training being the second greatest need (48%). According to Rennie, Eggleston, and Riggs (2008:14), “[e]mployment is perhaps the single most important post-release service”. The results of the responses to the following question are shown in Table 46: “Were you working (employed) while on parole?”

Table 46 Respondents’ employment status while on parole

| Employment status | Frequency | Percentage | Cumulative frequency | Cumulative percentage |
|--------------------------|------------------|-------------------|-----------------------------|------------------------------|
| Employed | 61 | 59.22 | 61 | 59.22 |
| Unemployed | 42 | 40.78 | 103 | 100.00 |

The researcher found that 59.22% (n=61) of the respondents were working while they were on parole. A relatively high percentage of 40.78% (n=42) indicated that they were unemployed. The findings revealed that unemployment might be one of the causes of parole violations, but these findings also cause one to question why the parole of employed offenders was revoked.

During the focus group interviews, the researcher explored the challenges of finding and keeping employment while on parole.

The following follow-up question was posed to the respondents who indicated that they were working while on parole: “Who helped and advised you on finding employment?” The results of this question are presented in Table 47 below.

Table 47 Assistance on finding employment while on parole

| Finding employment | Frequency | Percentage | Cumulative frequency | Cumulative percentage |
|-----------------------|-----------|------------|----------------------|-----------------------|
| On your own | 23 | 37.70 | 23 | 37.70 |
| Family | 29 | 47.54 | 52 | 85.24 |
| Friends | 6 | 9.84 | 58 | 95.08 |
| Community Corrections | 1 | 1.64 | 59 | 96.72 |
| Other | 2 | 3.28 | 61 | 100.00 |

Table 47 shows that 37.70% (n=23) of the respondents from a total of 61 respondents were left on their own when trying to find employment. This result is rather alarming. A combined percentage of 57.38% (n=35) of the respondents had to rely on family and friends to find employment for them. The results show that a huge burden is placed on families to help find employment for family members who are released from incarceration. Furthermore, only 1.64% (n=1) of the respondents indicated that Community Corrections assisted him in finding employment. The Department of Correctional Services should ensure that parolees comply with the parole condition of finding and keeping employment by providing them with the necessary post-release support and guidance.

5.4.7 Health

Table 48 below indicates the results of the following question: "How would you describe your health when you were on parole?"

Table 48 Respondents' health while on parole

| Health | Frequency | Percentage | Cumulative frequency | Cumulative percentage |
|-----------|-----------|------------|----------------------|-----------------------|
| Poor | 10 | 9.71 | 10 | 9.71 |
| Fair | 10 | 9.71 | 20 | 19.42 |
| Average | 11 | 10.68 | 31 | 30.10 |
| Good | 41 | 39.81 | 72 | 69.90 |
| Excellent | 31 | 30.10 | 103 | 100.00 |

According to the data shown in Table 48, most of the respondents indicated that their health was 'good' (n=41) to 'excellent' (n=31) while they were on parole. A small number of the respondents reported having 'fair' or 'poor' health. Thus, the Department of Correctional Services should make sure that assistance regarding health matters

continues to be given to parolees when they are released on parole and that parolees are able to access healthcare services in the community.

5.4.8 Substance Abuse

In a study conducted by Brooks *et al.* (2008), it was found that substance abuse is a huge factor in contributing to offenders' return to custody. The researchers found that over two-thirds of the respondents reported alcohol abuse or illegal drug use within the month before their re-incarceration. Almost half of all the respondents in the study reported drunkenness or drug use several times a week, and over a third abused substances on a daily basis. Technical parole violators reported higher rates of substance abuse than those who were returned for committing a new crime. Positive tests for drug or alcohol use were found to be the most common cause for parole revocations (Brooks *et al.*, 2008:42).

The results found regarding the respondents' drug abuse while on parole are discussed in the following tables. The first question respondents were asked with regard to the issue of drug abuse was the following: "Did you know of other parolees who abused drugs on parole?"

Table 49 Respondents' awareness of drug abuse by other parolees

| Drug abuse by others | Frequency | Percentage | Cumulative frequency | Cumulative percentage |
|----------------------|-----------|------------|----------------------|-----------------------|
| Yes | 46 | 44.66 | 46 | 44.66 |
| No | 57 | 55.34 | 103 | 100.00 |

Table 49 shows that more than half (n=57) or 55.34% of the offenders responded 'no' to the question, which thus indicated that they were not aware of drug abuse by other parolees. The results of the second question on drug abuse ("Did you ever abuse drugs while on parole?") are shown in Table 50 below.

Table 50 Respondents' own drug abuse while on parole

| Personal drug abuse | Frequency | Percentage | Cumulative frequency | Cumulative percentage |
|---------------------|-----------|------------|----------------------|-----------------------|
| Yes | 25 | 24.27 | 25 | 24.27 |
| No | 78 | 75.73 | 103 | 100.00 |

According to the data shown in Table 50, 24.27% (n=25) of the sample responded 'yes' to the question, which means that almost one quarter of the sample of parolees abused drugs while on parole. This finding is contrary to international research findings, but this percentage is still relatively high. Thus, drug abuse may be seen as one of the causes of parole violations when the results are compared with the findings from Table 49 above where 44.66% of the respondents indicated that they knew of other parolees who abused drugs.

Another question posed to the respondents regarding substance abuse was the following: "How often per week did you use alcohol?"

Table 51 Frequency of alcohol use

| Alcohol usage | Frequency | Percentage | Cumulative frequency | Cumulative percentage |
|----------------------|------------------|-------------------|-----------------------------|------------------------------|
| Never | 47 | 45.63 | 47 | 45.63 |
| Once a week | 35 | 33.98 | 82 | 79.61 |
| Twice a week | 8 | 7.77 | 90 | 87.38 |
| Three times a week | 6 | 5.83 | 96 | 93.20 |
| Every day | 7 | 6.80 | 103 | 100.00 |

The results in Table 51 show that 45.63% (n=47) of the respondents indicated that they never used alcohol during their parole placement. Almost half (n=49) or 47.58% of the respondents reported alcohol use on a weekly basis, and 6.80% (n=7) reported daily alcohol use. In total, more than half of the respondents (54.37%) used alcohol on a weekly basis or more often. The researcher found it disturbing that most of the respondents in the sample did indeed use or abuse alcohol when a condition imposed on parolees is that they must refrain from using alcohol or illegal drugs while on parole (Republic of South Africa, 1998:39).

A lack of post-release support and the lack of available community services to assist parolees in dealing with their substance abuse problems might be some of the reasons for parole recidivism. The issue of substance abuse among parolees was also addressed during the qualitative phase of the study with the focus group participants (see 6.3.3). The researcher postulates that problems with drug and alcohol abuse increase the likelihood of technical violations of parole conditions. Further research is essential to establish if there is a correlation between substance abuse and parole violations.

5.4.9 Importance of Needs for Parole Success

When released offenders return to their communities, they often report feeling nervous about re-establishing family connections, finding employment, and managing their finances (Travis, Solomon & Waul, 2001:18). In addition to re-establishing family relationships and re-connecting with the community, a small-scale study regarding ex-offenders in the Western Cape found that another major challenge offenders face upon release is finding employment (Dissel, 2012:39; Muntingh, 2009:19). Several studies have shown that most offenders cite assistance in finding employment as one of their greatest needs after parole placement (Justice Policy Center, 2006:4). The respondents had to indicate how important their needs were for parole success. The results are displayed in Table 52 below.

Table 52 Importance of needs for parole success

| Importance of needs for parole success | | | | |
|--|----------------------|------------------|-----------------------|--------------|
| Variable | Not important | Important | Very important | Total |
| Support towards re-establishing family relationships | 3 2.91 | 28 27.18 | 72 69.90 | 103 |
| Finding stable employment | 3 2.91 | 30 29.13 | 70 67.96 | 103 |
| Treatment programmes for alcohol or drug abuse | 12 11.65 | 31 30.10 | 60 58.25 | 103 |
| Access to medical care | 6 5.83 | 47 45.63 | 50 48.54 | 103 |
| Opportunities to improve further education and skills training | 8 7.77 | 24 23.30 | 71 68.93 | 103 |
| Post-release support from Community Corrections office | 13 12.62 | 50 48.54 | 40 38.83 | 103 |
| Realistic and applicable parole supervision conditions | 5 4.85 | 51 49.51 | 47 45.63 | 103 |
| Total | 50 | 261 | 410 | 721 |

The results shown in Table 52 reveal that the respondents' primary needs for successful parole placement were the following: support towards re-establishing family relationships (n=72), opportunities to improve further education and skills training (n=71), finding stable employment (n=70); and treatment programmes for alcohol or drug abuse (n=60). The respondents also considered realistic and applicable parole supervision conditions (n=51) and post-release support from Community Corrections (n=50) as important. It is clear from the above results that family support and stable employment play a major role in parole success.

5.4.10 Parole Violation Statements

A positive and strong support system must be in place once offenders are released from incarceration to return to their communities. Many offenders report that family support is the most important factor in keeping them out of correctional centres (Reentry research findings, 2006:12).

The respondents had to indicate to what extent they agree or disagree with parole violation statements as displayed in Table 53.

Table 53 Parole violation statements

| Parole violation statements | | | |
|---|-----------------|--------------|--------------|
| Variable | Disagree | Agree | Total |
| Crime is an easy way to make money | 76 73.79 | 27 26.21 | 103 |
| Family support is important | 3 2.91 | 100 97.09 | 103 |
| My neighbourhood is an unsafe high-crime area | 56 54.37 | 47 45.63 | 103 |
| It is easy to return to previous criminal behaviour | 59 57.28 | 44 42.72 | 103 |
| Finding and keeping a job is very challenging | 15 14.56 | 88 85.44 | 103 |
| Alcohol or drug abuse causes negative behaviour | 13 12.62 | 90 87.38 | 103 |
| It is difficult to re-adjust to life in the community | 43 41.75 | 60 58.25 | 103 |
| Total | 265 | 456 | 721 |

The results shown in Table 53 indicate that a high percentage of 97.09% (n=100) agreed that family support is important, followed by 87.38% (n=90) of the respondents who agreed that alcohol or drug abuse causes negative behaviour, and a further 85.44% (n=88) of the respondents who agreed that finding and keeping a job is very challenging. The respondents indicated that one of their primary needs in order to be successful on parole was support to help them restore lost family relationships. Moreover, it has been established that parolees rely entirely on their families for money, accommodation, and help with regard to finding employment (see Table 44, 47, and 52). Although the respondents agreed that alcohol or drug abuse causes negative behaviour, earlier results regarding substance abuse showed that a high percentage of parolees abused drugs and alcohol while they were aware of the fact that refraining from using alcohol or illegal drugs is an imposed parole condition (see Table 49, 50, and 51).

5.5 QUESTIONS RELATING TO SECTION D: RETURN TO A CORRECTIONAL CENTRE (PAROLE REVOCATION)

An analysis of the data in Section D of the questionnaire provided the researcher with information regarding the respondents' opinions, emotions, and experiences of their return to a correctional centre once they had violated their parole conditions.

5.5.1 Before Parole Revocation

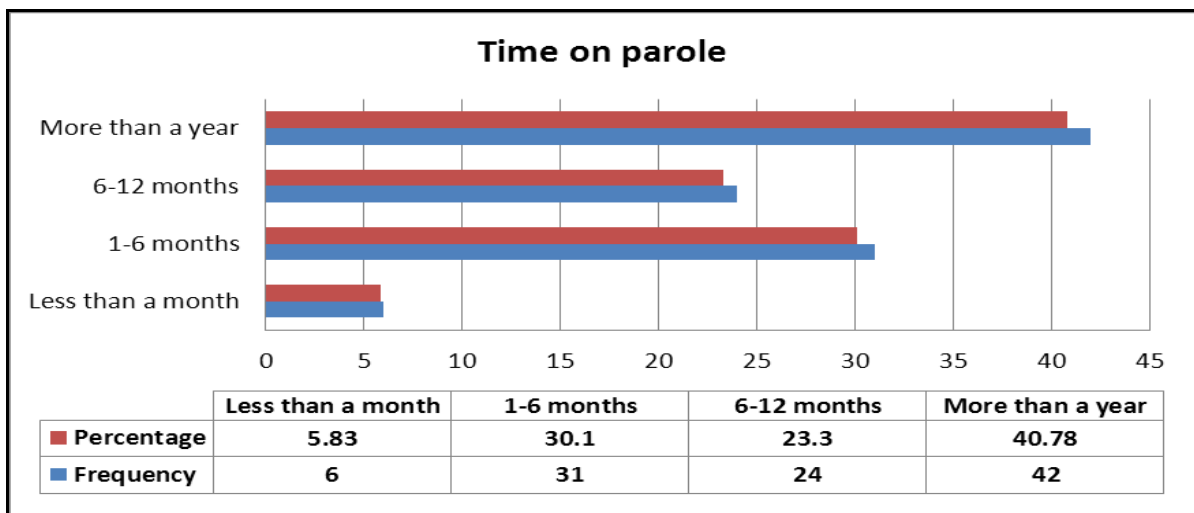
5.5.1.1 Average Time Spent on Parole

Grattet, Petersilia and Lin (2008:13) found that the risk related to committing violations is the highest during the first six months after an offender is released from a correctional centre. Descriptive research studies concerning recidivism in Australia revealed the following (Payne, 2007:xi):

- About one in four offenders were re-convicted within three months of being released from correctional centres.
- Between 35% and 41% of offenders were re-incarcerated within two years of being released.

The respondents had to indicate the average time they spent on parole before returning to a correctional centre. The results are presented in Graph 13 below.

Graph 13 Average time spent on parole before returning to a correctional centre



The results presented in Graph 13 reveal that only 40.78% (n=42) of the respondents spent more than a year on parole, while an aggregated percentage of 59.22% (n=61) were returned to correctional centres within a year. These findings show that parole violations in South Africa are the highest during the first year after an offender's release from incarceration.

5.5.1.2 Number of Warnings

Non-compliance with imposed parole conditions is addressed in Section 70(1) of the Correctional Services Act 111 of 1998, as amended (Republic of South Africa, 1998:44):

If the National Commissioner is satisfied that a person subject to community corrections has failed to comply with any aspect of the conditions imposed on him or her, or any duty placed upon him or her in terms of any section of this Chapter, the National Commissioner –

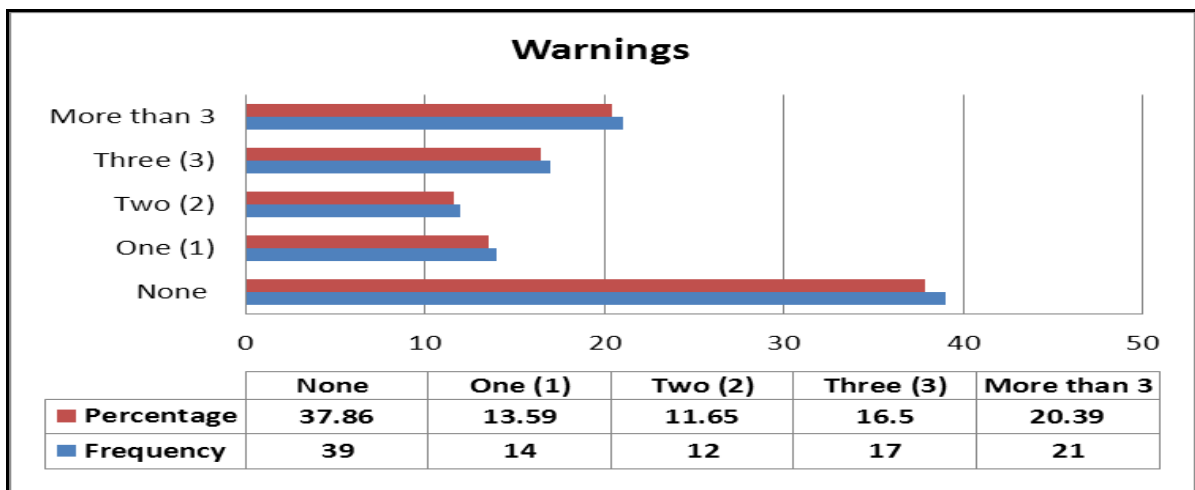
- (a) may, depending on the nature and seriousness of the non-compliance –
 - (i) reprimand the person;*
 - (ii) instruct the person to appear before the Correctional Supervision and Parole Board that is situated closest to the place of residence of such person or the Board which has jurisdiction within the area where the non-compliance took place, or other body which imposed the conditions of community corrections;*
 - (iii) issue a warrant for the arrest of such person; and**
- (b) must, if he or she is satisfied that the person has a valid excuse for not complying with any such condition or duty, instruct that the community corrections be resumed subject to the same conditions or duties applicable to that person.*

The first recommended action or sanction taken by a Supervision Committee for most minor violations of parole is a written warning. In less serious cases when a parolee violates the conditions due to a technical reason, the Committee may only reprimand the parolee after they are satisfied with the proof submitted by the parolee during the interview (Department of Correctional Services, 2005a:38-39). When the Supervision Committee feels that the violation is serious and that the parolee poses a risk to the community, they will recommend parole revocation to the Correctional Supervision and Parole Board (Department of Correctional Services, 2009:40-42).

In Chapter 4, the researcher investigated the possible sanctions that Community Corrections may impose on a parolee for minor and more serious violations of parole conditions (see 4.5.3).

The respondents were asked the following question: “How many warnings did you receive from your correctional supervision official (parole officer) before your parole was revoked?” The results of their responses to the question are displayed in Graph 14 below.

Graph 14 Number of warnings received by the respondents before parole revocation



According to the data represented in Graph 14, almost 38% (n=39) of the respondents did not receive any warnings before their parole was revoked. The number of warnings received before parole revocation was also analysed by the researcher during the second, qualitative phase of the study with regard to the focus group participants (see 6.4.1).

The following section deals with the various types of non-compliance with parole conditions and shows that parolees mostly commit minor technical violations of parole.

5.5.1.3 Violations of Parole Conditions

The respondents had to identify the reason (type of violation) regarding why their parole had been revoked by indicating either ‘yes’ or ‘no’ with regard to the types of violations (shown in Table 54) of parole conditions.

Table 54 Types of violations of parole conditions

| Violation of parole conditions | | | |
|--|-------------|--------------|--------------|
| Variable | Yes | No | Total |
| Not at home or work during monitoring | 62 60.19 | 41 39.81 | 103 |
| Failing to participate in community service | 22 21.36 | 81 78.64 | 103 |
| Failing to take up or remain in employment when set as a condition | 9 8.74 | 94 91.26 | 103 |
| Failing to pay victim compensation | 2 1.94 | 101 98.06 | 103 |
| Failing to participate in compulsory programmes | 9 8.74 | 94 91.26 | 103 |
| Failing to participate in mediation with victim | 2 1.94 | 101 98.06 | 103 |
| Failing to participate in family group counselling | 9 8.74 | 94 91.26 | 103 |
| Failing to contribute financially to the cost of Community Corrections | 4 3.88 | 99 96.12 | 103 |
| Leaving magisterial district/s without permission | 27 26.21 | 76 73.79 | 103 |
| Failing to notify change of address or residence | 19 18.45 | 84 81.55 | 103 |
| Refusing to be subjected to alcohol or drug testing during monitoring | 2 1.94 | 101 98.06 | 103 |
| Use or abuse of alcohol or illegal drugs | 20 19.42 | 83 80.58 | 103 |
| Committed a new offence or crime | 21 20.39 | 82 79.61 | 103 |
| Visiting a particular place without approval | 18 17.48 | 85 82.52 | 103 |
| Making contact with a particular person/s without approval | 11 10.68 | 92 89.32 | 103 |
| Threatening a particular person/s by word or action | 8 7.77 | 95 92.23 | 103 |
| Failing to report for compulsory office consultation | 27 26.21 | 76 73.79 | 103 |
| Absconding | 33 32.04 | 70 67.96 | 103 |
| Other | 5 4.85 | 98 95.15 | 103 |
| Total | 310 | 1647 | 1957 |

According to the results shown in Table 54, the main reason for parole revocation was for offenders violating the parole condition of house detention. In other words, 60.19% (n=62) of the respondents indicated that their parole was revoked for the minor technical violation of not being at home or at work during monitoring hours. The first recommended sanction for minor violations is a written warning, but it was found that written warnings are seldom

given to parolees according to the results from the preceding section on the number of warnings given to the respondents before parole revocation.

Further results shown in Table 54 reveal the following other significant reasons for parole revocation: absconding (32.04%), leaving the magisterial district without permission (26.21%), failing to report for compulsory office consultation (26.21%), failing to participate in community service (21.36%), committing a new offence/crime (20.39%), and using or abusing alcohol or illegal drugs (19.42%). Absconding, leaving the magisterial district without permission, and committing new offences/crimes are considered major or serious parole violations, and thus parole revocation is usually recommended to the Correctional Supervision and Parole Board for these violations (Department of Correctional Services, 2009:41-42).

5.5.2 Parole Revocation Hearing

5.5.2.1 Attendance of a Parole Revocation Hearing

In serious cases, the Head of Community Corrections must issue a G306 warrant (Annexure F) for the arrest and detention of a parolee. The parolee will then be detained for a period of up to 48 hours from their arrest to allow the Supervision Committee to investigate the nature and seriousness of the alleged violation/s of parole. In such a case, the Supervision Committee must immediately compile a comprehensive report and conduct an investigation on the matter. The report, attached to the G306 warrant, is then provided to the Correctional Supervision and Parole Board, and a decision must be made within 14 days about the parolee (Department of Correctional Services, 2005a:39-40; Department of Correctional Services, 2009:43-44).

According to Section 75(2)(a) of the Correctional Services Act 111 of 1998, as amended (Republic of South Africa, 1998:49), the Head of Community Corrections, following the advice of the Supervision Committee, may request the Correctional Supervision and Parole Board to amend the parole conditions or to cancel (revoke) parole. The Correctional Supervision and Parole Board must consider the matter within 14 days. However, the recommendations may be implemented provisionally prior to the Correctional Supervision and Parole Board's decision. Either the parole conditions will be changed or the parolee will be admitted to a correctional centre to serve their sentence (Department of Correctional Services, 2009:44; Republic of South Africa, 1998:49).

Section 75(3)(a) of the Correctional Services Act 111 of 1998, as amended (Republic of South Africa, 1998:49), also stipulates that an offender (parole violator) must indicate in writing that a decision may be taken in their absence during a revocation hearing. Furthermore, the offender should appear in person and should be afforded an opportunity to represent their case before a Correctional Supervision and Parole Board (Republic of South Africa, 1998:49):

Whenever a Board acts in terms of subsection (2) (a) or (c), it must notify the person or sentenced offender who is subject to community corrections to submit written representations or to appear before it in person or to be represented by any person, except a fellow sentenced offender, a correctional official or an official of the South African Police Service or the Department of Justice.

The results of the responses to the following question are presented in Table 55: “Did you attend a parole revocation hearing?”

Table 55 Respondents’ attendance of parole revocation hearings

| Revocation hearing | Frequency | Percentage | Cumulative frequency | Cumulative percentage |
|--------------------|-----------|------------|----------------------|-----------------------|
| Yes | 62 | 60.19 | 62 | 60.19 |
| No | 41 | 39.81 | 103 | 100.00 |

According to the abovementioned legislation, parole violators are meant to appear before the Correctional Supervision and Parole Board within 14 days. However, the results shown in Table 55 indicate that nearly 40% (n=41) of the respondents did not attend a parole revocation hearing.

5.5.2.2 Fairness of Parole Revocation Hearings

A follow-up question was posed to the 62 respondents who indicated that they did attend a parole revocation hearing. The question asked was the following: “Do you believe that your parole revocation hearing was fair?” The results are presented in Table 56 below.

Table 56 Fairness of parole revocation hearings

| Revocation hearing | Frequency | Percentage | Cumulative frequency | Cumulative percentage |
|--------------------|-----------|------------|----------------------|-----------------------|
| Yes | 28 | 45.16 | 28 | 45.16 |
| No | 34 | 54.84 | 62 | 100.00 |

The results shown in Table 56 indicate that almost 55% (n=34) of the respondents who appeared before the Correctional Supervision and Parole Board for a parole revocation hearing believed that their parole revocation hearing was unfair.

5.5.2.3 Emotions Experienced After Parole Revocation

The emotions that the respondents experienced when their parole was revoked are displayed in Table 57.

Table 57 Respondents' emotions experienced after parole revocation

| Emotions experienced with parole revocation | | | |
|--|-------------|-------------|--------------|
| Variable | Yes | No | Total |
| Hopeless | 77 74.76 | 26 25.24 | 103 |
| Depressed | 86 83.50 | 17 16.50 | 103 |
| Angry | 77 74.76 | 26 25.24 | 103 |
| Frustrated | 82 79.61 | 21 20.39 | 103 |
| Worried | 89 86.41 | 14 13.59 | 103 |
| Guilty | 47 45.63 | 56 54.37 | 103 |
| Anxious | 48 46.60 | 55 53.40 | 103 |
| Positive/Happy | 17 16.50 | 86 83.50 | 103 |
| Felt nothing | 16 15.53 | 87 84.47 | 103 |
| Total | 539 | 388 | 927 |

The researcher found that the majority of the respondents experienced emotions of being worried (86.41%), depressed (83.50%), frustrated (79.61%), hopeless (74.76%), and angry (74.76%) after their parole was revoked.

5.5.2.4 Another Chance

The respondents were asked the following question: "Do you believe the Correctional Supervision and Parole Board should have given you another chance?" The results of their responses are presented in Table 58 below.

Table 58 Opinions of respondents regarding whether they should have been given another chance to present their case to the Correctional Supervision and Parole Board

| Another chance | Frequency | Percentage | Cumulative frequency | Cumulative percentage |
|----------------|-----------|------------|----------------------|-----------------------|
| Yes | 94 | 91.26 | 94 | 91.26 |
| No | 9 | 8.74 | 103 | 100.00 |

Most of the respondents (n=94) responded 'yes' to the question, which indicates that 91.26% of the respondents believed that they should have been given another chance to present their case to the Correctional Supervision and Parole Board.

5.5.3 Factors Causing Parole Violations

The results of the responses to the following question are depicted in Table 59: "Which of the following factors cause parole violations?"

Table 59 Respondents' opinions regarding factors that cause parole violations

| Factors that causes parole violations | | | |
|--|-------------|-------------|------------|
| Variable | Yes | No | Total |
| Poor or loss of support | 89 86.41 | 14 13.59 | 103 |
| Unemployment | 83 80.58 | 20 19.42 | 103 |
| Substance abuse | 76 73.79 | 27 26.21 | 103 |
| Unsafe or crime infested neighbourhood | 67 65.05 | 36 34.95 | 103 |
| Criminal friends | 73 70.87 | 30 29.13 | 103 |
| Lack of education | 65 63.11 | 38 36.89 | 103 |
| Poor health | 47 45.63 | 56 54.37 | 103 |
| Young age | 48 46.60 | 55 53.40 | 103 |
| Strict parole supervision | 61 59.22 | 42 40.78 | 103 |
| Total | 610 | 317 | 927 |

The results shown in Table 59 indicate that poor support or a loss of support (86.41%), and unemployment (80.58%) are the main factors that the respondents identified as causes for parole violations. These factors were followed by substance abuse (73.79%)

and criminal friends (70.87%). More than half of the respondents (54.37%) did not believe that poor health is a cause of parole violation.

The following results found during the quantitative phase of the study can be linked to the findings in Table 59. The respondents generally indicated that they had fairly poor relationships with their family members, friends, and Community Corrections officials (see Tables 21 and 41). Furthermore, the respondents indicated that support to re-establish family relationships, assistance in finding employment, and treatment for alcohol or drug abuse are important for parolees to be successful on parole (see Table 52).

When poor post-release support is experienced by parolees who are struggling to find employment, the result might be a loss of support from families because they are unable to cope financially. Eventually, parolees might turn to criminal friends and substance abuse, which, in turn, causes them to commit parole violations. The families of parolees, their future employers, and non-governmental organisations that specialise in substance abuse treatment urgently need to form part of the parole release process.

5.6 CONCLUSION

A summarised description of the sample reflects that most of the respondents (parole violators) were single (88.35%), uneducated (76.70%), African (86.40%), and between the ages of 18 and 35 years old (68.93%). The majority of the sample also resided in townships (76.70%).

The results from Section B of the questionnaire showed the following:

- Before parole placement, most of the parole violators previously committed economic (47.57%) and aggressive (38.84%) crimes, and nearly half (47.55%) were sentenced to incarceration of more than three to seven years.
- An aggregated percentage of 65.05% of the respondents had one or more previous convictions.
- While incarcerated, most of the parole violators (82.52%) did receive monthly visits from their family and friends.
- Findings regarding services received and rehabilitation programmes attended during incarceration revealed that there is a lack of psychological and social work services available to offenders. The respondents indicated that they had attended

correctional programmes, but the researcher feels that substance abuse programmes in particular should be compulsory for all sentenced offenders.

- It was found that there was a lack of attendance of skills and development programmes.
- The pre-release programmes of the Department of Correctional Services play an important role in preparing offenders for reintegration into their communities. However, 71.84% of the respondents reported that they had participated in a pre-release programme before parole placement, but these offenders still violated their parole conditions, which is alarming.
- 74.76% of the respondents knew of other inmates who abused drugs, and 22.33% of the respondents indicated that they themselves had a drug abuse problem during their incarceration.
- Parole conditions and supervision phases were not clearly explained to 16.50% of the sample prior to their parole placement.
- 71.84% of the respondents did not receive any material or financial support before returning to their communities.
- Factors that the respondents felt played an important role in the Correctional Supervision and Parole Board's approval of parole were participation in rehabilitation programmes, the presence of a positive support system, and a stable residential address. A social worker's report and employment were considered unimportant factors for parole placement.
- Most of the offenders (64.08%) did not believe that correctional officials could be seen as rehabilitators.

Conclusive results from Section C of the questionnaire confirmed that the parole conditions and monitoring phases were not clearly explained to some of the parolees. Responses regarding the respondents' lives while on parole revealed the following results:

- More than half (54.36%) of the respondents indicated that they had fairly poor relationships with their correctional supervision officials (parole officer), and 34.95% of the respondents never received any support from Community Corrections while on parole.
- Most of the parolees (78.64%) returned to the same neighbourhood they originally came from, and the majority of the respondents (91.25%) stayed with family members while on parole.

- It is interesting to note that 59.22% of the respondents reported that they were working while on parole, but most (57.38%) of the respondents had to rely on family and friends to help them find employment.
- 54.37% of the respondents used alcohol on a weekly basis or more often, and 24.27% of the respondents abused drugs while they were on parole.

Parole success depends on how well parolees deal with the challenges of re-establishing family relationships, finding stable employment, and treating alcohol or drug abuse. According to Section C of the questionnaire, most of the respondents agreed that family support is important. Furthermore, they indicated that finding and keeping a job is challenging while on parole.

The results from Section D of the questionnaire showed that that 37.86% of the parolees had their parole revoked without them having received any warnings, which is rather alarming. Furthermore, 39.81% of the respondents did not attend a parole revocation hearing within 14 days of being detained for violating their parole. More than half of the respondents (54.84%) who did appear before the Correctional Supervision and Parole Board felt that their parole revocation hearing was unfair.

The main reason for parole revocation seemed to be that the respondents were not present at home or at work during monitoring hours. Another reason seemed to be that they had violated the parole condition of house detention. The respondents reported experiencing emotions of worry, depression, frustration, and anger after parole revocation.

The results regarding the average time spent by offenders on parole revealed that 59.22% of the respondents were re-incarcerated within a year. The two main factors that cause parolees to violate their parole conditions seemed to be poor support (or a loss of support) and unemployment, followed by substance abuse and criminal friends.

Qualitative data on the experiences and challenges of parole, the causes of parole violations, and parole violators' views on parole revocation are analysed and discussed in the next chapter.

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CHAPTER 6

ANALYSIS AND DISCUSSION OF QUALITATIVE DATA

6.1 INTRODUCTION

This chapter deals with a wider and more in-depth analysis of the qualitative data obtained from using the focus group interviews as a data collection method. This data collection process enabled the researcher to explore the parole violators' perceptions, experiences, and feelings regarding parole placement, failure, and revocation. A sequential mixed methods design was used involving the collection and analysis of qualitative data. The second phase was conducted after the quantitative data collection phase in order to follow-up on the quantitative data in more depth. The purpose of using a two-phase mixed methods design is to use qualitative results to assist in exploring and interpreting the findings of a primarily quantitative study (Creswell, Plano Clark, Gutmann & Hanson, 2006:269-270).

The participants for the qualitative phase were selected by means of non-probability sampling by making use of the volunteer sampling technique. During the quantitative phase of the study, the researcher compiled a list of names of volunteers at the selected correctional centres in the Gauteng region. This list consisted of all the parole violators who were willing to participate further in the focus group interviews. The researcher then selected a subsample of 22 participants from the list of volunteers. This process was done according to ethnic group for the qualitative phase of the study. Table 60 below further shows how the 22 participants were selected according to the various ethnic groups.

Table 60 Selection of participants based on ethnic group

| Ethnic group | Frequency | Percentage | Cumulative frequency | Cumulative percentage |
|---------------------|------------------|-------------------|-----------------------------|------------------------------|
| Asian | 1 | 4.55 | 1 | 4.55 |
| African | 14 | 63.64 | 15 | 68.19 |
| Coloured | 4 | 18.18 | 19 | 86.37 |
| White | 3 | 13.63 | 22 | 100.00 |

The researcher decided to select a subsample of 22 participants to represent the various ethnic groups included in the original sample of 111 parole violators. The original sample consisted of the following ethnic groups: Asian (1), African (96), coloured (7), and white (7).

Three focus group interviews that consisted of eight individuals, seven individuals, and a further seven individuals (parole violators) respectively per group were held separately during October 2010 at the selected correctional centres in the Gauteng region, namely Krugersdorp, Leeuwkop Medium A, and Leeuwkop Medium C correctional centres. The total number of focus group participants according to ethnic group per correctional centre was also summarised by the researcher in Chapter 1 (see 1.5.3.2).

All of the participants were thoroughly briefed on the research study prior to starting the focus group interviews. Each of the participants signed a consent form (Annexure D) after the researcher explained the purpose and procedures of the study. The participants understood that their participation was voluntary and that their identities would be kept confidential.

The focus group interviews lasted between two and three hours each, and while the researcher facilitated these interviews, he made use of a discussion guide (Annexure E) and probing. The discussion guide provided the basis for the interviews and consisted of the following pre-determined research questions:

- How old are you now?
- What is your marital status?
- What is your highest educational qualification?
- What was your crime and length of sentence before parole placement?
- How many previous convictions do you have?
- What were the challenges that you experienced during your parole placement?
- What according to you was the most difficult/hardest condition to follow on parole?
 - Were your parole conditions and supervision phases clearly explained to you?
 - When and by whom?
- If you think back, what caused you to violate your parole?
 - What were the reasons that made you to violate your parole conditions?
- What were the consequences of your parole violation?
 - Did you attend a parole revocation hearing?
 - How did you feel when your parole was revoked?

- How many warnings did you receive from your parole officer before your parole was revoked?
- How long did you spend on parole before returning to a correctional centre?
- How can parole violations be prevented?
 - How can we improve the current system of parole?
 - What are some possible ways the community, organisations, or the Department of Correctional Services can help to assist offenders on their return to the community?

All the focus group interviews were recorded. The recordings were then transcribed verbatim for analysis. The transcripts provided a complete record of the discussions and helped to facilitate the analysis of the data. The researcher relied heavily on the participants' own interpretations and explanations. Thus, the researcher has made extensive use of quotations taken directly from the transcripts of the interviews.

In organising the data for analysis, the researcher grouped the answers and/or statements from all three of the focus group interviews according to each research question in the discussion guide. The first five questions provided a description or profile of the participants, while the last five questions were analysed and coded according to identified and recurring themes. This process is also referred to as content analysis.

The first theme that emerged from the focus group discussions was post-release challenges. The challenges identified were the following:

- non-compliance with parole conditions;
- poor relationships between parolees and reintegration case officials (parole officers);
- substance abuse;
- transportation; and
- stigmatisation and rejection.

The second theme that emerged was parole revocation. The participants identified the following issues with regard to parole revocation:

- warnings received before revocation; and
- parole revocation hearings.

6.2 PROFILE OF PARTICIPANTS

The average age of the participants was 34.5 years old. The youngest participant was 26 years old, and the eldest was 51 years old. The first question discussed was the following “How old are you now?” After this question was asked, the researcher decided to divide the results according to age group as shown in Table 61 below.

Table 61 Division of participants according to age group

| Age group | Frequency | Percentage | Cumulative frequency | Cumulative percentage |
|-------------|-----------|------------|----------------------|-----------------------|
| 18-25 years | 2 | 9.09 | 2 | 9.09 |
| 26-35 years | 14 | 63.64 | 16 | 72.73 |
| 36-45 years | 4 | 18.18 | 20 | 90.91 |
| 46-55 years | 2 | 9.09 | 22 | 100.00 |

Table 61 indicates that 14 of the 22 participants (or approximately 64%) were between 26 years old and 35 years old. The participants were then asked the following: “What is your marital status?” Their responses are summarised in Table 62 according to marital status.

Table 62 Marital status of participants

| Marital status | Frequency | Percentage | Cumulative frequency | Cumulative percentage |
|----------------|-----------|------------|----------------------|-----------------------|
| Single | 17 | 77.27 | 17 | 77.27 |
| Married | 2 | 9.09 | 19 | 86.36 |
| Divorced | 2 | 9.09 | 21 | 95.45 |
| Widowed | 1 | 4.55 | 22 | 100.00 |

With regard to their marital status, most of the participants at 77.27% (n=17) indicated that they were single, as can be seen in Table 62. Once the participants’ marital status had been established, they were asked the following question: “What is your highest educational qualification?” The participants’ qualification levels are displayed in Table 63 below.

Table 63 Educational qualifications of participants

| Educational qualification | Frequency | Percentage | Cumulative frequency | Cumulative percentage |
|---------------------------|-----------|------------|----------------------|-----------------------|
| Grade 11/Std 9 or less | 11 | 50.00 | 11 | 50.00 |
| Grade 12/Std 10 | 6 | 27.27 | 17 | 77.27 |
| Diploma/Degree | 5 | 22.73 | 22 | 100.00 |

The data shown in Table 63 indicates that half (n=11) of the participants had low educational levels of Grade 11 or less. The participants were then asked the following: “What was your crime and length of sentence before parole placement?” The results are displayed in the following tables.

Table 64 Crime/s committed by participants before parole

| Crime category | Frequency | Percentage | Cumulative frequency | Cumulative percentage |
|-----------------------|------------------|-------------------|-----------------------------|------------------------------|
| Aggressive | 11 | 50.00 | 11 | 50.00 |
| Economic | 10 | 45.45 | 21 | 95.45 |
| Sexual | 1 | 4.55 | 22 | 100.00 |

According to the data shown in Table 64, half (n=11) of the participants were previously sentenced for aggressive crimes, followed by 45.45% (n=10) of the participants who were sentenced for economic or non-aggressive crimes. Only one participant in the group committed a crime of a sexual nature. The participants’ responses regarding the length of their sentence before parole placement were divided into the sentence group classifications used by the Department of Correctional Services.

Table 65 Participants’ length of sentence before parole placement

| Sentence group | Frequency | Percentage | Cumulative frequency | Cumulative percentage |
|-----------------------|------------------|-------------------|-----------------------------|------------------------------|
| 2-3 years | 2 | 9.09 | 2 | 9.09 |
| >3-5 years | 6 | 27.27 | 8 | 36.36 |
| >5-7 years | 1 | 4.55 | 9 | 40.91 |
| >7-10 years | 4 | 18.18 | 13 | 59.09 |
| >10-15 years | 4 | 18.18 | 17 | 77.27 |
| >15 years | 5 | 22.73 | 22 | 100.00 |

Table 65 shows that 40.91% (n=9) of the participants were previously sentenced for a period of between two and seven years, while 59.09% (n=13) of the participants were sentenced for a period of more than seven years (between seven and ten years).

The participants were asked to indicate the number of previous convictions they had. The results are presented in Table 66.

Table 66 Participants' previous convictions

| Previous convictions | Frequency | Percentage | Cumulative frequency | Cumulative percentage |
|-----------------------------|------------------|-------------------|-----------------------------|------------------------------|
| None (First offender) | 10 | 45.46 | 10 | 45.46 |
| One (1) | 2 | 9.09 | 12 | 54.55 |
| Two (2) | 4 | 18.18 | 16 | 72.73 |
| More than 2 | 6 | 27.27 | 22 | 100.00 |

The results presented in Table 66 show that 45% (n=10) of the participants were first-time offenders, whereas almost 55% (n=12) of the participants had one or more previous convictions.

6.3 POST-RELEASE CHALLENGES

The challenges that the focus group participants experienced after being released on parole were mostly associated with relationships, employment, substance abuse, transportation, stigmatisation, and rejection. They also found it difficult to comply with certain parole conditions that were imposed on them. According to Cromwell, Del Carmen, and Alarid (2002:211), compliance to parole conditions is linked to parole success.

6.3.1 Non-Compliance with Parole Conditions

Parole conditions assist the Department of Correctional Services to exercise effective control and supervision over parolees (Department of Correctional Services, 2010:87). Section 50(2) of the Correctional Services Act 111 of 1998, as amended (Republic of South Africa, 1998:38) stipulates the following:

The immediate aim of the implementation of community corrections is to ensure that persons subject to community corrections abide by the conditions imposed upon them in order to protect the community from offences which such persons may commit.

Before an offender can be placed on parole, a Correctional Supervision and Parole Board must firstly approve or amend the parole conditions recommended by a Case Management Committee (Louw, 2008:77). The Board should also determine the supervision phase in which to place an offender. A parolee must accept written notice of their parole conditions and supervision phase before parole placement can be approved

(Department of Correctional Services, 2010:82). The parole conditions related to placement under Community Corrections were explained in Chapter 2 (see 2.6.2).

Section 45(1) of the Correctional Services Act 111 of 1998, as amended, also stipulates that a sentenced offender must participate in a pre-release programme before parole placement (Republic of South Africa, 1998:35). During such programmes, parole conditions are dealt with as one of the focus areas in preparing an offender for placement, release, and reintegration into society (Department of Correctional Services, s.a.-b:14-15).

After being placed on parole, the parolee will report to a Community Corrections Office where a Supervision Committee will hold a session to adjust or to recommend the set conditions. During this session, the parolee must be present, and their responses/opinions should be heard. The parolee's work commitments and financial ability will be considered to determine suitable parole conditions. In order to ensure fairness when the parole conditions are set, a correctional official who is proficient in the language of the offender concerned must explain the contents of such conditions to the offender where applicable. The parolee will then indicate in writing (by means of a signature or thumbprint) that they understand the conditions and that failure to comply with the set conditions may result in parole revocation (Department of Correctional Services, 2009:11-12).

It is clear from the above discussion that there is no reason for a parolee to be unaware of the set parole conditions and the allocation of a particular supervision category. However, the findings from the quantitative phase of the study revealed that 16.50% of the respondents did not understand their parole conditions and the phases of their parole as these were not clearly explained to them. It was found that a further 23.30% of the respondents did not know which monitoring phase they had been placed in when they were released on parole (see 5.3.8 and 5.4.2).

The researcher was therefore concerned that the non-compliance with parole conditions might have resulted from conditions not being clearly explained to the parolees. Furthermore, the parolees may not have understood the conditions correctly before they were placed on parole, which may have resulted in non-compliance with the parole conditions. When asked: "Were your parole conditions and supervision phases clearly explained to you?" and "When and by whom?" the participants responded with the following statements:

The parole [reintegration] case officer explained it to me for the first time. Even the CMC (Case Management Committee) and the Parole Board also explained the parole conditions.

You see what happens is when you get to Gemkor (Community Corrections). Ok, they admit you there; they put you in the system (capture details on the computer). Then they give you a print out. The computer gives you a print out of all your conditions; your hours; your times; and that is what you sign. They keep a copy and they give you a copy. You go home with that copy. So you got all the time in the world to read everything that you didn't understand. Yes they did [explain the parole conditions].

My parole conditions were explained on the day when I first show my face at Gemkor (Community Corrections).

They explained it to me well at Comcor (Community Corrections), but the thing is what is written on black and white is not what is happening.

The above comments show that parole conditions and supervision phases are generally explained to parolees when they are admitted at a Community Corrections Office. However, it is a concern that the parole conditions and/or supervision phases were not explained at all to two of the participants. These participants made the following remarks:

Not exactly explained to me ... They [Community Corrections officials] told me: 'You will learn this along the way'. They were in a hurry.

They [reintegration case officials] want their paperwork done. They don't care about those parole conditions that you agreed upon.

One participant that was placed under a specific supervision phase described his lack of understanding regarding the conditions for monitoring and house detention as follows:

I never understood how things work, how the [supervision] phases work, how the [house detention] hours work and stuff.

The researcher postulates that some of the reasons parolees violate their parole conditions are uncertainty about such conditions and not knowing what is expected from

them as parolees in the community. The participants were asked the following: “What according to you was the most difficult or hardest condition to follow on parole?” During the focus group interviews, most of the participants indicated that they found it difficult to comply with certain imposed parole conditions that deal with monitoring, house detention, community service, and employment. These conditions are discussed below in more detail.

6.3.1.1 Monitoring and House Detention

All parolees are subject to specific conditions of monitoring and house detention. These conditions depend on the supervision category in which parolees are placed and the predicted risk they pose to the community. The monitoring categories (Phases I-V) were applicable at the time of conducting the research. The relevant supervision categories and recommended conditions regarding parolees under Community Corrections were discussed in Chapter 5 (see 5.4.2, Table 39).

Monitoring conditions include a number of physical visits by a reintegration case/monitoring official to the parolee’s home, work, and place of community service, and a number of compulsory visits by the parolee to the Community Corrections Office. For example, parolees who are subject to the Phase I monitoring category are visited at home at least four times a month. They are also visited at work at least once a month, and they are compelled to visit the Community Corrections Office or any place as agreed upon at a scheduled time for the purpose of consultation at least twice a month (Department of Correctional Services, 2005:17). The most stringent monitoring phases are gradually scaled down to Phase V – also known as the Exit Phase – after a parolee has proved that they are able to comply with all the conditions of parole supervision over a period of time (Department of Correctional Services, 2007:74).

One participant was dissatisfied with the manner in which he was monitored and remarked on this process as follows:

Sometimes they [reintegration case officials] give you a chance that they will be here (place of residence) by such and such a time, only to find that they come earlier. That’s the problem that I was face with. Find that I am at work. They maybe come there at around two or three o’ clock, and they know that my duration for working hours is from eight up until four. So that was the problem that I was facing. Unfairly treatment.

While under house detention, parolees are normally compelled to be at home except for during the following periods (Department of Correctional Services, 2009:24-25):

- during working hours and the duration of the journey to and from work;
- during compulsory engagement in programmes and community service;
- for the duration of church attendance (proof must be submitted upon request);
- during any other form of commitment that requires the attendance of the offender (proof must be provided); and
- for the duration of an unemployed offender trying to find employment (unemployed offenders are compelled to be at home, but they are allowed to request permission to seek employment – proof of negotiation must be submitted on request).

Parolees who are placed under the Phase I monitoring category are only allowed four hours of free time per week and are compelled to be at home on weekends as a condition of house detention (Department of Correctional Services, 2005:22). A participant who struggled to obtain permission to attend other commitments and another participant who managed to find temporary weekend work identified the parole condition of house detention as challenging and difficult to follow:

The [parole] conditions you see, I was on full house arrest when I came out and I was only given four hours a week off (Phase I condition of house detention). To me that was very difficult to live your life. You can't even go to the shop to buy yourself a cold drink or something. And then if you want to go somewhere they say: 'All right, phone us and let us know that you are going wherever you going.' Then you phone there [Community Corrections Office] and you don't get hold of your supervisor (reintegration case official) firstly. Then you ask, whoever you are talking to, knows so and so. Then you ask them permission ... to go here or do this for example. They say to you: 'No, they can't give you the permission.' Reason being, they are not your supervisor. Then some of them say: "'Ok, you can go and I will pass the message on' but, the lack of communication come that they don't pass the message on to your supervisor. And then they come and visit [monitor] you and they give out a violation letter to you. I find it very difficult the times, and the conditions, the monitoring. Monday to Friday was full house arrest. Only four hours off.

House detention is a huge problem because you find a job that I have to report during weekends ... You find that the job that I got was just a temporary job like

maybe doing garden work, painting or cleaning somebody's yard what so ever. There is such people (temporary employers), they don't have like an official letter that they can produce as proof for those people (Community Corrections officials). So you find that sometimes for the fact that I was fear instilled (afraid) because offer me a temporary job that I can like do for a day or two meaning Saturday and Sunday. For the fact that those people, I know that when they come they going to leave a violation and they going to be angry with me. Sometimes such opportunities in order for me to get myself with a financial balance (income). I can't go for such opportunities (earning a salary) because of this house detention that they give me ...

Results from the quantitative phase of the study also showed that most of the respondents (60.19%) had their parole revoked because they were not present at home or at work during monitoring hours (see 5.5.1.3). During the focus group interviews, a participant indicated that the parole conditions of monitoring and house detention were the reasons for his parole violation: “*Sure, I did drink alcohol, but it was not [being] at home causing me to violate*”.

6.3.1.2 Community Service and Employment

One of the conditions that may be set if it is not ordered by a court is the rendering of community service as specified in Section 60 of the Correctional Services Act 111 of 1998, as amended (Republic of South Africa, 1998:42):

- (1) Where a condition of community service is set as part of community corrections, it must stipulate the number of hours which the person is required to serve, which shall not be less than 16 hours per month, unless the court otherwise directed.*
- (2)(a) The court, Correctional Supervision and Parole Board or other body which has the authority to impose community service may specify where such community service is to be done.*
 - (b) Such an order may not be changed without the matter being referred back to the court, Board or other body which set the condition unless it provides that the order may be changed by a Supervision Committee.*
 - (c) If such court, Board or other body does not specify where such community service should be performed, the Supervision Committee must specify the place.*

All offenders placed on parole are required to do community service as a constructive contribution to serve the community. Community service is defined as doing compulsory work for a fixed number of hours without payment at institutions such as hospitals, police stations, old age homes, or any other suitable community service institution (Department of Correctional Services, s.a.-a; Department of Correctional Services, 2005:26; Republic of South Africa, 1998:7).

The condition of finding and keeping employment while trying not to violate the parole condition of rendering community service appears to be major problem for parolees. This problem can be seen in the following comments given by three of the participants:

What I can say from my side, the most difficult [parole] condition is the community service. When you are leaving this place [correctional centre], get there to Gemkor (Community Corrections). You think that maybe I will make it. When you come outside you found another obstacle that are facing (trying to comply with both conditions of community service and keeping employment). It is whereby you see that community service is becoming a problem...if you get yourself a job.

To serve the community is a good thing. When you are now getting (finding) some job for yourself, it's whereby you show some change. What I think it's maybe they [Community Corrections] should now cut for yourself that community service because we are human beings. We need to rest. When you from work, you work six days. When you are off you need to relax ... but, now you don't get that time because you get off by your work, you must go and work again for another community service. Only to find that when you go back to the community service, there is not that much that you are doing there. It's just to keep you there actually. Maybe you work at the police station, you just going to wash a car.

I find a problem to get a job (challenge of finding employment). I was working as a sales adviser at [name of workplace] and I was doing community service on Thursday ... once a week. So I go to the [reintegration] case officer and state to him [that] I found a job at [name of workplace]. Then I go to work eight o' clock, time out is half past five (17h30), 'tshayla' time (Zulu term meaning 'knock off' time or end of the working day). And on Thursday I must go to community service. I ask them [Community Corrections]: 'Please change me to another day, at least on Sunday, because on Saturday I'm also working.' They changed [my parole condition of rendering community service to] Sunday. Yes, on Sunday I was doing

it [community service]. They told me, they changed me on Sunday and then I signed that, but after a month they bring a [violation] letter where I was staying. They said: 'No, I got thirty 30 days, I'm not doing community service on Thursday' [after] I asked them to change me because I was working. They said to me: 'No, I'm lying to them. I must bring the proof, payslips.' I come with the payslips. I gave them the payslips. It's where they change me on the computer. I was there [Community Corrections Office] by that time, but after two weeks they came back. They fetch me. They say: 'No, there is something wrong, they want to fix it. I must go with them and they will bring me back.' When I arrive here at [name of correctional centre] they said to me: 'Look, we're going to close you' [lock you up].

The participants remarked on the practical difficulties of providing the Community Corrections Office with proof of employment to enable the amendment of house detention conditions. They also indicated that disclosing their criminal record to employers was challenging. These difficulties place parolees at risk of violating their parole conditions as monitoring visits by reintegration case officials are not pre-arranged, and parolees who are unable to provide proof of employment in the form of a letter from an employer may be identified as violating their parole conditions. Some of the participants' responses regarding these issues can be seen in the following statements:

I found some of the conditions really difficult. I needed to had an [job] interview and needed permission from the parole people (Community Corrections) to go to the interview. Then they wanted proof stating that I would had interview at such a place and such a time. How do you get that proof whereas, you cannot tell the employer you come out of prison? [This] was very difficult for me. And then another thing is when I had employment, you had to report to Gemkor (Community Corrections) twice a month to sign [as a condition of monitoring]. They want you to come and sign and that specific time that you got to report there was when I'm at work and they were not aware, my employer that I came out of prison which was also difficult for [me].

They [reintegration case officials] come and monitor me where I stay and then I sign. Then I told them: Please can't we change the time. At least make it six o' clock because I come from work at five o' clock.' ... Then you see, there was some difficulties from my side and the manager [employer] wants you at work until five o' clock, and these people half past four (16h30) they came. When they don't get me there, they leave the violation letter. So you see these people, we are suffering

most of us with community service. They were threatening me. They told me that, 'If you are not going this week, we are going to tell your manager that you are from prison.'

6.3.2 Poor Relationships Between Parolees and Reintegration Case Officials (Parole Officers)

Every parolee is assigned to a reintegration case official who works at a Community Corrections Office within the Department of Correctional Services. These officials, also referred to as parole officers by some offenders, are responsible for the monitoring and supervision of parolees in the community (Department of Correctional Services, s.a.-c:10).

During the quantitative phase of the study, the researcher found that more than half (54.36%) of the respondents indicated that they had fairly poor relationships with their reintegration case officials, while 34.95% of the respondents never received any support from Community Corrections during their time on parole (see 5.4.3). These findings were further explored during the focus group interviews.

One of the challenges that most of the participants seemed to experience while on parole was the manner in which Community Corrections officials treated the parolees. The participants strongly agreed that their relationships with their reintegration case officials were very poor and that they found these officials to be inconsiderate and unhelpful. Some of the participants' statements regarding their reintegration case officials are given below:

You know what, the thing is that they [Community Corrections officials] don't want to see change in you firstly and secondly, they [reintegration case officials] want to bring you back [to a correctional centre] all the time. I mean that is very difficult. I mean we served our sentence, we are outside and we got to serve further a sentence outside which is hard enough for us, but now people don't want to see a change in you and they are willing to bring you back at any minute. I mean, is that supportive? Is that helping you in any way? It is not.

This is not rehabilitation, it is a punishment. If you make mistake they [Community Corrections officials] must correct you. But they don't correct you, they make us worse.

Rehabilitation starts within, but only to find that the correctional groups [Community Corrections officials] are oppressing us. Like I said, I found myself a work. They don't see that this guy maybe has changed from crime to employment.

There is an overwhelming sense that parole supervision has been reduced to a policing function and that very limited support or guidance is provided to parolees (Dissel, 2012:40). Post-release services seem only to be aimed at security measures and monitoring the whereabouts of parolees (Parliamentary Monitoring Group, 2012:6). The monitoring process further reinforces the perception that parolees are prisoners and that they are likely to commit crimes at any given time. Therefore, most parolees who re-offend or violate their parole conditions are returned to correctional centres by Community Corrections officials (Mchuchu-Ratshidi, 2012:4).

The qualitative phase of the study revealed that Community Corrections officials supplement their income by extorting money from parolees by threatening them with re-incarceration and by punishing them for not paying bribes. Numerous comments, such as the statements given below, describe parolees being constantly degraded and harassed by corrupt Community Corrections officials who demand bribes in the form of money, alcohol, and even food:

If you don't give them [reintegration case officials] something, they will bring you back [to a correctional centre].

The other thing, the monitors [reintegration case officials] they must stop looking for bribes with parolees.

Ja (yes), my [reintegration] case officer (parole officer) he was a liar and if I don't give him something he give me the violation letter, and they threatened me by telling me that, 'We will go and tell your manager [employer] that you are a prisoner.' I have to give them something to keep them quiet...

I didn't get any problem, but I only got problem with offices of Gemkor (Community Corrections). Ek het ook probleme gehad, maar net met die parole officer. Ek het gewerk en elke keer as ek by die huis kom moet ek vir hom iets gee (I also had problems, but with the parole officer. I was working and every time when I arrived home I had to give him something).

I was not having a problem with drug abuse or maybe drinking. No I was not drinking I was active in my work. I was working, I was straight (a law-abiding citizen). The people who was drinking is those [reintegration case officials] who were coming and monitor me. Those who were monitoring me because most of the time they come one day it was my birthday. I gave them a bottle of Champagne and Whisky. They came again it was my child's birthday. I gave them a straight of Jack Daniels. It's those people who having the problem. That is why most of them they make mistake they took us back here [correctional centre].

I also, at a certain period I was out for nine months [on parole]. I gave my supervisor [reintegration case official] a bottle of Scotch and he said: "Why?", and I said: 'You always coming into my home, you coming for tea and that I thought I just give you a bottle' and when he had received it he asked me: 'Where is my cell phone?' I said: 'It's in my pocket' and he said: 'Take it out and take this number.' So I took the number and he said: 'Listen, if you ever want to go anywhere just phone me and let me know.' I took advantage of that and obvious I would. I phoned him on a Friday and tell him: 'Look here, I would like to go to Rustenburg, we are going to my wife's daughter.' He said: 'We are not going to check on you this weekend. Go. What time will you be back on Sunday?' 'We'll be back by four o' clock.' 'Fine go.' You know it is things like that, but it was for my benefit at the end of the day. You know, I score out of this. I did not have problem with that, but it is a problem. At the end of the day you might want something else. One thing leads to another.

My challenge was when I was two weeks outside I found a job. I have a certificate in plumbing. I had to give something to my case officer or supervisor. Food. If you don't give them food they will hold it against me, a grudge ... What he is trying to say is that, if he does not give them something to eat he must know one thing, he will get a violation letter.

I was also once exposed in such a situation whereby a correctional [reintegration case] official had to come and made me sign. He found me at home...he had information about two months back that I just got employment. So due to the fact that I was working he came here with an expectation that I have to give something to him. It was on the 25th and I was about to be paid at the end of the month. I told him that, 'My things haven't like stood well at the moment' (have not received a salary yet). He told me that, 'I know when we'll make a plan' and by the month end

(payday) he made sure that he came. I popped out something like R 20-00 and the other incident I gave R 50-00 to two of those guys.

They [Community Corrections officials] never bother to correct the wrong, but they hold it against you. In a sense you see when you are in the wrong you will definitely want to give something. That is the 'modus operandi'. They know you are somewhere in the wrong.

The responses given above reveal that the monitoring of parolees is not handled with a sense of discernment in trying to avoid, as far as possible, an embarrassment to them and their families. As seen in the following responses, the participants described a lack of coordination and/or communication regarding Community Corrections Offices and the manner in which reintegration case officials executed their monitoring duties:

One other thing that I've noticed while we are busy talking is that there are people there at Comcor (Community Corrections), they are not well organised with regards to some things like, hand over [to another reintegration case/monitoring official]. Maybe you are my supervisor who is in charge. Whenever you are leaving, when you are off, you hand over to one. While you are looking at my file and find that most of the times I'm not available whereby, that I've reported that I am working. During the time that we've agreed upon with you as my supervisor that during such and such a time I'll be at work. You've got that this in mind. You've got that recorded on the PC (computer) that during this date Monday to Friday, eight until five o' clock, he is at work. Because you've handed over the task to one as your reliever, you never give him all the information in conclusion to what suppose[d] to happen. Operate in this way he capitalises on [profits from] those people [parolees] that this person has never been monitored. By that I'm off to work while, he comes as a substitute, he capitalises on you.

One day a police van came. This guy gave a hell of a shout and I was asleep on the couch. I woke up with that and this guys [reintegration case officials] are looking for me ... They coming up the road, then you see that this guy is a correctional guy ... Even the car makes a brake. They bring all the attention there (place of residence).

If you look at how they [reintegration case officials] behave when they come looking for you. They pull over right in front of the gate and give a hell of a hoot (making a loud noise).

There was one situation where they [Community Corrections officials] told me: 'You think you are clever ...' They tell: 'You must report when you leave or something.' When you report, they still leave the violation. I did not do wrong. I think someone doesn't understand the mandate of this parole system.

6.3.3 Substance Abuse

The quantitative results regarding substance abuse indicated that 44.66% of the respondents knew of other parolees who abused drugs, while 24.27% of the respondents abused drugs while they themselves were on parole. Alcohol abuse was shown to be a problem as, during the quantitative phase of the study, it was found that 54.37% of the respondents had used alcohol on a weekly basis or more often (see 5.4.8). The qualitative results from the focus group interviews revealed that the prevalence of drug abuse is much greater than what the quantitative findings indicated. During the quantitative phase of the study, most of the respondents (75.73%) indicated that they did not abuse drugs while on parole, but one participant remarked on this specific finding as follows: *"I don't think a lot of people were honest enough to answer that one. That's what I think."*

During the focus group interviews with the participants, it became clear that alcohol abuse or illegal drug use was one of the reasons or causes of parole violation, as can be seen in the following responses:

Substance abuse was one of the reasons. Drugs and crime.

Mine was alcohol. I was at bar and drinking and I got into an argument and one thing led to another.

The worst was ... problem with drugs and there are people [parolees] with substance problems and that's why they duck (abscond).

Substance abuse and/or having friends who used and sold drugs seemed to be some of the challenges that the participants experienced while on parole, as can be seen in the following responses:

The other challenge that I was facing outside is that I had friends who were using and selling drugs. So you find during my spare time, during my leisure time, I fall back onto those drugs. Whereby, those drugs they automatically instil you with a fear again as to when I think about those guys [reintegration case officials] they will come and find that I am not at home they will sent me back to prison.

To be straight (honest). Us [parolees] like us in our township difficult to come outside from prison. It is difficult to find your friend and not drinking. It is difficult to find your friend and not using drugs. It is pressure.

Participants who struggled with substance abuse problems described having no one to confide in and referred to the lack of support experienced while they were on parole. These factors can be seen in the following comments:

The challenge I faced was to stay sober because I did have a drug problem. Drugs were my main problem. You know for ten years in prison I cope by smoking dagga. The challenge for me outside was to stay sober and couldn't manage and didn't smoke dagga outside, but I used 'crack' (illegal drug made from cocaine). And what I really struggled with was to stop using and to speak to people about it because you got this big fear while you are on parole. And they [Community Corrections officials] tell you: 'If you have a problem that you have to tell them.' But if you're going to tell your parole officer that you are using drugs they will bring you back here [correctional centre]. You got that fear to ask them [reintegration case officials] for support in that area because even on the parole conditions they say: 'You are not allowed to use drugs' ... So at the end of the day after satisfying my addiction, I come back to them [friends].

...I started to use drugs ... I didn't had anyone to talk to. My mother is an old mother, 84 years old, I can't tell her everything. Then I started to join bad [criminal] people. Those bad people leaded me back to the drugs...

From the above comments, it can be said that turning to criminal friends when parolees experience a lack of post-release support to assist them in dealing with their substance abuse problems, may cause parole violations.

6.3.4 Transportation

Parolees' non-compliance with the parole conditions of monitoring and house detention was discussed earlier in this chapter (see 6.3.1.1), but additional qualitative results indicate that transportation problems might also be a factor contributing to parole violation. The issue of transportation is often overlooked as a basic, critical need when offenders leave correctional centres to return to their communities (La Vigne, Davies, Palmer & Halberstadt, 2008:8).

Parolees are required to make a number of compulsory visits to the Community Corrections Office or any place as agreed upon at a scheduled time for reporting and consultation purposes (Department of Correctional Services, 2009:17). While under house detention, parolees are compelled to be at home except for when they are at work and driving to and from work, or when they attend, for example, a funeral as a commitment (Department of Correctional Services, 2009:24). Therefore, reliable transportation and financial support are critical to ensure parolees' compliance with the set parole conditions of house detention and monitoring.

Community Corrections officials seem to be unreasonable when parolees with transportation problems are placed under monitoring and house detention. The participants indicated that difficulties accessing public transportation and a lack of income represented significant challenges, as can be seen in the following comments:

You see at one instance I had no money. If someone [Community Corrections official] tell you: 'If you can't afford the transport, you should be put back to prison.'

I don't have transport. I don't have money. We use the taxis and I take maybe plus minus 20 minutes from [name of workplace] to [house address]. They [reintegration case officials] disagree with and say: 'No, we are not going to give you extra time.'

Yes ...they [reintegration case officials] come and say: 'We didn't find you at this time.' Sometimes we [parolees] don't have a means of transport. You depend on taxis.

The problems that I face while I was on parole were first of all, was the pressure from the community corrections officials ... maybe there is a funeral that you need to attend to and family is having financial problems that they cannot be able to cater for you to get like transport money to go to community corrections office or maybe to phone those guys. Maybe it happens that I go to that funeral or ritual. When I come back home I found that the neighbours has got some violation letter.

6.3.5 Stigmatisation and Rejection

Stigma is a process that occurs when “elements of labelling, stereotyping, separation, status loss, and discrimination co-occur in a power situation that allows the components of stigma to unfold” (Link & Phelan, 2001:367). Offenders face a number of challenges or difficulties once they are released into their communities. Thus, stigmatisation of offenders that arises because they are one of the most stigmatised groups in society is often implicated as a major obstacle that prevents successful community reintegration (Moore, Stuewig & Tangney, 2012:1).

Findings from studies that assessed perceived stigma towards ex-offenders or to the label of 'ex-con' have shown that offenders perceive a great deal of public stigma (LeBel, 2012; Moore *et al.*, 2012; Winnick & Bodkin, 2008). The highest levels of stigma were perceived by offenders with regard to items of employment and childcare, as well as with regard to society's overall negative attitudes and discrimination against ex-offenders (LeBel, 2012:97; Winnick & Bodkin, 2008:316). LeBel (2012:89) also found that offenders who had more parole violations perceived more stigma. In summary, these studies show that many offenders agree that the public stigmatises offenders as a group.

Parolees suffer from the stigma of being labelled 'ex-offenders' or from the stigma attached to statements such as 'once a criminal, always a criminal' and 'criminals are bad people'. The community responds negatively to such labels by rejecting and distrusting offenders who have been released from correctional centres, as noted in the following remarks:

...I can tell you some of the people outside [community], they don't accept if you come from prison, that you are changed person and that they [Department of Correctional Services] did rehabilitate you.

Another thing, when you go outside [on parole] they [community] don't accept you.

And also the community. I heard from my brother that one guy came here and told [him] that, 'Someone has been robbed at his place and I am suspect.' You've got this burning desire to bring about change within your life and you have all the commitment, but you just looking for a problem or just looking for how well do I take this. The community as well, they do not contribute, they don't really accept an ex-convict. Sometimes you feel that all the pressure is upon you.

The community, they don't like accept us [parolees or ex-offenders] as human beings. They get to be attached to that stigma of 'once a criminal always a criminal'. If I told that maybe I'm released this month and then some kind of petty crimes happens around the area that I am living around. All the people [from the neighbourhood] they going to start suspecting me, I am the first suspect that's how it goes [happens].

The problem was only those people [community] who came and make allegations that I broke into houses and fighting with them, but there was never laying a charge against me to show that I was committing that crime. That is the problem.

Successful community reintegration depends on whether released offenders can find stable employment. However, the stigma attached to incarceration makes it difficult for parolees to be hired. A participant gave the following response regarding employment:

If they [employers] know you are from prison, you won't work or get a job ... I thought these people [employers] were actually threatened about the fact that I was an ex-convict. So, other companies they don't give you a job due to the fact that you are an ex-convict.

A criminal record can also prevent employment (Social Exclusion Unit, 2002:52). A participant described how potential employers who were reluctant to hire individuals with a criminal record rejected him:

A person like myself getting out of prison [released on parole] with the rejection of the companies, bad criminal record, they reject me from getting employment... because of the stigma, your criminal record that has been attached with you. I been trying to find a job and I can't. Therefore, I do crime.

“The issue of honesty when applying for employment seems to be a double-edged sword: if a criminal record is disclosed on application then it results in rejection, and if it is not disclosed, but discovered later it can be used against the employee as proof of his dishonesty” (Muntingh, 2009:20).

The following is a participant's description of the issue of honesty with regard to finding employment:

If you are looking for work and you are being honest and you are telling them [employers] you are having a criminal record ... You find it [discrimination] with employers ... I remember once I got a job as a cashier ... They needed someone to do the work, but I could not reveal the fact that I am an ex-convict.

Parolees are likely to seek out former (criminal) friends if they have poor relationships with their family members and if they experience feelings of rejection as described in the following statements:

Some other people [parolees] they get problems with family. You find that there is some kind of rejection. They don't like accept you back as part and parcel of usually as one of their members because of what happened ... family problems is a big contribution towards re-offending.

...those people, criminal friends, they are like a motivational to me in a sense that you still want to go and seek for employment hence you know that they've got an easy way of doing it. So for the fact that you still have that fear that you don't want to go back to prison you stick around and watch them do their thing. And at the end of the day you'll find that maybe they've done their thing (crime) and they come back and maybe they give you something. Maybe they buy some beers or drinks. That becomes pressure if you know that you've once have been there. For the fact that you are in need of some financial problems you get to be easily tempted. As a temptation that you go through that such and such a person has been doing [crime] and has never been [caught]. Therefore, I do crime.

One thing I realised is that I still have the same friends. The only friends that I had was criminals. So they comfort me with the money when I come back [released into the community]. I did not have money. I accepted 200 bucks [R200.00], 300 bucks [R300.00]. I know that I had to be strong on my own at some point.

The researcher postulates that successful community reintegration may depend, in part, on the attitudes and consequent reactions that parolees encounter after their release.

6.4 PAROLE REVOCATION

When asked about the consequences of their parole violations, a number of the participants remarked that their parole was revoked without a parole revocation hearing. The result was that they had to serve the remainder of their sentences in correctional centres.

With regard to less serious violations, the Supervision Committee has the authority to recommend other possible actions or to impose sanctions on parolees rather than recommending parole revocation to a Correctional Supervision and Parole Board (Department of Correctional Services, 2009:40-41). The possible sanctions applied to minor and major parole violations (non-compliance) of parole conditions were discussed in Chapter 4 (see 4.5.3). A summary of the minor and major parole violations is provided for clarification in Table 67 below.

Table 67 Minor and major parole violations

| Minor violations | Major (serious) violations |
|--|--|
| <ul style="list-style-type: none"> •Failing to participate in compulsory programmes •Failing to take up or remain in employment as a condition •Refusing to be subjected to alcohol/drugs testing during monitoring •Use of alcohol/drugs •Failing to pay victim compensation •Failing to contribute financially to the cost of community corrections •Failing to report for compulsory office consultations •Failing to participate in community service •Failing to follow instructions issued by correctional officials •Failing to be subject to monitoring •Failing to be subject to searching | <ul style="list-style-type: none"> •Committing new offences/crimes •Failure to reside at approved residential address •Denying access to residence and searches •Absconding from parole supervision •Leaving magisterial district/s without permission •Failing to disclose status as a sex offender •Making contact with a particular person or persons without approval •Threatening a particular person or persons by word or action •Resisting arrest by an authorised official |

Source: Adapted from Correctional Services Order 4, 2009:40-42

6.4.1 Warnings Received Before Revocation

During the focus group interviews, a large number of the participants indicated that they were found to be guilty of the following minor parole violations specified by the Department of Correctional Services (2009:40-41):

- failure of being subject to monitoring;
- failure to report on the scheduled date for compulsory office consultations as agreed upon;
- failure to report to a community service institution to render community service or failure to complete a specified number of community service hours; and
- failure to comply with the condition of refraining from using alcohol and/or drugs as ordered by the Correctional Supervision and Parole Board.

Normally, a written warning is the first recommended action or imposed sanction taken by a Supervision Committee with regard to minor violations. The researcher found that written warnings were seldom given as some of the participants gave the following responses when they were asked about the number of warnings they had received before their parole was revoked:

First thing what I can say if the [reintegration case] officials, the members who monitor you, they can have truth. I think everything can be fine. It can go with the right way if they can have the truth. If you for instance violate a parole, they must give you a warning, but they don't do like that.

I was out, 18 months, on parole. I did not get one verbal warning, not one written warning, not one 48 hours (maximum period allowed for a parole violator to be detained in a correctional centre). After 18 months I got involved in a fight and was charged for assault and I'm back.

I had some violations, but that's because only I got home late or I didn't sign (non-compliance with house detention as a parole condition). No [verbal or written] warnings received, just violations, but I had to go and sorted it out as well [at Community Corrections offices]. But, I didn't go to 48 hours (maximum period allowed for a parole violator to be detained in a correctional centre). Nothing like that.

I never received any written warning or warning of 48 hours. I just arrested like that. I was 15 months outside [on parole] before they [reintegration case officials] took me like that.

Between myself if the correctional centre [Community Corrections] used the written rule that if you violated maybe three times you must get a verbal warning. After such a time, when you violate again for three times you must get a written warning. That rules they are using them. Maybe if they give me verbal warning I should have learned something. I did not receive any warnings. I was on parole 20 months.

No warnings. I was arrested after two weeks.

The number of warnings a parole violator should receive for any type of violation committed is unclear. Almost 60% of the participants from all the focus groups indicated that they did not receive any warnings before their parole was revoked.

6.4.2 Parole Revocation Hearing

In more serious cases (such as when a parolee repeatedly violates their parole conditions, when they are arrested for an alleged crime, or when they commit major parole violations), a G306 warrant (Annexure F) for the detention of a parolee in a correctional centre should be issued within a period of 48 hours (Department of Correctional Services, 2005:39). In such a case, the Supervision Committee must immediately compile a comprehensive report on the matter. This report must then be provided to the Correctional Supervision and Parole Board. The Board must then make a decision within 14 days regarding what steps are to be taken against the parole violator (Department of Correctional Services, 2010:39).

The participants were asked if they had attended a parole revocation hearing. From their responses, it was evident that most of the participants never attended a parole revocation hearing. Two of the participants who did attend a parole revocation hearing gave the following responses regarding when the hearing occurred: “[a]fter a long time after six months” and “[a]fter one month couple of weeks”. Other participants gave the following responses:

Yes, at Gemkor (Community Corrections) they say: 'I'm going to see the disciplinary hearing.' I didn't see that disciplinary hearing. They say: 'Let's go with you to [name of correctional centre] to see the Parole Board.' I come here [name of correctional centre] they say: '48 hours' hours (maximum detention period allowed for a parole violator to be detained in a correctional centre). I do that 48 hours. On Sunday, when I'm supposed to go home they say: 'No, you are not going to home, you going to serve your sentence and see the Parole Board after three weeks.' When I see the Parole Board after a month, two months. When I went to Parole Board they say: 'I must do course, then in 2010 I must come to them.' I do life course, I didn't go even now. I didn't violate any parole.

When I came to [arrive at] the prison they [Correctional Supervision and Parole Board] asked me: 'Why didn't you report because you were missing (absconded) for five months?' That was the five months I was locked up at Sun City (Johannesburg Correctional Centre) for trial which I was accused of something I never did... the case was withdrawn against me... I didn't do anything and I went out of my way to go and report to Comcor (Community Corrections). Ek het vir hulle gesê dat, 'Ek nie hierdie ding gedoen nie' en dat, 'Ek was by 'Sun City' (I told them that, 'I did not do this thing' and that, 'I was at 'Sun City'). I was brought here [correctional centre], they gave me a [revocation] letter for the days that I have left (absconded), but I don't understand why I was brought here because I didn't do anything.

According to Section 75(2)(a) of the Correctional Services Act 111 of 1998, as amended, the Head of Community Corrections may request the Correctional Supervision and Parole Board to amend the parole conditions of a parole or to cancel (revoke) their parole within 14 days (Republic of South Africa, 1998:49). However, the recommendations may be implemented provisionally prior to the Correctional Supervision and Parole Board's decision. The parole conditions will either be changed or the parolee will be admitted to a correctional centre to serve their sentence (Department of Correctional Services, 2009:44:). Therefore, parole violators must attend a parole revocation hearing when they are returned to a correctional centre.

The following comments, which were made by some of the participants, are rather disturbing as the procedures described are not the procedures specified by the applicable legislation:

He [reintegration case official] said, I must wait for the Parole Board. There is nothing he can do ... They [Department of Correctional Services] say, I must do all my 'straf' (sentence). I did not see Parole Board ... What I can say, the Parole Board, they themselves also have a problem with us, because some of the guys like me myself I was taken from home to come here [correctional centre] and serve 48 [hours]. I didn't sign a form that stated I'm serving 48 hours.

When these people [people from the community] came to my mother's house, they come to give allegation. I told them [Community Corrections officials]: 'I want to change address because these people of community come with allegations [that] I broke into houses' which, I never did. They supposed to go to police and lay charges against me, but they never do it, so they put me in for [an incarceration period of] 48 hours. After that 48 hours, they give me another paper to fill in a address [to change my address]. ... After 48 hours they tell me I must go to the Parole Board after 14 days. Until now I never see the Parole Board. I wanted to change my address because of the people making allegations. That is why I'm here.

It has been a year now and I still have not seen the Parole Board.

I'm here a year and I still have not seen the Parole Board.

After one year one month I have not seen anybody [the Correctional Supervision and Parole Board].

Within 48 hours you're supposed to appear [before the Correctional Supervision and Parole Board], but I don't think that ever happens.

6.5 PREVENTING PAROLE VIOLATIONS

Lastly, focus group participants were asked if they had any suggestions on how parole violations can be prevented or how communities, organisations, or the Department of Correctional Services can help or assist parolees in their reintegration. Their suggestions are summarised as follow:

Improving educational levels

- A significant finding from both the quantitative and qualitative phases of the study was that a number of the participants had very low education levels. The participants from the focus group interviews strongly believed that it is important to improve one's education while incarcerated. However, educational support is not always available for parole violators, as described by one participant:

I want to further my studies. It is condemning. I can't go further while I am inside here [incarcerated] and parole violator.

Providing job-related skills training and involving the Department of Labour

- Some of the participants suggested the following with regard to employment:

I wrote a letter to get [request] work at the mess or kitchen to in catering [improve my catering skills]. They [Department of Correctional Services] told me, 'No, I am a parole breaker.' When I am a parole violator with that means I must go to kitchen, get my food and come and sleep.

With skills training other guys [parolees] won't come back.

With skills you must do something that will empower the community. I know that when I done woodwork here in prison. When I am going outside I going to get something. We are going to do some beds and then we donate the beds to the community at the old age home.

With my diploma, it took me 5 years to get [complete] it and I can say one thing. That is the best thing that I've ever done in my whole 15 years that benefitted me on the outside because without that I don't know what job I would have got. But, because I had a diploma and I had the skills and knowledge of that certain life, I was given job. I can go further in life with that and I am very thankful and grateful for that.

- Other suggestions concerning employment were to involve the Department of Labour in providing market-related skills training and to issue certificates for successfully completing training programmes.

Amending community service as a parole condition

- One of the participants stated the following with regard to community service:

Yes, if maybe they can say, if you find a job, you signing the parole, they must stop you with community service because you are working.

Erasing criminal records

- Some participants strongly agreed that a criminal record could prevent parolees from finding and keeping employment. They suggested that criminal records should be removed when offenders with a criminal history are released on parole.

Involving and educating the community and employers

- Most of the participants indicated that they were stigmatised, labelled, or rejected while they were on parole and suggested that communities and possible employers should be educated and involved in the reintegration process of parolees. Another suggestion was to create a database of possible employers who are willing to hire ex-offenders. Furthermore, it was suggested that pre-release meetings should be arranged for offenders to start building relationships with these employers.

6.6 CONCLUSION

When parolees return home, they are less prepared for life in the community. Thus, with less assistance regarding their reintegration, they will eventually return to incarceration for either a new crime or parole violations (Travis, Solomon & Waul, 2001:1). In summary, from the findings of the focus group interviews, it is clear that post-release challenges (unemployment, substance abuse, a lack of transportation, stigmatisation, the presence of a criminal record, and low education levels) prevent successful reintegration of parolees. The researcher feels that the focus of the Department of Correctional Services should be on successful community reintegration of offenders. However, it can be concluded from the information discussed above that successful community reintegration is not a primary focus of the Department of Correctional Services.

Two participants gave the following pertinent comments regarding reintegration and change:

You are free, but deep inside you are not free. I used to laugh with people and look at them and think to myself, if these people they know how unhappy I am

inside. Then they will tell you, 'Everything is going to be all right.' It is not going to be all right until you find a solution towards really easing [solving] your problem.

Rehabilitation starts within ... if you really want to change yourself it starts with yourself.

The experiences described by the focus group interview participants are not experiences that make one achieve rehabilitation from the 'inside'. Far too many external factors inhibit the possibility of changing "from the inside".

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CHAPTER 7

FINDINGS AND RECOMMENDATIONS

7.1 INTRODUCTION

An offender's successful completion of a parole period is not necessarily proof of their successful social reintegration (Dandurand, Christian, Murdoch, Brown & Chin, 2008:30). The ultimate goal of successful reintegration is for a parolee to be a productive, law-abiding citizen, but this can only be achieved if a balance is found between ensuring community safety and providing rehabilitative and post-release support to parolees in the community.

The White Paper on Corrections in South Africa (Department of Correctional Services, 2005) describes social reintegration as one of the key service delivery areas for rehabilitation. The process of social reintegration can be defined as the provision of services that facilitate the social acceptance and effective reintegration of offenders into communities (Department of Correctional Services, 2005b:132).

The Minister of Correctional Services, Mr Sibusiso Ndebele (2012:6), states the following in relation to the rehabilitation of offenders:

[The k]ey to rehabilitation is empowering offenders to have skills to function effectively in society on their release, but equally important is to ensure that offenders are actively involved in productive activity while they serve their sentences. We want to see offenders proudly contributing to their self-care.

Furthermore, Mr Ndebele (2012:6) also states the following:

I intend to enter into dialogue with the private sector to establish what I call after-care centres, centres for parolees and ex-offenders where they are able to be involved in productive labour. We need, and will have, a seminar with business leaders and key stakeholders on how we can address the stigma that makes the reintegration of offenders into the community such a difficult process for offenders and an onerous task for the department.

A consequence of parole violation and revocation is that it contributes significantly to an already overcrowded correctional centre population (Burke, 2004). However, violations do not truly increase the number of admissions to correctional centres. It is rather how the Criminal Justice System and society deals with these violations that will have an influence on overcrowding in correctional centres (Burke, 2004:15).

On release, many parolees face widespread post-release challenges that prevent successful reintegration into the community. Parolees remain largely uneducated, unskilled, and unemployed, and they are usually stigmatised and rejected by society. This research study has shown the importance of pre-release planning, risk assessment, employment, education, drug and alcohol treatment, community partnerships, family involvement, and graduated responses to parole violations. Therefore, the findings and recommendations of this study are of great value to the Department of Correctional Services, the Criminal Justice System, academic institutions, and the general community.

7.2 FINDINGS

This section provides a discussion of the findings from both the quantitative and qualitative phases of the research study. In addition, the findings indicate whether the aim of the study has been achieved. The aim of the study was to explore parole violation as a phenomenon through the perceptions, opinions, attitudes and incident recall of re-incarcerated parolees. In other words, the researcher was interested in identifying factors that causes parolees to fail while on parole.

Specific research questions derived from the above aim were formulated for the study. Such questions included the following: “What are the reasons for adult male parolees to violate their parole?” and “How can one prevent parole violations to ensure parole success?” The answers to these key questions will enable future researchers to build theories and to develop hypotheses regarding parole violations.

7.2.1 Finding 1: Pre-Release Planning

The main focus of the Department of Correctional Services is to rehabilitate and to prepare offenders for their release or placement on parole (Department of Correctional Services, 2005b:72). The manner in which correctional officials perform their tasks should positively contribute to offender rehabilitation and to the correction of offending behaviour (Department of Correctional Services, 2005b:112). However, according to the results

obtained (see 5.3.10), 64.08% (n=66) of the participants believed that correctional officials cannot be seen as rehabilitators.

An individualised Correctional Sentence Plan based on the specific needs of offenders should be developed for each individual according to the White Paper on Corrections (Department of Correctional Services, 2005b:133). The aim of the Correctional Sentence Plan is to provide guidance to offenders from the time of their admission to a correctional centre until their release and reintegration into society. It was found that 52.43% (n=54) of the respondents were unaware of the concept of a Correctional Sentence Plan, while 47.57% (n=49) of the respondents indicated that they were aware of Correctional Sentence Plans. Of the respondents who were aware of Correctional Sentence Plans, 81.63% (n=40) indicated that an individual Correctional Sentence Plan was indeed developed to address their specific risks and rehabilitation needs (see 5.3.6).

Section 45(1) of the Correctional Services Act 111 of 1998, as amended (Republic of South Africa, 1998:35) clearly states that a sentenced offender must be prepared for placement, release, and reintegration into society by their participation in a pre-release programme. Therefore, according to the legislation, the Department of Correctional Services should ensure that all offenders attend a pre-release programme before they are conditionally released into the community.

Pre-release programmes, as designed by the Department of Correctional Services, are aimed at providing offenders with skills and information on external resources to enable them to cope with the possible post-release challenges that they might encounter outside of the correctional centre. Further goals of such programmes are to restore relationships and to ensure that proper support systems are in place before parolees are placed on parole (Department of Correctional Services, s.a:14). In addition, these programmes are structured to focus on health education, financial management, employment, substance abuse, and parole conditions (Department of Correctional Services, s.a:15).

The results from Chapter 5 (see 5.3.5.4) indicated that 71.84% (n=74) of the respondents successfully participated in a pre-release programme, while 28.16% (n=29) of the respondents did not. Of the respondents who did participate in a pre-release programme, 51.35% (n=38) agreed that the programme had prepared them for parole placement and reintegration into society. A further 14.87% (n=11) of the respondents strongly agreed with the statement.

During the focus group interviews, positive comments were made by the participants who had attended a pre-release programme. For example, in addition to what has already been discussed concerning the pre-release programme, the participants provided the following positive feedback:

You must avoid bad company, avoid alcohol, and avoid drugs. Be with one woman. Even with your family, they teach us how you can support your family, your close friends.

I agree with the pre-release programme.

It teaches you how to deal with your problems.

I also agree with the pre-release programme. It prepares you to re-adjust.

The pre-release programme is working and helps you to face obstacles.

According to Mchuchu-Ratshidi (2012:3), pre-release programmes are implemented rather ineffectively and appear to exist on paper only. Some negative remarks were also made by the focus group participants regarding pre-release programmes. For example, in addition to what has already been discussed concerning the pre-release programme, the participants provided the following negative feedback:

You found that most guys do programmes because they want to be released...There is no company that will hire you with that pre-release certificate. It is just a guideline to guide us. Even me myself I've done it because I want to be outside.

It is called a pre-release programme, but it is not a pre-release. It is a list of questions that they [correctional officials] ask you. They not really interested exactly of your life situation. They just asking certain questions and dot them down.

Here [at this correctional centre] there is no such thing [pre-release programme].

I did it [pre-release programme] on that day of the same morning when I left [was placed on parole].

The findings discussed above show that most offenders are not equipped with the necessary tools to deal with their reintegration into the community successfully. Most offenders thus lack confidence in the rehabilitation abilities of correctional officials.

7.2.2 Finding 2: Risk Factors

The research findings regarding parole violation risk factors showed that uneducated, unskilled, and unemployed parolees are more likely to violate their parole conditions. The researcher considers these factors, including marital status, criminal history, and substance abuse, to be possible causes of parole violations. It was found that most parolees with a criminal record and who are single fail on parole and re-offend within a year after their release.

The results shown in Chapter 5 (see 5.5.1.1) indicated that, from the group of parole violators, approximately 41% (n=42) of the respondents spent more than a year on parole. Thus, nearly 59% (n=61) of the parolees were returned to correctional centres within a year. Of those who were re-incarcerated within a year, almost 36% (n=37) were returned within six months. In other words, a high return rate within one year after an offender's release on parole was found.

During the quantitative phase of the study, information regarding the respondents' marital status was obtained (see 5.2 and 6.2). These results indicated that 88.35% (n=91) of the respondents were single (unmarried). With regard to the focus group interviews, 77.27% (n=17) of the participants were also found to be single. Therefore, being single can be said to contribute to parole violations to a greater degree than being married.

According to the researcher, previous convictions or a criminal history may be one of the most pertinent risk factors that can be used to predict parole violations or re-offending. The findings clearly showed that a high percentage of parole violators had one or more previous convictions. The results (as reflected in 5.3.3) indicated that 34.95% (n=36) of the respondents had no previous convictions or were first-time offenders, but an aggregated percentage of 65.05% (n=67) of the respondents had one or more previous convictions. Similar results were found with regard to the focus group participants during the second phase of the study. It was found that 45% (n=10) of the participants were first-time offenders, whereas almost 55% (n=12) of the participants had one or more previous convictions (see 6.2).

The researcher finds it interesting that most of the respondents indicated that their health was 'good' (n=41) to 'excellent' (n=31) while they were on parole (see 5.4.7). For this reason, 'poor health' was not identified as a factor that may cause parole violations (see 5.5.3).

7.2.3 Finding 3: Substance Abuse

The findings regarding substance abuse, education, skills, and employment (as factors contributing to parole violations) are discussed separately in more detail below.

Substance abuse, according to McKean and Ransford (2004:4), is a prevailing problem among incarcerated offenders. This finding was also evident in the research results as it was found that 74.76% (n=77) of the respondents knew of other offenders who abused drugs, while 22.33% (n=23) indicated that they had a drug abuse problem themselves while they were incarcerated (see 5.3.7). These results cause one to question whether the circumstances in correctional centres contribute to the problem of substance abuse. However, one cannot truly answer this question, but it is clear that this topic requires further and urgent investigation as substance abuse among offenders presents significant challenges to the reintegration process.

The results discussed in Chapter 5 (see 5.3.5.2) showed that 59.22% (n=61) of the respondents did not attend any substance abuse programmes during incarceration. However, 58.25% (n=60) of the respondents indicated that they felt that treatment programmes for alcohol or drug abuse were important for parole success (see 5.4.9). The focus group participants who struggled with substance abuse problems described having no one to confide in and also described the lack of support they experienced while on parole (see 6.3.3). If only a small fraction of offenders with substance abuse problems receive treatment, then substance abuse will escalate, especially when post-release support is not available to assist these offenders to deal with their problem when they are released on parole.

During the quantitative phase of the study, most of the respondents indicated that they did not abuse drugs while on parole. However, one participant remarked on this specific finding as follows: *"I don't think a lot of people were honest enough to answer that one. That's what I think"*.

The findings showed that substance abuse may be one of the causes of parole violations. The quantitative results regarding substance abuse indicated that 44.66% (n=46) of the respondents knew of other parolees who abused drugs, while 24.27% (n=25) of the respondents abused drugs themselves while they were on parole. Alcohol abuse was shown to be a problem because, during the quantitative phase of the study, 54.37% of the respondents indicated that they had used alcohol on a weekly basis or more often (see 5.4.8). Furthermore, 19.42% (n=20) of the respondents identified that non-compliance with the parole condition of refraining from using alcohol or illegal drugs caused parole revocation (see 5.5.1.3). According to the data discussed in Chapter 5 (see 5.4.10), 87.38% (n=90) of the respondents agreed that alcohol or drug abuse causes negative behaviour.

Further findings from Chapter 5 (see 5.5.3) showed that substance abuse was one of the three factors (after poor support/a loss of support and unemployment) that cause parole violations. During the focus group interviews, it became apparent that alcohol abuse or illegal drug use is a reason why parolees violate their parole conditions (see 6.3.3).

7.2.4 Finding 4: Education, Skills Training and Employment

The respondents from the quantitative phase of the study had to indicate how important their needs were for parole success. The results revealed that opportunities to improve further education and skills training (n=71), as well as finding stable employment (n=70), after support towards re-establishing family relationships (n=72), were considered very important in the process of achieving parole success (see 5.4.9). Furthermore, the results regarding unemployment (see 5.5.3) showed that 80.58% (n=83) of the respondents considered unemployment as one of the main factors causing parole violations.

Nearly one third (63.11%, n=65) of the respondents felt that another factor contributing to parole violation was a lack of education. This lack of education was noticeable from the findings regarding the levels of academic qualifications. The researcher discovered that 76.70% (n=79) of the respondents and half (50.00%) of the focus group participants had low education qualifications of Grade 11 or less (see 5.2 and 6.2).

The respondents from the first phase of the study indicated that although they had participated in correctional programmes, most of them did not attend any skills training or development programmes while they were incarcerated (see 5.3.5). Skills development is a significant indicator in the successful reintegration of offenders (Parliamentary Monitoring Group, 2011:9).

Research results revealed that 59.22% (n=61) of the respondents were working while they were on parole, while 40.78% (n=42) indicated that they were unemployed (see 5.4.6). The findings from the focus group interviews revealed that the type of work parolees found, apart from compulsory community service work, mostly consisted of temporary or casual jobs. For example, one participant made the following comment: *“You find that the job that I got was just a temporary job like maybe doing garden work, painting or cleaning somebody’s yard...”*.

Despite the crucial role employment plays in reducing re-offending, released offenders receive little assistance or advice regarding finding employment. Friends and families remain the most common source of help for parolees who want to find employment (Social Exclusion Unit, 2002:56).

A follow-up question posed to the respondents who indicated that they were working while on parole revealed that 37.70% (n=23) were left on their own when trying to find employment. An aggregated percentage of 57.38% (n=35) of the respondents had to rely on family and friends to find employment. Only 1.64% (n=1) indicated that Community Corrections had assisted them in finding employment (see 5.4.6).

It was found that 85.44% (n=88) of the respondents agreed that finding and keeping a job is very challenging for parolees (see 5.4.10). Successful community reintegration depends on released offenders finding stable employment; however, the stigma or labels attached to the individuals make it difficult for them to be hired. The participants described (see 6.3.5) how potential employers rejected them because these employers were reluctant to hire individuals with a criminal record. It was found that having a criminal record prevents parolees from finding employment. By examining the results in Chapter 5 (see 5.5.3), the researcher is of the opinion that unemployment is one of the factors that cause parole violations.

7.2.5 Finding 5: Family Relationships

The respondents from the first phase of the study were asked to indicate how they would describe their relationships with others (family and others). Most of the respondents indicated that their relationships were ‘good’ to ‘excellent’. However, the results of their collective responses to the question revealed that they had fairly poor relationships with their parent/s, family, and friend/s (see 5.2). Only 17.48% (n=18) of the respondents indicated that they had not received any visits from their families and friends during their

incarceration. The rest of the sample received one to more than four visits per month (see 5.3.4).

According to the results represented in Chapter 5 (see 5.4.4), 55.34% (n=57) of the respondents stayed with their parent/s when they were placed on parole, while another 27.18% (n=28) of the respondents stayed with relatives. Thus, it was found that parolees largely depend on their families for both emotional and financial support. A positive and strong support system must be in place once offenders are placed on parole in order to attain successful reintegration.

Many offenders report that family support is the most important factor keeping them out of correctional centres (Justice Policy Center, 2006:12). The results discussed in Chapter 5 (see 5.4.10) showed that most of the respondents at a high percentage of 97.09% (n=100) agreed that family support is important. The findings revealed that 69.90% (n=72) of the respondents considered support in re-establishing family relationships as a very important requirement for parole success (see 5.4.9).

The above findings show that families often support offenders both during incarceration and after their release. The majority of released offenders stay with family or friends (Seiter & Kadela, 2003:367), as shown above. As a result, parolees rely heavily on their families and friends for accommodation, food, and finding employment. The researcher believes that a huge burden is placed on families. However, these families usually originate from already disadvantaged communities, and they may then experience further financial drain caused by supporting a parolee. Eventually, unemployed parolees might experience a loss of family support, and thus their only choice is to turn to criminal friends and substance abuse, which, in turn, causes them to commit parole violations. Parolees are likely to seek out former (criminal) friends if they have poor relationships with family members and if they feel rejected (as described in 6.3.5). A total of 86.41% (n=89) of the respondents agreed that the main causes for parole violations are poor levels of support or a loss of support, followed by unemployment, substance abuse, and criminal friends (see 5.5.3).

7.2.6 Finding 6: Post-Release Support

During the first phase of the study, it was found that 78.64% (n=81) of the sample, when released on parole, returned to the same neighbourhood they had lived in before incarceration (see 5.4.4). Therefore, not only do family members sometimes reject

parolees, but community members and members of the parolees' neighbourhood who know the parolees as ex-offenders are also reluctant to accept them back into the community. This lack of acceptance and support results in negative stereotyping that influences the behaviour of parolees. As noted in Chapter 6 (see 6.3.5), parolees suffer from the stigma of being labelled 'ex-offenders' or from the stigma attached to statements such as 'once a criminal, always a criminal' and 'criminals are bad people'. The community then responds negatively to such labels by rejecting and distrusting people who have been incarcerated in the past.

In describing their residential area or home address, a high percentage of 76.70% (n=79) of the respondents indicated that they had lived in townships (see 5.2). These types of neighbourhoods or communities are often categorised by poverty, crime, unemployment, economic deprivation, and minimal support structures (Department of Correctional Services, 2005b:63). According to the results discussed in Chapter 5 (see 5.4.10), 58.25% (n=60) of the respondents agreed that it is difficult for parolees to re-adjust to life in the community.

An important key objective of the correctional system is to provide guidance and support to parolees within the community (Department of Correctional Services, 2005b:74). Hence, the Department of Correctional Services should ensure that the reintegration of offenders into their communities is a supervised process and that the necessary services are available to individuals (Department of Correctional Services, 2005b:75).

Section 45(3) of the Correctional Services Act 111 of 1998, as amended (Republic of South Africa, 1998:35) vaguely stipulates that material and financial support should be provided to offenders who are released from correctional centres. The results discussed in Chapter 5 (see 5.3.9) indicated that 71.84% (n=74) of the respondents did not receive any material or financial assistance prior to parole placement.

The participants indicated that significant barriers or challenges that prevent successful reintegration are a lack of income and difficulties accessing public transportation (see 6.3.4). From the above findings, it can be said that a lack of support and the numerous post-release difficulties experienced by parolees contribute to parole failures. The Department of Correctional Services provides limited support to parolees with substance abuse problems, transportation problems, and those struggling to find employment. Communities are also reluctant to provide support to parolees because of negative

perceptions and stigmatisation. Furthermore, such communities are ignorant of the release process and fail to assist parolees to reintegrate into the community.

The results from Chapter 5 (see 5.4.9) indicated that 38.83% (n=40) of the respondents identified post-release support from the Community Corrections Office as a very important requirement for them to be successful on parole. Another 48.54% (n=50) of the respondents felt it was generally important. Only 12.62% (n=13) of the respondents did not consider support from Community Corrections to be important. Based on these findings, Community Corrections is discussed as a separate finding by the researcher.

7.2.7 Finding 7: Community Corrections

Community Corrections is responsible for the supervision and monitoring of parolees in the community and for ensuring public safety. In Chapter 2, the system of Community Corrections, parole conditions, supervision categories, and monitoring phases were explained in more detail. Possible sanctions for non-compliance with parole conditions were also discussed in Chapter 4.

In this section, the researcher focuses primarily on the reasons for non-compliance with parole conditions when parolees are placed under Community Corrections.

Section 50(2) of the Correctional Services Act 111 of 1998, as amended (Republic of South Africa, 1998:38) stipulates the following:

The immediate aim of the implementation of community corrections is to ensure that persons subject to community corrections abide by the conditions imposed upon them in order to protect the community from offences which such persons may commit.

Section 55(3)(a) of the Correctional Services Act 111 of 1998, as amended (Republic of South Africa, 1998:40) states the following:

At the commencement of community corrections the person concerned must be informed in writing of –

- (i) the conditions which will be imposed on him or her in a form and language which will enable him or her to understand what he or she is expected to do or to refrain from doing...*

Although 83.50% (n=86) of the respondents stated that their parole conditions and supervision phases were clearly explained to them before parole placement, it is still a concern that 16.50% (n=17) of the respondents indicated that the conditions and phases of their parole were not clearly explained to them (see 5.3.8). The researcher also found it worrying that more than 30% of the respondents stated that parole conditions such as refraining from using alcohol or illegal drugs and committing a criminal offence were not applicable to them. These results cause one to question whether the parole conditions were clearly explained to the offenders when they were released on parole (see 5.4.2). The researcher postulates that one of the reasons that parolees violate their parole conditions is a lack of understanding of what is expected of them as parolees in the community.

According to the results discussed in Chapter 5 (see 5.5.1.3), the main reason for parole revocation was parolees being absent from home or work during monitoring hours. The focus group participants also identified house detention as a challenging and difficult parole condition to follow (see 6.3.1.1). Reliable transportation and financial support were identified as critical measures to ensure parolees' compliance with the set parole conditions of house detention and monitoring, as indicated by the results found in Chapter 6 (see 6.3.4).

The results discussed in Chapter 6 (see 6.4.1) revealed that a large number of the participants were found to be guilty of the following minor parole violations as specified by the Department of Correctional Services (2009:40-41):

- failure of being subject to monitoring;
- failure to report on the agreed scheduled date for compulsory office consultations;
- failure to report at a community service institution or to participate in community service activities; and
- failure to comply with the condition as ordered by the Correctional Supervision and Parole Board to refrain from using alcohol/drugs.

During the focus group interviews, it became clear that the participants found it difficult to comply with specific parole conditions such as being subject to monitoring, being placed under house detention, being required to do community service, and being required to seek and maintain employment. The participants highlighted the fact that finding employment while trying not to violate the parole condition of rendering community service is a huge problem for parolees. The researcher asks the question: "What is more important, an employed parolee contributing to society or community service as a

compulsory parole condition?” It seems as though community service activities are considered more important than employment by the Department of Correctional Services.

Community Corrections officials rely heavily on one kind of management tool available to them – the ability to revoke an offender’s parole – which is seemingly based on their assessment of the risk parolees pose to the community and their increasing caseloads. Other possible sanctions for minor and major parole violations are in place, and thus parole revocation is not the only option. The first recommended action or imposed sanction for most minor violations should be to give the parolee a written warning and not to revoke their parole (Department of Correctional Services, 2005a:38; Department of Correctional Services, 2009:40). The findings revealed many inconsistencies with regard to how parole violations are dealt with by officials. For example, some parole violators are returned to correctional centres without any warnings. Nearly 38% (n = 39) of the respondents, according to the results in Chapter 5 (see 5.5.1.2), and almost 60% of the participants from the focus group interviews did not receive any warnings before their parole was revoked.

Many of the participants also remarked on the practical difficulties of providing the Community Corrections Office with proof of employment to enable the amendment of house detention conditions. They also identified that it was difficult to disclose their criminal record to employers. These difficulties place parolees at risk of violating their parole conditions as monitoring visits by reintegration case officials are not pre-arranged, and parolees are also unable to provide proof of employment in the form of a letter from an employer to amend house detention conditions (see 6.3.1).

The results from Chapter 5 (see 5.4.9) revealed that 45.63% (n=47) of the respondents considered realistic and applicable parole supervision conditions to be a very important factor contributing to parole success. A further 49.51% (n=51) of the respondents felt these conditions were only important and a small percentage of 4.85% (n=5) considered this factor unimportant.

The findings revealed that 34.95% (n=36) of the respondents never received any help or support from Community Corrections officials, which is alarming. An additional 7.77% (n=8) of the respondents reported seldom receiving any support or help from Community Corrections officials. Only 20.39% (n=21) of the respondents indicated that they always received support from such officials while they were under parole supervision (see 5.4.3).

The results discussed in Chapter 5 (see 5.4.3) regarding parole violators' relationships with correctional supervision officials (parole officers) showed that 16.50% (n=17) of the respondents described their relationships with these officials as fair, while almost 38% (n=39) of the respondents had poor relationships with these officials. An aggregated 40.78% (n=42) of the respondents indicated that they had good to excellent relationships with their correctional supervision officials.

One of the challenges most of the focus group participants experienced while on parole was the manner in which Community Corrections officials treated parolees. Numerous comments were made describing parolees being constantly degraded and harassed by corrupt Community Corrections officials who demanded bribes in the form of money, alcohol, and even food. The participants strongly agreed that their relationships with their reintegration case officials were very poor and that they found these officials to be inconsiderate and unhelpful (see 6.3.2).

It is the researcher's opinion that parolees will most likely find it difficult to comply with their parole conditions if they experience poor relationships with corrupt and unsupportive Community Corrections officials. In fact, even if such officials are not perceived as corrupt and unsupportive, poor relationships between officials and parolees will still contribute to difficulties for the parolees with regard to complying with their parole conditions.

7.2.8 Finding 8: Parole Revocation Hearing

According to Section 75(2)(a) of the Correctional Services Act 111 of 1998, as amended (Republic of South Africa, 1998:49), parole violators must appear before a Correctional Supervision and Parole Board within 14 days of a parole violation to attend a parole revocation hearing for a decision to be made regarding possible parole revocation. Such a hearing will result in an amendment of the parole conditions, or it may result in parole revocation in more serious cases. Revocation decisions made by the Correctional Supervision and Parole Board are mostly centred on the assessment of the risk posed by a parolee to the community (Department of Correctional Services, 2009:44). From a South African perspective, this procedure is often not followed as parole violators are seldom given any warnings or the opportunity to present their case during a parole revocation hearing.

The researcher found the following results obtained from the separate phases of the study to be both unacceptable and unlawful:

- Nearly 40% (n=41) of the respondents never attended a parole revocation hearing.
- Almost 55% (n=34) of those who had appeared before a Correctional Supervision and Parole Board believed that their parole revocation hearing was unfair (see 5.5.2).
- A number of participants in all three of the focus groups remarked that their parole had been revoked without a parole revocation hearing being conducted. The consequence was that these participants had to serve the remainder of their parole period in correctional centres.
- Other participants indicated that they only attended a parole revocation hearing after one to six months of being detained (see 6.4.2).

The researcher found that the majority of parole violators experienced emotions of being worried, depressed, and frustrated after their parole was revoked. A total of 91.26% (n=94) of the respondents indicated that they felt that they should have been given another chance to present their cases to a Correctional Supervision and Parole Board (see 5.5.2).

7.2.9 Finding 9: Further Research

The findings obtained in this study are based on a certain group of parole violators' experiences, perceptions, opinions, and challenges regarding their lives before parole, while on parole, and after parole revocation. Further research is necessary as this research study only focuses on adult male parole violators in the Gauteng region.

7.3 RECOMMENDATIONS

Recommendations presented in this section are based on the rationale of the research study and are aimed at addressing each of the key findings discussed above.

None of the recommendations are prescriptive, but they will have relevance in terms of potential implementation in the Department of Correctional Services, South Africa and probably beyond our borders in the rest of Africa.

In making these recommendations, the researcher recognises that there are public safety concerns facing the Criminal Justice System that call for supervision, surveillance, and support. Not all offenders want to make a positive change and some will continue with

their old criminal lives after parole placement. At the same time, many offenders may attempt to be released from the correctional centre, thus meeting all set release requirements while not truly rehabilitated. Determining who are truly rehabilitated and who not, remains a challenge of extreme proportions.

7.3.1 Recommendation 1: Pre-Release Planning

The moment of release represents a critical point in time that can 'make or break' an offender's successful reintegration into society. Pre-release programmes are intended to assist offenders with the difficult transition period from a correctional centre to the community.

The findings of this study contradict the Correctional Services Act 111 of 1998 (Republic of South Africa, 1998) as it was found that not all offenders attend a pre-release programme before parole placement. Thus, proper monitoring and evaluation of such programmes is required from the Department of Correctional Services to ensure compliance with the applicable legislation. Furthermore, if the set targets are to be met regarding offenders' completion of pre-release programmes before being placed on parole, the Department of Correctional Services should utilise its existing human resources more effectively by providing proper training and by employing more programme facilitators where necessary (Mchuchu-Ratshidi, 2012:4).

The researcher recommends that pre-release programmes should be presented three months prior to parole placement. Furthermore, the researcher recommends that families and future employers should be encouraged to be involved in the pre-release programmes or pre-release planning. In addition, Correctional Supervision and Parole Boards should be made aware that parole can only be approved after an offender has successfully completed a pre-release programme.

The researcher also proposes an amendment to Section 45(1) of the Correctional Services Act 111 of 1998 (Republic of South Africa, 1998), namely the following:

- (1) A sentenced offender must be prepared for his/her reintegration into society by participating in a compulsory pre-release programme three months prior to parole placement or release. This programme will consist of the following areas:
 - (a) identification;
 - (b) Community Corrections/release conditions;

- (c) health education;
- (d) financial management;
- (e) employment;
- (f) substance abuse;
- (g) restorative justice; and
- (h) family relationships.

Release planning starts from the moment of admission to a correctional centre until an offender is released and fully reintegrated into society. During this period of pre-release planning, a Correctional Sentence Plan is developed to address the rehabilitation needs of offenders, parolees, and probationers. The Department of Correctional Services should also ensure that offenders are not released without a proper Correctional Sentence (Release) Plan.

7.3.2 Recommendation 2: Risk Factors

The findings showed that parole violations are most likely to occur soon after parolees are released – typically within six months to a year of release. Therefore, it is suggested that the Department of Correctional Services should concentrate on supervision, surveillance, and support services in the first six months after parolees are released as the risk of recidivism is the highest during this period. Parole supervision should involve case management strategies targeting individual risks and needs (Solomon, Osborne, Winterfield, Elderbroom, Burke, Stroker, Rhine & Burrell, 2008:15). If parolees were accurately categorised regarding their risk of re-offending, and if the development and implementation of Correctional Sentence Plans were based on an individual's needs and risks, these measures would contribute to effective community supervision (Pew Center on the States, 2011:29).

Previous convictions were found to be one of the strongest risk factors in predicting parole violations. Parolees with previous convictions should be classified as high-risk parolees regardless of the total score obtained on the Admission Risk Classification Tool for probationers and parolees.

Parolees who are single (in other words, those who are unmarried) should also be seen as more likely to re-offend. Thus, marital status should be included as a possible risk factor.

A shortcoming is the fact that South Africa does not have a database of re-offenders or parole violators in place. South Africa also does not use a scientific mechanism to test whether specific risk factors and the different programmes undertaken within in a correctional centre contribute to a decline in re-offending. It is recommended that the Department of Correctional Services should address this limitation as a matter of urgency.

7.3.3 Recommendation 3: Substance Abuse

Substance abuse treatment in correctional centres has been shown to reduce drug use and criminal activity, especially when coupled with aftercare treatment and support in the community (Travis, Solomon, & Waul, 2001:25). Substance abuse treatment needs to start prior to offenders being released on parole. Parolees should be able to access community-based resources and treatment programmes. Such treatment programmes should continue after an offender is released from a correctional centre. It is essential for the Department of Correctional Services to establish partnerships with non-governmental organisations such as Alcoholics Anonymous and Narcotics Anonymous that specialise in alcohol and drug abuse programmes.

The prevention of these problems should be emphasised by imposing alcohol and/or drug testing as a parole condition during the first six months of monitoring parolees in the community. The Department of Correctional Services should also consider categorising the use of alcohol and/or illegal drugs as a major or serious violation of parole.

7.3.4 Recommendation 4: Education, Skills Training and Employment

Section 40(1)(b) of the Correctional Services Act 111 of 1998, as amended (Republic of South Africa, 1998) stipulates that the Department of Correctional Services should provide sentenced offenders with work skills in order for them to be employed in society on release. Section 41(1) of the Correctional Services Act 111 of 1998, as amended (Republic of South Africa, 1998:32-33), further states that a full a range of programmes (development, educational, and support programmes) should be available to meet the educational and training needs of sentenced offenders.

Education and skills training are the foundation of quality employment (Clear, Rose & Ryder, 2001:346). However, it was found that a number of parole violators who participated in the study had very low education levels. Most of the offenders believed that it is important to improve one's levels of education while incarcerated, but they found

it difficult to access educational programmes and support. The success of parole depends on the Department of Correctional Services' provision of education and training courses to offenders before and after they are released. Educational programmes should lead to accredited qualifications and should be linked with job search training to ensure that offenders are more likely to obtain employment on release.

The researcher suggests that the Department of Correctional Services should prioritise their offender **skills training** programmes, such as carpentry, plumbing, electrical, welding, and bricklaying, to present these programmes to offenders before they are released on parole. It is recommended that the Department of Correctional Services should provide proper market-related skills to offenders to improve their employment opportunities in society. Furthermore, the Department of Correctional Services should also establish partnerships with the Department of Labour to assist parolees with job-related skills training in the community and to issue certificates of successful completion or attendance of programmes.

The single most important post-release service is employment (Rennie, Eggleston, & Riggs, 2008:14).

The Department of Correctional Services should assist released offenders to find and retain **employment**. Such assistance would alleviate the financial strain parolees experience and the financial burden often absorbed by their families. It would also reduce the stigma associated with incarceration and unemployment (Clear *et al.*, 2001:345). It is recommended that such assistance should include the following (Dissel, 2012:36):

- providing programmes to help parolees become self-employed;
- liaising with businesses to encourage employers to hire ex-offenders (to achieve this goal, tax incentives should be available to business owners who hire qualified ex-offenders);
- liaising with municipalities to employ parolees for community work;
- creating a database of possible employers who are willing to hire ex-offenders;
- and
- promoting work release or day parole placements to allow an offender to find employment or to spend time in a paid working environment while being compelled to return to a correctional centre after hours.

The researcher recommends the involvement of non-governmental organisations to provide released offenders with mandatory two-day community-based employment

programmes. The key aim of such programmes should be to help parolees gain full-time employment. Such programmes would contribute positively to the reintegration process of a parolee if classes in areas such as résumé writing, job searching, interviewing strategies, and vocational training are included in the programmes. Furthermore, it is recommended that these service providers receive payment on a *per capita* basis for each successful job placement.

According to the Center for the Study of Social Policy (2012:2), community safety is achieved when parolees are productively involved in their communities by working and by supporting their families financially. Thus, such programmes are of utmost importance for parole to be successful.

7.3.5 Recommendation 5: Family Relationships

Many parolees stay with their families after they are released because their families are usually their only source of help or the only people they can rely on to aid them in successfully completing their parole period. These roles place a huge financial burden on families who support these uneducated, unskilled, and unemployed parolees. The White Paper on Corrections (Department of Correctional Services, 2005b:65) recognises that the family is the primary level at which corrections should take place, and it is therefore important for families to be prepared for the release of their incarcerated family members. Thus, families should also participate in the reintegration process. It is recommended that post-release support in re-establishing and maintaining family relationships is provided as it is essential for parole success.

This post-release support should engage local community-based organisations to help establish family support groups to aid parolees in overcoming substance abuse problems, to assist them in staying employed, to help them meet supervision conditions, and to help them meet the requirements of their Correctional Sentence (Release) Plans (Travis *et al.*, 2001:43). It is recommended that the example of the Rebuilding and Life Skills Training Centre (REALISTIC) be followed. This centre is a community-based organisation that offers a range of counselling services to probationers and parolees in order to enable them to reintegrate effectively into mainstream society (Madikane, 2008). REALISTIC views the family unit as an important source of support for ex-offenders and, as a result, encourages the formation of family support groups (Madikane, 2008:65). In addition, according to a non-profit organisation, the National Institute for Crime Prevention and the Reintegration of Offenders (NICRO), establishing community family centres would help to

restore family units where needed and would serve as support centres to help both parolees and their families (Padayachee, 2008:20).

7.3.6 Recommendation 6: Post-Release Support

The parole system in South Africa reflects the principles of social reintegration. Thus, government departments, civil society organisations, and communities should start to take responsibility for ensuring that corrections do take place, that post-release support is provided, and that offenders are rehabilitated to enable them to reintegrate successfully into their communities (Department of Correctional Services, 2005b:83).

Successful community reintegration may depend, in part, on the attitudes and reactions that stigmatised parolees encounter after release. It is therefore recommended that the Department of Correctional Services should focus on needs-based strategies and that they should follow a community-based approach in the process of providing post-release support to parolees. Furthermore, it is important for the Department of Correctional Services to achieve an integrated post-release support system by establishing partnerships with all stakeholders involved in the reintegration process of released offenders.

7.3.6.1 Recommendation 6.1: Needs-Based Strategies

The Department of Correctional Services should focus on needs-based strategies rather than a risk-based approach regarding offenders placed on parole.

Risk-based techniques concentrate on increasing the surveillance of parolees with new technologies such as electronic monitoring and alcohol and/or drug testing (using blood and/or urine samples) (Burnett & Maruna, 2006). This approach, according to the researcher, results in revocations that are short-term solutions to long-term problems. Needs-based strategies focus on providing support to parolees by enabling them to learn basic skills and to overcome substance addictions by emphasising the needs associated with preventing the risk of re-offending (Burnett & Maruna, 2006:84).

According to the researcher, it is important that needs-based strategies take the immediate welfare needs of offenders into account, especially during the first few months after their release when the risk of re-offending is the highest. Immediate welfare needs include accommodation, identification, clothing, food, and medication. In addition, the

Department of Correctional Services should evaluate whether the parolee will have access to the transportation required to comply with the parole conditions of employment, community service, and reporting for compulsory visits at a Community Corrections Office. An option for assisting parolees with transportation needs is to provide them with public transportation subsidies.

7.3.6.2 Recommendation 6.2: Community-Based Approach

A crucial element in the successful reintegration of parolees is the willingness of the community to accept parolees back into the community as community members and not solely as ex-offenders returning from incarceration. The researcher recommends investigating the community-based concept of 'healing communities' as described by Boddie, Franklin, and Trulear (2010).

The concept of healing communities rejects the stigma and shame associated with incarceration and refers to parolees as "returning citizens" by recognising their citizenship, strengths, assets, and potential contributions to the community itself (Boddie *et al.*, 2010:5). A healing community involves faith-based organisations or congregations in restoration and healing people affected by crime, incarceration, and reintegration. Support networks based on values of forgiveness and reconciliation first start in houses of worship and then expand to the community at large (Boddie *et al.*, 2010:4).

As a model for successful reintegration into the community, the researcher also recommends that communities start self-help support groups for parolees within houses of worship. This safe environment would allow parolees to communicate with one another with regard to the obstacles, pressures, and temptations they face, as well as with regard to the frustrations of trying to succeed and the discouragements of everyday life experienced as an ex-offender.

Another recommendation is to treat parolees as community assets to be utilised rather than community liabilities to be supervised. The approach is to provide parolees with opportunities to participate voluntarily in community service projects designed to meet the needs of the community and to repair the harm caused by crime (Burnett & Maruna, 2006:87; Travis *et al.*, 2001:43).

To promote greater community involvement in the parole process and to counter the stigmatisation and rejection parolees face, the researcher suggests the formation of

Community Advisory Committees (CACs) to assist and to consult with Community Corrections Offices of the Department of Correctional Services. Committee members can include the Head of a Community Corrections Office (to act as chairperson), as well as social workers, business owners, church leaders, community leaders, victim advocates, and former parolees. Furthermore, representatives of local community police forums, police stations, and community-based organisations could also be included. The CACs should ideally meet on a monthly basis to discuss various issues, such as accommodation, employment, substance abuse, health care, and community safety, which affect successful offender reintegration. In addition, they would be responsible for providing recommendations, reports, and input on parole supervision practices, policies, and strategies.

A colleague of the researcher, Mr John Rasepae (2012), from the Department of Correctional Services' Directorate of Correctional Programmes, used the following analogy to explain the importance of involving communities in the reintegration process:

The water in a jug is contaminated and you pour some of it in a glass for purification. After purification you pour the water back into the jug. The purified water will be contaminated again and all your efforts will go to waste. Offenders are products of their communities. To a large extent their behaviour reflects the maladies in their communities of origin. Even if rehabilitation of offenders in Department of Correctional Services facilities can be intensified, if the factors that promote criminality in the community are not dealt with, those factors might undermine the rehabilitation efforts expended by the Department of Correctional Services and 'contaminate the water that had been purified'.

The involvement of communities should therefore not only be for the sake of knowing where resources are. The aim of the Department of Correctional Services should be to liaise with other Government Departments whose mandate is to deal with problems identified in communities.

7.3.6.3 Recommendation 6.3: Joint Partnerships

The White Paper on Corrections in South Africa (Department of Correctional Services, 2005b:144) has already highlighted the principles of an integrated support system policy. However, as far as could be determined, an integrated (post-release) support system has yet to materialise in full.

The Department of Correctional Services should continue to establish joint partnerships with all of the key stakeholders involved in the reintegration process of released offenders. Government departments (other than non-governmental organisations and community-based organisations) that form part of an integrated support system are the Department of Correctional Services, the Department of Social Development, the South African Police Service, and the Department of Justice and Constitutional Development.

At present, there are only a few non-governmental organisations in South Africa that render post-release support services to parolees. Some of the organisations working in partnership with the Department of Correctional Services are the National Institute for Crime Prevention and the Reintegration of Offenders (NICRO), the Khulisa Crime Prevention Initiative, and the Centre for Conflict Resolution (Kunene, 2008:13). Financially, these organisations depend on donor agencies and a small number of cases receive subsidies from the Department of Social Development (Muntingh, 2009:26). These non-governmental organisations receive no financial support from the Department of Correctional Services, but they still render an invaluable service by helping parolees reintegrate back into communities and by ensuring that parolees play a meaningful role in society (Muntingh, 2008:30). The researcher recommends that the Department of Correctional Services should urgently address the fact that these organisations do not receive any compensation for the services that they render.

7.3.7 Recommendation 7: Community Corrections

One of the objectives of Community Corrections, in terms of Section 50(1)(a)(iii) of the Correctional Services Act 111 of 1998, as amended (Republic of South Africa, 1998:37), is to enable parolees to be rehabilitated in a way that best retains them as integral members of society. The researcher recommends that Community Corrections should provide the following resources to enable parolees to be rehabilitated and reintegrated into society:

- clear and comprehensive explanations of parole conditions and supervision phases;
- fair treatment in a safe environment where intimidation, abuse, and rejection by corrupt or dishonest officials are prevented;
- assistance in finding employment and dealing with substance abuse problems; and
- available and sufficient post-release support, programmes, and services.

An indication of the lack of post-release support available to parolees in the current system is the poor relationships parolees have with their reintegration case or monitoring officials. Consequently, urgent attention should be given to investigate ways of identifying and dealing with corrupt and abusive Community Corrections officials. Moreover, the attitudes of these officials and their inconsistent handling of parole violations need to be addressed through additional training and monitoring to ensure the successful rehabilitation and reintegration of parolees.

Another recommendation is for parole conditions to be reviewed to remove obstacles preventing the employment of offenders. The researcher also agrees with Carl Wicklund (2005, as cited in Solomon *et al.*, 2008:11), Executive Director of the American Probation and Parole Association, who believes that parole conditions should be realistic and relevant according to the circumstances of each individual parolee. Parolees often have to comply with an unreasonable number of conditions that, when combined, make it difficult for them to find and to keep employment, as well as to render compulsory community service at the same time. Such conditions should therefore be made more realistic. For example, community service as a parole condition should be suspended once a parolee obtains full-time employment. Parole conditions should be few in number and should also be achievable. Parole conditions should be tailored to individual risks and needs, and the available resources and services in a parolee's community should be taken into consideration to produce relevant parole conditions (Wicklund, 2005 as cited in Solomon *et al.*, 2008:11).

7.3.8 Recommendation 8: Parole Revocation Hearing

According to Section 75(2)(a) of the Correctional Services Act 111 of 1998, as amended (Republic of South Africa, 1998:49), the Department of Correctional Services should ensure that parole violators appear before the Correctional Supervision and Parole Board within 14 days of being detained for a parole violation. Furthermore, offenders should be given the opportunity to present their cases during such a hearing. According to the applicable legislation, if these conditions are not met, illegal incarceration would result. In such cases, parole violators should be immediately returned to the community to complete the rest of their parole period.

Overcrowded correctional centres, overburdened Correctional Supervision and Parole Boards, and the impact of a Correctional Supervision and Parole Board's decision on family relationships and the work commitments of a parole violator should be taken into

account before a Supervision Committee makes recommendations to a Correctional Supervision and Parole Board. Only once these factors are taken into consideration should the Correctional Supervision and Parole Board be able to make a proper decision regarding the fate of a parole violator.

7.3.9 Recommendation 9: Further Research

The following areas of further research are recommended:

- A comparative analysis of parole successes versus parole failures should be undertaken. The nature of parolees' experiences in the community regarding stigmatisation, the kind of supervision and post-release support they receive, and their compliance with release conditions should be part of the research agenda.
- A study to address the lack of research and knowledge on parole revocation hearings with reference to decision-making processes and assessment of risk factors by Correctional Supervision and Parole Boards should be conducted.
- An evaluation of the impact of parole violations and consequent parole revocation in terms of the disruption it causes to families, jobs, and community life should be investigated.
- An assessment of the impact of having a criminal record and its effect on finding employment should be conducted.
- An investigation to determine if substance abuse among incarcerated offenders causes recidivism in South Africa should be conducted.
- A correlation research study to establish a relationship between marital status and criminality among previous offenders should be conducted.
- A research study on the viewpoints of Community Corrections officials regarding parolees' needs and challenges, their perspectives on factors relating to success or failure on parole, as well as their experiences of monitoring and supervising parolees in the community should be conducted. Such a study should be used to strengthen the Community Corrections system and would be beneficial because little is known about how Community Corrections officials exercise their discretion and what factors affect their decisions when parolees violate their parole conditions.
- A national parole violator research study to explore further reasons why certain offenders fail on parole should be conducted. Answers to these questions would help in designing policies and programmes to reduce the risk of re-offending while an offender is on parole.

7.4 CONCLUSION

Poor pre-release planning and a lack of post-release support, a lack of education, unemployment, substance abuse, and a loss of family support were found to be the main causes of parole violations. In relation to the causes of parole violations, it can be said that the success or failure of an individual parolee has an effect on society as a whole (Rennie *et al.*, 2008:6). Thus, parole success and the successful reintegration of parolees into society enhance public safety, prevent victimisation, save money with regard to the re-incarceration process, and reduce overcrowding rates.

True rehabilitation and successful reintegration can only be achieved if people, as individuals or as a group, are able to answer the following question truthfully: “Are you prepared to provide the necessary support, resources, and time to a parolee who is stigmatised and labelled by society as an ex-offender after they have been released from a correctional centre?”

The researcher would like to conclude with the following quotation as a final thought:

“A Nation should not be judged by how it treats its highest citizens, but its lowest ones”

- Nelson Mandela (1995:23)

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INFORMED CONSENT FORM
SELF-ADMINISTERED QUESTIONNAIRE

1. TITLE OF THE RESEARCH

A Mixed Method Research Study on Parole Violations in South Africa.

2. PURPOSE OF THE STUDY

The aim of the study is to explore parole violations and revocation as events of recidivism (re-offending) by identifying factors that explain why parolees fail on parole.

3. PROCEDURES

To achieve the above-mentioned aim use will be made of a self-administered questionnaire that should not take more than 60 minutes to complete. This entails the asking of close-ended questions of every respondent.

4. RISKS

There are no risks involved in participating in this study and your responses will not result in any form of disadvantage.

5. PARTICIPANT'S RIGHTS

Participation in this study is voluntary and you may refuse to answer any question or withdraw from the study at any stage.

6. CONFIDENTIALITY

The information you provide will be used for research purposes only. I assure you that your identity and personal information will be kept private and confidential.

Should you have any questions or concerns regarding the study please direct it to the researcher Mr Francois CM Louw.

Please indicate your willingness to participate in this study by signing a copy of this document.

I understand the contents of this document and the nature of the study. I hereby agree to take part in the study.

SIGNATURE OF PARTICIPANT: _____

SIGNATURE OF RESEARCHER: _____

DATE: _____



ANNEXURE B

A MIXED METHOD RESEARCH STUDY ON PAROLE VIOLATIONS IN SOUTH AFRICA

Dear Respondent

My name is Francois Louw, and I'm a doctoral student in Penology at the University of South Africa. I'm interested in exploring parole violations as an event of recidivism or re-offending and to identify factors that explain why parolees fail on parole. In other words, what causes someone to violate his parole conditions?

I kindly request that you complete the attached questionnaire regarding your experiences, perceptions, opinions and challenges of your life before and on parole as well as parole revocation. It should not take more than 60 minutes to complete. However, do not worry if you finish quicker or need more time.

Do not write your name or any identifying particulars on the questionnaire. The information provided by you will be anonymous and kept confidential.

Please note:

- Your participation is voluntary and very important.
- You may withdraw from the study at any stage.
- Participation does not involve any risks or harm to you.
- You will not be compensated (e.g. paid) for your participation in any manner.
- None of the questions has RIGHT or WRONG answers.

Should you have a problem understanding any of the questions, please put up your hand and I will come and assist you.

Thank you for your participation and make sure that you answer all the questions in every section of the questionnaire.

Yours sincerely,

FRANCOIS CM LOUW
RESEARCHER

DATE

ANNEXURE C

QUESTIONNAIRE ON PAROLE VIOLATIONS

| | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | |
|---|--------------------------|-----------------|---|-----------|----------|-------------|-------------|-------------|-------------|-----------|----------|----------|----------|----------|----------|-------|---------|----------|-------|-------|----------|----------|----------|----------|--------|---------|----------|---------|----------|----------|----------|----------|-------------------------|--------------------------|-----------------|---------------------|---|
| <p>Please answer ALL the questions in every section by making a cross (✗) in the relevant block.</p> <p>EXAMPLE:</p> <p>What is your gender? <table border="1" style="display: inline-table; border-collapse: collapse;"><tr><td style="padding: 2px 10px;">Male</td><td style="padding: 2px 10px;">Female</td></tr></table></p> <p>The questionnaire consists of four (4) sections:</p> <p>Section A: General Information</p> <p>Section B: Life Inside a Correctional Centre (Before Parole)</p> <p>Section C: Life After Incarceration (On Parole)</p> <p>Section D: Return to a Correctional Centre (Parole Revocation)</p> <p>Please Note:</p> <ul style="list-style-type: none"> Do not write your name or any identifying particulars on the questionnaire. Your participation in the study is regarded as informed consent. ALL information supplied will be treated as confidential. | Male | Female | <p>For Office Use</p> <p>Respondent no.</p> <p>V1 <table border="1" style="display: inline-table; border-collapse: collapse;"><tr><td style="width: 20px; height: 20px;"></td><td style="width: 20px; height: 20px;"></td><td style="width: 20px; height: 20px;"></td></tr></table> 1-3</p> | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | |
| Male | Female | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | |
| | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | |
| <p><u>SECTION A: GENERAL INFORMATION</u></p> <p>This section of the questionnaire refers to background or general information.</p> <p>1. What is your age group?</p> <table border="1" style="width: 100%; border-collapse: collapse; text-align: center;"> <tr> <td style="width: 20%;">1</td> <td style="width: 20%;">2</td> <td style="width: 20%;">3</td> <td style="width: 20%;">4</td> <td style="width: 20%;">5</td> </tr> <tr> <td>18-25 years</td> <td>26-35 years</td> <td>36-45 years</td> <td>46-55 years</td> <td>56+ years</td> </tr> </table> <p>2. What is your ethnic group?</p> <table border="1" style="width: 100%; border-collapse: collapse; text-align: center;"> <tr> <td style="width: 20%;">1</td> <td style="width: 20%;">2</td> <td style="width: 20%;">3</td> <td style="width: 20%;">4</td> <td style="width: 20%;">5</td> </tr> <tr> <td>Asian</td> <td>African</td> <td>Coloured</td> <td>White</td> <td>Other</td> </tr> </table> <p>3. What is your marital status?</p> <table border="1" style="width: 100%; border-collapse: collapse; text-align: center;"> <tr> <td style="width: 25%;">1</td> <td style="width: 25%;">2</td> <td style="width: 25%;">3</td> <td style="width: 25%;">4</td> </tr> <tr> <td>Single</td> <td>Married</td> <td>Divorced</td> <td>Widowed</td> </tr> </table> <p>4. What is your highest educational qualification?</p> <table border="1" style="width: 100%; border-collapse: collapse; text-align: center;"> <tr> <td style="width: 25%;">1</td> <td style="width: 25%;">2</td> <td style="width: 25%;">3</td> <td style="width: 25%;">4</td> </tr> <tr> <td>Grade 11/Std 9 or lower</td> <td>Grade 12/ Std 10/ Matric</td> <td>Diploma/ Degree</td> <td>Postgraduate Degree</td> </tr> </table> | 1 | 2 | 3 | 4 | 5 | 18-25 years | 26-35 years | 36-45 years | 46-55 years | 56+ years | 1 | 2 | 3 | 4 | 5 | Asian | African | Coloured | White | Other | 1 | 2 | 3 | 4 | Single | Married | Divorced | Widowed | 1 | 2 | 3 | 4 | Grade 11/Std 9 or lower | Grade 12/ Std 10/ Matric | Diploma/ Degree | Postgraduate Degree | <p>V2 <input style="width: 20px; height: 20px;" type="checkbox"/> 4</p> <p>V3 <input style="width: 20px; height: 20px;" type="checkbox"/> 5</p> <p>V4 <input style="width: 20px; height: 20px;" type="checkbox"/> 6</p> <p>V5 <input style="width: 20px; height: 20px;" type="checkbox"/> 7</p> |
| 1 | 2 | 3 | 4 | 5 | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | |
| 18-25 years | 26-35 years | 36-45 years | 46-55 years | 56+ years | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | |
| 1 | 2 | 3 | 4 | 5 | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | |
| Asian | African | Coloured | White | Other | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | |
| 1 | 2 | 3 | 4 | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | |
| Single | Married | Divorced | Widowed | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | |
| 1 | 2 | 3 | 4 | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | |
| Grade 11/Std 9 or lower | Grade 12/ Std 10/ Matric | Diploma/ Degree | Postgraduate Degree | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | |

| | | | | | |
|---|-------------------|---------------------|-------------------|--|------------------|
| 5. How would you describe your residential area/home address? | | | | V6 <input style="width: 30px; height: 20px;" type="text"/> 8 | |
| 1 | 2 | 3 | 4 | | |
| Rural (Country/Village) | Township | Informal settlement | Urban (City/Town) | | |
| 6. Indicate how you would describe your relationship with the following people by placing a cross (x) in the appropriate block. | | | | | |
| | 1 | 2 | 3 | 4 | 5 |
| | Poor | Fair | Average | Good | Excellent |
| 6.1 Parent(s)/Parent figure(s) | | | | | |
| 6.2 Family member(s) | | | | | |
| 6.3 Friend(s) | | | | | |
| 7. How old were you when you were first convicted of a crime? | | | | V7 <input style="width: 30px; height: 20px;" type="text"/> 9 V8 <input style="width: 30px; height: 20px;" type="text"/> 10 V9 <input style="width: 30px; height: 20px;" type="text"/> 11 | |
| 1 | 2 | 3 | 4 | | 5 |
| Below 18 years | 18-25 years | 26-35 years | 36-45 years | 46+ years | |
| 8. Rate your knowledge on how to use the following technology by placing a cross (x) in the appropriate block. | | | | | |
| | 1 | 2 | 3 | 4 | 5 |
| | Don't Know | Poor | Average | Good | Excellent |
| 8.1 Computer | | | | | |
| 8.2 Cell phone | | | | | |
| 8.3 ATM (Auto bank) | | | | | |
| SECTION B: LIFE INSIDE A CORRECTIONAL CENTRE (BEFORE PAROLE) | | | | | |
| This section contains questions regarding your experiences of your life inside a correctional centre before parole placement (pre-release/sentence period). | | | | | |
| 9. Indicate the crime category you were sentenced for before parole placement. | | | | | |
| 1 | 2 | 3 | 4 | 5 | |
| Aggressive | Economic | Sexual | Narcotics | Other(<i>Specify:</i> _____) | |
| 10. What was the length of your sentence before parole placement? | | | | V14 <input style="width: 30px; height: 20px;" type="text"/> 16 V15 <input style="width: 30px; height: 20px;" type="text"/> 17 | |
| 1 | 2 | 3 | 4 | | 5 |
| Less than 2 years | 2-3 years | >3-5 years | >5-7 years | >7-10 years | |
| 6 | 7 | | | | |
| >10-15 years | >15-20+ years | | | | |

11. How many previous convictions do you have?

| 1 | 2 | 3 | 4 | 5 |
|-----------------------|---------|---------|-----------|-------------|
| None (First offender) | One (1) | Two (2) | Three (3) | More than 3 |

V16 18

12. How many visits per month did you receive from your family and friends while incarcerated?

| 1 | 2 | 3 | 4 | 5 | 6 |
|------|---------|---------|-----------|----------|-------------|
| None | One (1) | Two (2) | Three (3) | Four (4) | More than 4 |

V17 19

13. How often were the following services available in correctional centres?

| | 1 Never | 2 Sometimes | 3 Always |
|---------------------|------------|----------------|-------------|
| 13.1 Social work | | | |
| 13.2 Spiritual care | | | |
| 13.3 Educational | | | |
| 13.4 Psychological | | | |
| 13.5 Health care | | | |
| 13.6 Labour/work | | | |

V18 20

V19 21

V20 22

V21 23

V22 24

V23 25

14. Indicate which of the following correctional programmes were completed by you.

| | 1 Yes | 2 No |
|---------------------------------|----------|---------|
| 14.1 Anger Management | | |
| 14.2 Sexual Offenders Programme | | |
| 14.3 Substance Abuse | | |
| 14.4 Life Skills | | |
| 14.5 Restorative Justice | | |
| 14.6 Other (Specify) | | |

V24 26

V25 27

V26 28

V27 29

V28 30

V29 31

15. Which of the following skills training- or development programmes were successfully attended in correctional centres?

| | 1 Yes | 2 No |
|-------------------------|----------|---------|
| 15.1 Woodwork/Carpentry | | |
| 15.2 Welding | | |
| 15.3 Plumbing | | |
| 15.4 Electrical | | |
| 15.5 Bricklaying | | |
| 15.6 Tiling | | |
| 15.7 Painting | | |
| 15.8 Other (Specify) | | |

V30 32

V31 33

V32 34

V33 35

V34 36

V35 37

V36 38

V37 39

16. Do you know what a Correctional Sentence Plan is?

| | |
|-----|----|
| 1 | 2 |
| Yes | No |

V38 40

IF YES, PLEASE ANSWER QUESTION 17. IF NO, GO TO QUESTION 18.

17. Was an individual Correctional Sentence Plan developed to address your risks and rehabilitation needs?

| | |
|-----|----|
| 1 | 2 |
| Yes | No |

V39 41

18. Did you know of other inmates who abused drugs while incarcerated?

| | |
|-----|----|
| 1 | 2 |
| Yes | No |

V40 42

19. Did you have a drug abuse problem during your sentence period?

| | |
|-----|----|
| 1 | 2 |
| Yes | No |

V41 43

20. Did you successfully participate in a Pre-Release programme before parole placement?

| | |
|-----|----|
| 1 | 2 |
| Yes | No |

V42 44

IF YES, PLEASE ANSWER QUESTION 21. IF NO, GO TO QUESTION 22.

21. To what extent do you agree or disagree that the Pre-Release programme prepared you for parole placement and reintegration into society.

| | | | | |
|-------------------|----------|---------|-------|----------------|
| 1 | 2 | 3 | 4 | 5 |
| Strongly disagree | Disagree | Neutral | Agree | Strongly agree |

V43 45

22. Were your parole conditions and supervision phases clearly explained to you before parole placement?

| | |
|-----|----|
| 1 | 2 |
| Yes | No |

V44 46

23. Was any material or financial support provided prior to parole placement?

| | |
|-----|----|
| 1 | 2 |
| Yes | No |

V45 47

24. Do you believe that every correctional official is a rehabilitator?

| | |
|-----|----|
| 1 | 2 |
| Yes | No |

V46 48

| | | | | | | | |
|---|--------------------------|-----------------|----------------|--------------|-----------------------|-----|----|
| 25. To what extent do you agree or disagree with the following statements regarding parole decisions. | | | | | | | |
| | 1 | 2 | 3 | 4 | 5 | | |
| | Strongly Disagree | Disagree | Neutral | Agree | Strongly Agree | | |
| 25.1 The participation in rehabilitation programmes is considered an important factor for parole approval. | | | | | | V47 | 49 |
| 25.2 Positive support systems and residential address play an important role for parole placement. | | | | | | V48 | 50 |
| 25.3 Parole decisions are only based on a Social Worker's report. | | | | | | V49 | 51 |
| 25.4 Confirmation of an employment offer increases the chances of parole placement. | | | | | | V50 | 52 |
| 25.5 The amount of disciplinary offences committed effects parole decisions negatively. | | | | | | V51 | 53 |
| 25.6 Previous convictions or parole violations are considered as a risk factor for parole placement. | | | | | | V52 | 54 |
| 25.7 The Parole Board is qualified to make informed and correct parole decisions. | | | | | | V53 | 55 |
| <u>SECTION C: LIFE AFTER INCARCERATION (ON PAROLE)</u> | | | | | | | |
| This section explores your experiences, perceptions, opinions and challenges regarding your life on parole (post-release period). | | | | | | | |
| 26. To what extent do you agree or disagree with the purpose of parole. | | | | | | | |
| | 1 | 2 | 3 | 4 | 5 | | |
| | Strongly Disagree | Disagree | Neutral | Agree | Strongly Agree | | |
| 26.1 Promotes rehabilitation | | | | | | V54 | 56 |
| 26.2 Serves as a reward/incentive for good behaviour | | | | | | V55 | 57 |
| 26.3 Reduces correctional centre overcrowding | | | | | | V56 | 58 |
| 26.4 Functions as a reintegration mechanism | | | | | | V57 | 59 |
| 26.5 Helps to protect the community | | | | | | V58 | 60 |

27. Indicate whether the following parole conditions applied to you.

| | 1 | 2 |
|---|-----|----|
| | Yes | No |
| 27.1 Subject to monitoring | | |
| 27.2 Placed under house detention | | |
| 27.3 Community service | | |
| 27.4 Seek employment | | |
| 27.5 Take up and remain in employment | | |
| 27.6 Pay compensation or damages to victim(s) | | |
| 27.7 Participate in treatment, development and support programmes | | |
| 27.8 Participate in mediation with victim | | |
| 27.9 Participate in family group counselling or conferencing | | |
| 27.10 Contribute financially to the cost of Community Corrections | | |
| 27.11 Restricted to one or more magisterial district(s) | | |
| 27.12 Fixed residential address | | |
| 27.13 Refrain from using alcohol or illegal drugs | | |
| 27.14 Refrain from committing a criminal offence | | |
| 27.15 Refrain from visiting a particular place | | |
| 27.16 Refrain from making contact with a particular person(s) | | |
| 27.17 Refrain from threatening a particular person(s) by word or action | | |
| 27.18 Attend compulsory office consultations with Supervision Committee | | |
| 27.19 Other (<i>Specify</i>) | | |

- V59 61
- V60 62
- V61 63
- V62 64
- V63 65
- V64 66
- V65 67
- V66 68
- V67 69
- V68 70
- V69 71
- V70 72
- V71 73
- V72 74
- V73 75
- V74 76
- V75 77
- V76 78
- V77 79

28. Which monitoring phase were you placed in when released on parole?

| 1 | 2 | 3 | 4 | 5 |
|------------|---------|----------|-----------|----------|
| Don't know | Phase I | Phase II | Phase III | Phase IV |

V78 80

29. How would you describe your relationship with your Correctional Supervision Official (Parole Officer)?

| 1 | 2 | 3 | 4 | 5 |
|------|------|---------|------|-----------|
| Poor | Fair | Average | Good | Excellent |

V79 81

30. How supportive/helpful was your Correctional Supervision Official (Parole Officer) towards you while on parole?

| 1 | 2 | 3 | 4 | 5 |
|-------|--------|-----------|-------|--------|
| Never | Seldom | Sometimes | Often | Always |

V80 82

31. When you were placed on parole did you return to the same neighbourhood you had lived in before incarceration?

| 1 | 2 |
|-----|----|
| Yes | No |

V81 83

32. With whom did you stay when placed on parole?

| 1 | 2 | 3 | 4 | 5 |
|-----------|------|-------------|-----------|---------------------------|
| Parent(s) | Wife | Relative(s) | Friend(s) | Other (Specify: _____) |

V82 84

33. Have your family and close friends ever been involved in any criminal activities?

| 1 | 2 |
|-----|----|
| Yes | No |

V83 85

34. Were you working (employed) while on parole?

| 1 | 2 |
|-----|----|
| Yes | No |

V84 86

IF YES, PLEASE ANSWER QUESTION 35. IF NO, GO TO QUESTION 36.

35. Who helped and advised you on finding employment?

| 1 | 2 | 3 | 4 | 5 |
|-------------|--------|-----------|-----------------------|---------------------------|
| On your own | Family | Friend(s) | Community Corrections | Other (Specify: _____) |

V85 87

36. How would you describe your health when you were on parole?

| 1 | 2 | 3 | 4 | 5 |
|------|------|---------|------|-----------|
| Poor | Fair | Average | Good | Excellent |

V86 88

37. Did you know of other parolees who abused drugs on parole?

| 1 | 2 |
|-----|----|
| Yes | No |

V87 89

38. Did you ever abuse drugs while on parole?

| 1 | 2 |
|-----|----|
| Yes | No |

V88 90

39. How often per week did you use alcohol?

| 1 | 2 | 3 | 4 | 5 |
|-------|-------------|--------------|--------------------|-----------|
| Never | Once a week | Twice a week | Three times a week | Every day |

V89 91

40. How important is each of the following needs for offenders to be successful on parole?

| | 1 | 2 | 3 |
|---|------------------|-----------|-------------------|
| | Not Important | Important | Very Important |
| 40.1 Support towards re-establishing family relations | | | |
| 40.2 Finding stable employment | | | |
| 40.3 Treatment programmes for alcohol or drug abuse | | | |
| 40.4 Access to medical care | | | |
| 40.5 Opportunities to improve further education and skills training | | | |
| 40.6 Post-release support from Community Corrections office | | | |
| 40.7 Realistic and applicable parole supervision conditions | | | |

| | | |
|-----|----------------------|----|
| V90 | <input type="text"/> | 92 |
| V91 | <input type="text"/> | 93 |
| V92 | <input type="text"/> | 94 |
| V93 | <input type="text"/> | 95 |
| V94 | <input type="text"/> | 96 |
| V95 | <input type="text"/> | 97 |
| V96 | <input type="text"/> | 98 |

41. Indicate whether you agree or disagree with the following statements.

| | 1 | 2 |
|---|----------|-------|
| | Disagree | Agree |
| 41.1 Crime is an easy way to make money | | |
| 41.2 Family support is important | | |
| 41.3 My neighbourhood is an unsafe high-crime area | | |
| 41.4 It is easy to return to previous criminal behaviour | | |
| 41.5 Finding and keeping a job is very challenging | | |
| 41.6 Alcohol or drug abuse causes negative behaviour | | |
| 41.7 It is difficult to readjust to life in the community | | |

| | | |
|------|----------------------|-----|
| V97 | <input type="text"/> | 99 |
| V98 | <input type="text"/> | 100 |
| V99 | <input type="text"/> | 101 |
| V100 | <input type="text"/> | 102 |
| V101 | <input type="text"/> | 103 |
| V102 | <input type="text"/> | 104 |
| V103 | <input type="text"/> | 105 |

SECTION D: RETURN TO A CORRECTIONAL CENTRE (PAROLE REVOCATION)

This section of the questionnaire focuses on your opinions, emotions and experiences of your return to a correctional centre for a parole violation.

42. Indicate the average time you spent on parole before returning to a correctional centre.

| 1 | 2 | 3 | 4 |
|-------------------|------------|-------------|------------------|
| Less than a month | 1-6 months | 6-12 months | More than a year |

| | | |
|------|----------------------|-----|
| V104 | <input type="text"/> | 106 |
|------|----------------------|-----|

43. How many warnings did you receive from your Correctional Supervision Official (Parole Officer) before your parole was revoked?

| 1 | 2 | 3 | 4 | 5 |
|------|---------|---------|-----------|-------------|
| None | One (1) | Two (2) | Three (3) | More than 3 |

| | | |
|------|----------------------|-----|
| V105 | <input type="text"/> | 107 |
|------|----------------------|-----|

44. Indicate the reason (type of violation) for parole revocation.

| | 1 | 2 |
|---|-----|----|
| | Yes | No |
| 44.1 Not at home or work during monitoring | | |
| 44.2 Failing to participate in community service | | |
| 44.3 Failing to take up or remain in employment when set as a condition | | |
| 44.4 Failing to pay victim compensation | | |
| 44.5 Failing to participate in compulsory programmes | | |
| 44.6 Failing to participate in mediation with victim | | |
| 44.7 Failing to participate in family group counselling | | |
| 44.8 Failing to contribute financially to the cost of Community Corrections | | |
| 44.9 Leaving magisterial district(s) without permission | | |
| 44.10 Failing to notify change of address or residence | | |
| 44.11 Refusing to be subjected to alcohol or drug testing during monitoring | | |
| 44.12 Use or abuse of alcohol or illegal drugs | | |
| 44.13 Committed a new offence or crime | | |
| 44.14 Visiting a particular place without approval | | |
| 44.15 Making contact with a particular person(s) without approval | | |
| 44.16 Threatening a particular person(s) by word or action | | |
| 44.17 Failing to report for compulsory office consultation | | |
| 44.18 Absconding | | |
| 44.19 Other (<i>Specify</i>) | | |

| | | |
|------|--------------------------|-----|
| V106 | <input type="checkbox"/> | 108 |
| V107 | <input type="checkbox"/> | 109 |
| V108 | <input type="checkbox"/> | 110 |
| V109 | <input type="checkbox"/> | 111 |
| V110 | <input type="checkbox"/> | 112 |
| V111 | <input type="checkbox"/> | 113 |
| V112 | <input type="checkbox"/> | 114 |
| V113 | <input type="checkbox"/> | 115 |
| V114 | <input type="checkbox"/> | 116 |
| V115 | <input type="checkbox"/> | 117 |
| V116 | <input type="checkbox"/> | 118 |
| V117 | <input type="checkbox"/> | 119 |
| V118 | <input type="checkbox"/> | 120 |
| V119 | <input type="checkbox"/> | 121 |
| V120 | <input type="checkbox"/> | 122 |
| V121 | <input type="checkbox"/> | 123 |
| V122 | <input type="checkbox"/> | 124 |
| V123 | <input type="checkbox"/> | 125 |
| V124 | <input type="checkbox"/> | 126 |

45. Did you attend a parole revocation hearing?

| 1 | 2 |
|--------------------------|--------------------------|
| Yes | No |
| <input type="checkbox"/> | <input type="checkbox"/> |

V125 127

IF YES, PLEASE ANSWER QUESTION 46. IF NO, GO TO QUESTION 47.

46. Do you believe that your parole revocation hearing was fair?

| 1 | 2 |
|--------------------------|--------------------------|
| Yes | No |
| <input type="checkbox"/> | <input type="checkbox"/> |

V126 128

47. Indicate the emotions you experienced when your parole was revoked.

| | 1 | 2 |
|---------------------|-----|----|
| | Yes | No |
| 47.1 Hopeless | | |
| 47.2 Depressed | | |
| 47.3 Angry | | |
| 47.4 Frustrated | | |
| 47.5 Worried | | |
| 47.6 Guilty | | |
| 47.7 Anxious | | |
| 47.8 Positive/Happy | | |
| 47.9 Felt nothing | | |

| | | |
|------|--------------------------|-----|
| V127 | <input type="checkbox"/> | 129 |
| V128 | <input type="checkbox"/> | 130 |
| V129 | <input type="checkbox"/> | 131 |
| V130 | <input type="checkbox"/> | 132 |
| V131 | <input type="checkbox"/> | 133 |
| V132 | <input type="checkbox"/> | 134 |
| V133 | <input type="checkbox"/> | 135 |
| V134 | <input type="checkbox"/> | 136 |
| V135 | <input type="checkbox"/> | 137 |

| | | | |
|---|-----|----|-------------------------------|
| <p>48. Do you believe the Correctional Supervision Official and Parole Board should have given you another chance?</p> | | | |
| 1 | 2 | | |
| Yes | No | | V136 <input type="text"/> 138 |
| <p>49. Which of the following factors causes parole violations?</p> | | | |
| | 1 | 2 | |
| | Yes | No | |
| 49.1 Poor or loss of support | | | V137 <input type="text"/> 139 |
| 49.2 Unemployment | | | V138 <input type="text"/> 140 |
| 49.3 Substance abuse | | | V139 <input type="text"/> 141 |
| 49.4 Unsafe or crime infested neighbourhood | | | V140 <input type="text"/> 142 |
| 49.5 Criminal friends | | | V141 <input type="text"/> 143 |
| 49.6 Lack of education | | | V142 <input type="text"/> 144 |
| 49.7 Poor health | | | V143 <input type="text"/> 145 |
| 49.8 Young age | | | V144 <input type="text"/> 146 |
| 49.9 Strict parole supervision | | | V145 <input type="text"/> 147 |

**THANK YOU FOR YOUR PARTICIPATION IN COMPLETING THIS
QUESTIONNAIRE!**

INFORMED CONSENT FORM
FOCUS GROUP INTERVIEW

1. TITLE OF THE RESEARCH

A Mixed Method Research Study on Parole Violations in South Africa.

2. PURPOSE OF THE STUDY

The aim of the study is to explore parole violations as a recidivism (re-offending) event by identifying factors that explain why parolees fail on parole.

3. PROCEDURES

To achieve the above-mentioned aim use will be made of focus group interviews that should not take more than 60 minutes to conclude. This informal discussion entails the asking of open-ended questions to a selected group of participants. A tape recorder and note taking will be used to gather information about the participant's views, feelings and experiences of parole placement and violation of parole.

4. RISKS

There are no risks involved in participating in this study and your participation will not result in any form of disadvantage.

5. PARTICIPANT'S RIGHTS

Participation in this study is voluntary and you may refuse to answer any question or withdraw from the study at any stage.

6. CONFIDENTIALITY

The information you provide will be used for research purposes only. I assure you that your identity and personal information will be kept private and confidential.

Should you have any questions or concerns regarding the study please direct it to the researcher Mr Francois CM Louw.

Please indicate your willingness to participate in this study by signing a copy of this document.

I understand the contents of this document and the nature of the study. I hereby agree to take part in the study.

SIGNATURE OF PARTICIPANT: _____

SIGNATURE OF RESEARCHER: _____

DATE: _____

FOCUS GROUP DISCUSSION GUIDE
OCTOBER 2010

A. INTRODUCTION

Welcome and consent process:

Good day, welcome to our session and thank you for attending. My name is Francois Louw and I'm a doctoral student in Penology at the University of South Africa. My role as moderator or interviewer will be to guide this session by making use of a discussion guide.

Before we begin with the actual interview I need each of you to sign a consent form that will indicate your willingness to participate in this study.

Informed consent forms are distributed to the group.

Let's read through the consent form.

Are there any questions?

If none, please sign at the bottom of the page next to signature of participant.

Purpose of the study:

The purpose of this study and according to the signed consent form is for us to explore parole violations by talking about your experiences on parole and to discuss the possible causes or reasons for parole violations.

Don't be nervous and please feel free to share your point of view even if it differs from what others have said.

I will be tape recording the interview because I don't want to miss any of your comments.

Review ground rules:

Let's review a few basic ground rules for this session.

- It is important for everyone to participate.
- Only one person should speak at a time.
- Respect others' opinions and views.
- Information provided in the focus group will be kept confidential.
- There is no right or wrong answers.
- Please turn your cell phones off for the duration of the session.
- Have fun.

Participant introduction:

Distribute pens and name tags.

Now let's start by everyone writing down their names on the provided name tags which will help us to remember each others' names. I want us to go around and introduce ourselves and also to tell me something about yourself. Remember I will only be recording the interview after all the introductions.

Who would like to go first?

Are there any questions before we get started?

Thank you. I will now switch on the tape recorder and start asking questions.

Turn on tape recorder:

B. QUESTIONS

1. How old are you now?

2. What is your marital status?

PROBES:

Single, Married, Divorced, Widowed.

3. What is your highest educational qualification?

4. What was your crime and length of sentence before parole placement?

PROBES:

Aggressive, economic, sexual, narcotics.

5. How many previous convictions do you have?

6. What were the challenges that you experienced during your parole placement?

PROBES:

Describe the most difficult problems (barriers/obstacles) you've encountered on your return to the community.

Give an example:

- *Support (family, community, parole officer),*
- *Substance abuse,*
- *Neighbourhood/community,*
- *Employment,*
- *Discrimination,*
- *Criminal friends.*

Would you explain further?

7. What according to you was the most difficult/hardest condition to follow on parole?

PROBES:

Examples:

- *Subject to monitoring,*
- *Placed under house detention,*
- *Community service,*
- *Seek employment, take up and remain in employment,*
- *Participate in treatment, development and support programmes,*
- *Restricted to one or more magisterial district(s),*
- *Use of alcohol and illegal drugs,*
- *Committing any criminal offence,*
- *Attend compulsory office consultations with Supervision Committee.*

*Were your parole conditions and supervision phases clearly explained to you?
When and by whom?*

8. If you think back, what caused you to violate your parole?

PROBES:

In other words, what were the reasons that made you to violate your parole conditions?

Examples:

- *Poor or loss of support,*
- *Unemployment/ Money,*
- *Substance abuse (Drugs, Alcohol),*
- *Criminal friends,*
- *Lack of education,*
- *Crime,*
- *Strict parole supervision or unrealistic parole conditions.*

Would you explain further?

9. What were the consequences of your parole violation?

PROBES:

Outcome/result of parole violation e.g. revocation/return to correctional centre.

Did you attend a parole revocation hearing? Explain.

How did you feel when your parole was revoked? (Worried, depressed, frustrated).

Who is affected by your actions? What about broken relations or loss of employment?

How many warnings did you receive from your parole officer before your parole was revoked?

How long did you spend on parole before returning to a correctional centre?

10. How can parole violations be prevented?

PROBES:

For example: How effective was the Pre-release programme in preparing you for parole placement and reintegration into society?

How can we improve the current system of parole?

What are some possible ways the community, organisations or the Department of Correctional Services can help to assist offenders on their return to the community?

- *Involvement of Community Corrections or post-release support,*
- *Parole conditions,*
- *Education,*
- *Programmes, skills training,*
- *Establishing halfway houses.*

C. CLOSURE

Before we end this interview, do you have any final thoughts or inputs?

Thank you very much for participating. Your time is appreciated and your comments have been very helpful.

Good luck with your future!

G306: WARRANT FOR ARREST AND DETENTION [ABOVE 24 MONTHS]**A. SERVING OF WARRANT by JUSTICE OF THE PEACE**

1. I hereby certify that this warrant was served by me,,
 post designation,, service/persal no,
 on this date at on offender,
 registration no,; and that he was positively identified by means of

2. I explained and clarified the following implications of this warrant to the offender, the offender understood it, signed the certificate to that effect before me and received a copy from me:

2.1 You may be detained for a period up to 48 hours from arrest for purposes of investigating the nature and seriousness of your alleged violation of conditions. [Section 70*]

2.1.1 You will appear before the Supervision Committee and be afforded sufficient opportunity to respond and call witnesses to shed light on the violation. [B-order 4, Chapter 1, Paragraph 9.2]

2.2 If the Head of Community Corrections find that you did not comply with any aspect of your conditions or any duty in terms of section 50 to 72*, the head may in terms of section 70(1)*:

- (a) reprimand you; or
- (b) instruct you to appear before the body which imposed Community Corrections and/or
- (c) release you within 48 hours to continue with your Community Corrections.

2.3 If the 48 hours are insufficient to finalise the investigation and proceedings in paragraph 2.1 above, you must be brought before a court within the 48 hours after your arrest to consider your further detention and referral to the body that imposed your Community Corrections [Section 70(2)(b)*]¹.

2.4 If the Head of Community Corrections on advice of the Supervision Committee requests the Correctional Supervision & Parole Board (Board) to amend your conditions or cancel your community corrections in terms of section 75(2)(a)*, the Board must consider it within 14 days. However, the recommendations may be implemented provisionally prior to the Board's decision, namely either your conditions will be changed or you will be admitted to a correctional centre to serve your sentence.

Note: The Head of Community Corrections will amend your conditions if the body that imposed Community Corrections, authorised the head to that effect during the imposition of Community Corrections.

2.4.1 You are notified in terms of section 75(3)(a)* that:

- You may submit written representations to the Board; and
- You will be notified to appear before the Board in person within 14 days of this notice; and
- You may be represented by any person (except a fellow offender, correctional official, police official or department of justice official) at the Board meeting.

2.5 If you are sentenced to life imprisonment the Board must, within 14 days:

* Act on Correctional Services, Act no 111/1998

[¹ Paragraphs 2.1 – 2.3 to be omitted when not applicable]

* Act on Correctional Services, Act no 111/1998

D. NOTIFICATION OF BOARD & ACKNOWLEDGEMENT OF RECEIPT

1. Receipt of a copy hereof and the report & recommendations of the Supervision Committee to the Board⁴ is acknowledged.

SIGNATURE: BOARD

DATE⁵

INITIALS & SURNAME

PERSAL NO

OR

2. The above-mentioned documents were faxed to the Board on2..... at:..... and the fax transmission report is attached.

SIGNATURE: COMMUNITY CORRECTIONS

DATE

INITIALS & SURNAME

PERSAL NO

E. DECISION OF BOARD [Section 75(2)(b)&(c)*]

Decision:

Motivation:

CHAIRPERSON: CORRECTIONAL SUPERVISION & PAROLE BOARD

DATE⁶

INITIALS & SURNAME

PERSAL NO

⁴ Only applicable if paragraph 2.4 and/or 2.5 is applicable

⁵ The official date stamp of the Board is preferred

* Act on Correctional Services, Act no 111/1998

⁶ The official date stamp of the Board is preferred



correctional services

Department:
Correctional Services
REPUBLIC OF SOUTH AFRICA

Private Bag X136, PRETORIA, 0001 Poyntons Building, C/O Church and Schubart Street, PRETORIA
Tel (012) 307 2000, Fax (012) 328-5111

Mr. FCM. Louw
P.O. Box 9302
Weltevreden Park
1715

Dear Mr. Louw

RE: FEEDBACK ON THE APPLICATION TO CONDUCT RESEARCH IN THE DEPARTMENT OF CORRECTIONAL SERVICES ON “THE CAUSES AND CONSEQUENCES OF PAROLE VIOLATION”

It is with pleasure to inform you that your request to conduct research in the Department of Correctional Services on the above topic has been approved.

Your attention is drawn to the following:

- The relevant Regional and Area Commissioners where the research will be conducted will be informed of your proposed research project.
- Your internal guide will be **Dir: Supervision: Parole and Probation – Mr. R. Ntuli**. You are requested to contact her at telephone number (012) 305 8559 before the commencement of your research.
- It is your responsibility to make arrangements for your interviewing times.
- Your identity document and this approval letter should be in your possession when visiting.
- You are required to use the terminology used in the White Paper on Corrections in South Africa (February 2005).
- You are not allowed to use photographic or video equipment during your visits, however the audio recorder is allowed.
- You are required to submit your final report to the Department for approval by the Commissioner of Correctional Services before publication (including presentation at workshops, conferences, seminars, etc) of the report.
- Should you have any enquiries regarding this process, please contact the Directorate Research for assistance at telephone number 012-307-2770/2359.

Thank you for your application and interest to conduct research in the Department of Correctional Services.

Yours faithfully

(Signed)

MS. T.M. MAGORO
DC: POLICY CO-ORDINATION & RESEARCH
DATE: 2010.05.28