CHALLENGES FACING EX-OFFENDERS WHEN REINTEGRATING INTO MAINSTREAM SOCIETY IN GAUTENG, SOUTH AFRICA

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Offender rehabilitation and reintegration have come to be embraced as a vital component of a comprehensive and holistic crime-fighting strategy. Despite this, research shows that upon release from prison, ex-offenders are faced with a myriad of challenges that weaken the possibility of reform and predispose ex-offenders to recidivism. Using primary data from a qualitative study, this paper discusses the challenges faced by ex-offenders when reintegrating into mainstream society in Gauteng, South Africa. The findings show that ex-offenders struggle to adjust because of broken family and community relationships, unemployment and lack of after-care services, among others factors.

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INTRODUCTION

Upon release from prison, offenders face a myriad of challenges (Davis, Bahr & Ward, 2012:447; Seiter & Kadela, 2003:361; Shinkfield & Graffam, 2009:30). These barriers become an impediment to rehabilitation and increase ex-offenders' chances of reoffending. Davis *et al.* (2012:447) note that the prison environment is markedly different from mainstream society. Upon release, offenders are plunged into an environment that is different from the prison environment and they struggle to cope. Furthermore, given the dynamic and ever-changing nature of society, ex-offenders who spend long periods in prison are released into an environment that is very different from their former environment before imprisonment. This poses a serious challenge for the reintegration of offenders. Given that successful reintegration of offenders is central to crime reduction, it is important that the science of offender reintegration be thoroughly understood. Davis *et al.* (2012:447) observe that a deepened understanding of offender reintegration allows professionals, the family and communities to better support the adjustment of offenders upon release, which in turn reduces their chances of recidivism. Thurber (1998:1) notes, with concern, that the reintegration of offenders back into mainstream society is unsettling for many people. There is some marked resistance to accepting offenders. Such stigma defeats efforts to rehabilitate offenders and disadvantages both the offender and society.

In South Africa there is limited literature on offender reintegration and rehabilitation (Singh, 2016:1). Similarly, fewer studies have focused on the process of offender reintegration globally (Davis *et al.,* 2012:447; Healy & O'Donnell, 2008:25-26; Steen & Opsal, 2007:345). Such a body of knowledge is critical to ongoing efforts to support offenders and society as part of a comprehensive crime prevention and reduction strategy. Crime remains a major challenge in South Africa and the burgeoning prison population has resulted in overcrowding in many prisons (Padayachee, 2008:14). Against this backdrop, this qualitative study discusses the challenges faced by ex-offenders when reintegrating into society. Apart from the paucity of literature on offender reintegration, most studies on offender reintegration have largely focused of the viewpoints of probation officers and other professionals working in the criminal justice sector.

Understanding offender reintegration

Offender reintegration entails the process of transition from imprisonment into mainstream society. In this process offenders begin to adjust to the outside world in the aftermath of their release and hopefully get to live a life that is free from crime (Davis *et*

al., 2012:448; Zondi, 2012:766). Similarly, Maruna, Immarigeon and LeBel (2004:5) define offender reintegration as:

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

All programmes and services offered to support offenders in the pre- and post-release phase to ensure that they become law-abiding citizens constitute offender reintegration (Thurber, 1998:1). During reintegration, it is critical that professionals, families and communities get to support ex-offenders in their quest to find their footing and avoid going back to a life of crime (Zondi, 2012:766). Reintegration cannot and should never be seen as an event; rather it is a long-drawn process which is complex and we are yet to understand it holistically (Davis *et al.*, 2012:447; Healy & O'Donnell, 2008:25-26; Muntingh, 2005:5; Shinkfield & Graffam, 2009:29-30).

In the post-apartheid era South Africa has moved from a retributive focus in its criminal justice system and adopted a rehabilitative paradigm. A retributive focus looks at punishment as an end in itself, while a rehabilitative approach looks at punishment as means to an end. It is seen as an attempt to reform the offender to become a law-abiding citizen who contributes to the good of society. Thus in a rehabilitative approach the reintegration of offenders is a core initiative in the holistic support and recovery of offenders (Albertus, 2010:5-16; Padayachee, 2008:15-22).

Reintegration theory is premised on the belief that crime represents a breach or absence of community (Padayachee, 2008:16). Rather than solely blaming offenders for crime, proponents of reintegration theory argue that society is responsible for creating conditions that breed criminals. As such, it is mandatory that the same society must be part of the solution to help reintegrate offenders (Glanz, 1993:3-5). According to Muntingh (2001:5), the rationale for reintegrating offender is based on two moral premises. Firstly, it is better for people to be in harmony with one another, and secondly, wherever harmony and community are absent, they should be actively pursued. Muntingh (2005:5) notes that a punitive approach stigmatises and belittles offenders. This results in a further breach of community and disruption of harmony in society. To this end, reform and reintegration of offenders should always be the ultimate aim of incarceration.

In South Africa some prisons have experimented with restorative justice approaches as part of a holistic initiative that allows the rebuilding of harmony by allowing offenders, victims and their families to interact. The Goodwood Prison is a good example. This prison runs an initiative called New Beginnings. It gives an opportunity for offenders to meet with their victims and show remorse for their actions. This helps offenders to assume responsibility and acknowledge the consequences of their actions on others. Where possible, restitution is made and this strengthens the likelihood of reform. This

will also smoothen the re-entry of an offender back into society upon release (Muntingh, 2005:25-28; Sarkin, 2008:27-29).

The South African criminal justice system sees the rehabilitation and reintegration of offenders as a collective responsibility of society (Zondi, 2012:767). The White Paper on Corrections (2005:85-86) notes that, the successful rehabilitation and reintegration of offenders into the society can only be made effective and meaningful by allowing the participation of multiple stakeholders. To this end, at a policy level, multi-stakeholder processes are an integral component of reintegration initiatives. Thus, institutions such as the courts, police, communities, voluntary organisations and municipalities are seen as vital in supporting and facilitating the successful reintegration of offenders. While most of these institutions are offering critical services is this regard, there remains some gaps and challenges in the manner in which they render rehabilitation services (Zondi, 2012:766-767).

Criticism against offender rehabilitation and reintegration

Offender rehabilitation has largely been criticised for having little effect on reforming offenders Wilkinson (2005:70-71). Martinson (2001:276) argues that, apart from a few isolated cases many initiatives to rehabilitate offenders have not yielded significant results. Thus the rate of recidivism remains abnormally high. Brown (2011:332) notes that within a three year period after release, about two thirds of ex-offenders re-enter prison after reoffending. In South Africa, it is estimated that between 80% - 94% of released prisoners reoffend (Padayachee, 2008:15). As such, critics have looked at it with scepticism. It should be noted, however, that the high rates of recidivism amongst offenders should not necessarily be used as an indicator that rehabilitation and reintegration do not work. Rather, it is the almost insurmountable difficulties that that offenders face upon release that force them to resort to a life of crime once again (Brown, 2011:332).

Scholars such as Wilkinson (2005:70-81) and Martinson (2001:270) note that as far as rehabilitation and reintegration are concerned, nothing works. Such arguments are used by proponents of the retributive approach to support its introduction into the criminal justice system. Martinson (2001:270-271) refutes claims for the rehabilitative approach and argues that it is faulty and overlooks the "normality" of crime within society. He looks at crime as one of the "normal" ways people use to respond to the harsh realities they live under. While it is true that in many instances rehabilitation and reintegration of offenders have not worked, such an argument should not be used to discard the rehabilitative approach within the criminal justice system. Rather what is needed is to address the deficiencies in the delivery of offender reintegration services. The discussion of results in this paper clearly shows that there are many flaws in the programming of offender rehabilitation and reintegration. Offenders face multiple challenges that push them to resort to crime as a survival mechanism. Improvements in the programming of offender rehabilitation and reintegration would no doubt lead to better outcomes.

RESEARCH METHODOLOGY

The researchers used a qualitative research approach. The qualitative research approach was deemed to be appropriate given that it allows for the use of data-collection methods that yield detailed understanding about a phenomenon under study. On the other hand, a researcher can also explore the insights and experiences of multiple individuals (Patton, 2003:7-14), which contributes to our holistic and detailed comprehension of the phenomenon being studied (Bryman, 2012:383-392; Patton, 2003:7-14). Within the qualitative research paradigm adopted in the study, a multiple case study design was used as it was exploratory in its purpose. Given our interest in capturing the lived experiences of ex-offenders, using participants in an exploratory approach was deemed to be most appropriate.

The population from which the study sample was selected consisted of two categories of participants. The first and main category was comprised of ex-offenders within the Gauteng region who had been released from prison upon completion of their sentences. The second category of the research population also consisted of key informants, but they were people who were knowledgeable about offender rehabilitation and reintegration. These participants were drawn from the ranks of probation officers, academics and people working in non-governmental organisations that render services to offenders during rehabilitation and reintegration.

In total a sample of 20 people was selected for the study. Judgmental sampling was used to select five key informants who were regarded as possessing expert knowledge on offender rehabilitation and reintegration. On the other hand, a combination of judgmental sampling and chain referral sampling was used to select 15 participants within the ex-offender category. Table 1 below shows a breakdown of the characteristics of the research sample.

TABLE 1
PROFILE OF PARTICIPANTS

	Race			
	Black	**White**	**Coloured**	**Asian**
Age of participants by race				
20 - 30	3	0	2	0
31 - 40	1*	0	3	0
40 +	3	2	1*	0
Years of imprisonment by race				
1 to 5 years	1*	0	0	0
6 to 10 years	6	1	0	0
11 to 15 years	0	1	5	0
15 +	0	0	1*	0
Educational level by race				
Grades 7 - 11	2	1	3	0
Matric	3	1	1*	0
Diploma	1*	0	2	0
Degree	1	0	0	0

Crimes committed by race				
Sexual offences	0	1	3	0
Murder	1	0	1*	0
Theft and hijacking	5	1	2	0
Fraud	1	0	0	0
Key informants' profession by race				
Social Worker Supervisor NICRO	1*			
Probation officer	1*			
New Beginnings Care Centre Manager		1		
Prison Warder		1	1	

* indicates females

Two semi-structured interview schedules were prepared for the two different categories of participants. In-depth interviews were used to collect data from participants and they were guided by the use of the semi-structured interviews schedules prepared for the two categories of participants. According to Patton (2003:339-344), the advantage of using face-to-face interviews is that they allow flexibility for both the researcher and the participant. Thus the use of interviews allowed us to follow up and explore further all interesting points that were being highlighted by participants. The use of probing also allowed for the gathering of detailed participant accounts. The use of key informants allowed us to carry out triangulation of data sources. This is one of the key strategies for enhancing the credibility of qualitative studies. On the other hand, thick descriptions of data from participants accounts were also used in writing up the research to ensure that researchers were reporting on credible and trustworthy findings (Bryman, 2012:290-292; Shenton, 2004:66). Member checks were also done to ensure that a common understanding was established on what participants were saying. This is an important procedure in ensuring that findings are credible and therefore trustworthy (Shenton, 2004:68).

Thematic analysis was used in the data-analysis process. Attride-Stirling (2001:387) and Patton (2003:109-110) note that thematic content analysis allows researchers to categorise data into emerging themes, which will then guide the write-up process. The three steps identified by Attride-Stirling (2001:390) were used; they are data reduction or breaking down of the text, exploration of the text, and integration of the exploration. Ethics clearance for the research was obtained from the University of the Witwatersrand non-medical ethics committee (Protocol Number H120504).

FINDINGS AND DISCUSSION

Difficulties in mending family and community relationships

While in modern courts crime is largely seen as a case of the offender against the state, it does have real victims. These victims include family members, relatives and people within the community (Muntingh, 2001:4-5). Participants noted that one of the greatest challenges they face was the issue of mending broken relations with their family and the community at large. A majority of the participants interviewed come from black

townships, which are characterised by close bonds between families and community members. As such, when a person commits a crime, most of the community will know about it. Participants noted that after prison their family members and people from the community rejected and ostracised them, which made it difficult for them to readjust to life after imprisonment.

> *"Problem lies with family because you can't force them to love you and there is no programme that can be offered to family to love you."*

> *"After release, my mom's sister contested the fact that I should never get parole, but her request was denied by the parole board; my uncles do not want anything to do with me – they would rather leave me beaten up and left lying on the road side. They don't care."*

> *"The community where I come from they are just talking behind my back … they say I was supposed to be given a longer sentence and most of them they don't like me."*

Key informants concurred with the view that most ex-offenders barely received support from their families and communities. One key informant explained that "they feel they do not fit back in the community. Everybody knows that they are ex-convicts and therefore they are stereotyped in the community. Everybody distances themselves from them; parents do not want them near their children, because they think that they are capable of influencing their children in a bad way. So they are outcasts in the community".

Another key informant said that "most ex-convicts get rejected by their families and friends and the community shut doors for them not to enter. They are received with a cold shoulder and that's what is causing them to fall into crime again".

From the above comments it is evident that many ex-offenders face rejection from their families and community. In many ways this precludes rehabilitation, given that when ex-offenders are rejected, their most likely sources of contact will likely be fellow criminals. Peer pressure and influence from such friends will no doubt lead to recidivism (Zondi, 2012:765). This perpetuates rather than prevents crime. Family and community support are key to ex-offender reintegration and rehabilitation. Thus, when communities and families refuse to accommodate them, many offenders find it difficult to find their feet again and hence they may choose the criminal path again. Without community/family acceptance, ex-offenders may end up destitute, whilst others may find acceptance amongst criminals, thereby falling into crime repeatedly. Without family support, access to basic needs such as clothing, shelter, food and accommodation may become difficult. Without these basic necessities a crime-free life may become impossible. It is most probable that without the necessary support and assistance from family and community to ensure that the offender adapts to life outside prison, the inmate may find the challenge of pursuing a crime-free life overwhelming and may re-offend. Within the South African context professionals such as social workers can play a vital role in helping to educate families and communities about the need to support ex-offenders when they are released from prison. Zondi (2012:764) notes that the South

African criminal justice system sees the rehabilitation and reintegration of offenders as a collective responsibility of society. To this end, it is critical that the family and community as stakeholders in dealing with crime should be educated on the importance of accepting ex-offenders by helping them with reintegration.

Unemployment

Unemployment is one serious problem that was experienced by most participants, despite their having the necessary skills and qualifications. Many participants indicated that a history of criminal conviction and serving a sentence has a negative impact on their employment prospects. All interviewed ex-offenders, except those who were residing at the New Beginnings Care Centre, were unemployed. One participant reported having secured three different jobs, but eventually got fired from all those jobs once employers got to know of the criminal record.

> *"I matriculated in prison, I did Human Resources Diploma in prison; did a whole lot of things in prison ... but now I ask myself what's the point of educating yourself further?... given that even with education you still go nowhere and some offenders have diplomas and degrees but they don't get jobs."*

> *"When I got a job they dismissed me and when I found another job the very same thing happened; they did police verification and dismissed me and told me that I should sort out my things."*

> *"We drafted a business plan together and the business plan is counter unemployment and rejection because of the criminal record we both have. We decided why not start our own business, but there are still problems such as money to register and to go up and down ... any business need starting capital."*

It is evident from the participants' accounts that getting employment after serving time in prison is a major challenge. It would seem that prospective employers view employing ex-offenders as a risk not worth taking. In other words, society is unforgiving when it comes to giving second chances and offering employment opportunities to ex-offenders. While this may be understandable, denying ex-offenders an opportunity to be gainfully employed is simply counter-productive. How can they fend for themselves if they cannot find employment? Doesn't this predispose them to a life of continued crime? An extensive body of research supports the view that a criminal record or time in prison makes individuals significantly less employable, given that most employers do background checks on prospective employees (Brown, 2011:335-336; Pager, 2003:44; Schmitt & Warner, 2011:87). According to the Department of Justice (2009:5), the Criminal Procedure Amendment Act 65 of 2008 sets out that an ex-offender can apply for the expungement of their criminal record ten years from the date of conviction provided they have not been convicted of any other offence during the ten-year period. This period is rather lengthy; how will ex-offenders fend for themselves in that period? This provision within the Act impacts negatively on ex-offenders. They have to take care of themselves as well their families. This means that recidivism becomes the only way to earn a living for many ex-offenders. This may serve to explain the high rates of

recidivism, estimated to be between 80%-94% amongst ex-offenders in South Africa (Padayachee, 2008:15).

Small (2005:38-39) argues that unemployment has devastating consequences for many people and ex-offenders are no exception. It can result in stress, low self-esteem, depression and self-doubt. Thus if the doors to employment are shut on prisoners, the consequences for them and society are shattering. It is therefore critical that employment opportunities be given to ex-offenders to support their reintegration into society and reduce the chances of recidivism (Adams, Chen & Chapman, 2016:1-3). In their research on the expungement of criminal records in Canada, Ruddell and Winfree (2006:465) note that 97% of pardoned offenders did not reoffend again for more than three decades. It is therefore worth experimenting with expungement of criminal records, especially for people who have committed less serious crimes.

One of the key principles that underlie the social work profession is our belief in people's capacity to change. It is therefore critical that social workers should be at the forefront of advocacy efforts to push for policy considerations that accommodate ex-offenders and improve their employment prospects. There are many positive spinoffs in such initiatives for both offender and society at large. Employment opportunities provide ex-offenders with a livelihood. This increases the prospects of rehabilitation. To this end, advocating for offenders to get access to employment opportunities should be seen as an integral element of a comprehensive crime-fighting strategy.

Inferiority complex

Another common challenge experienced by many participants was the feeling of inferiority. Participants noted that being in prison for a lengthy period contributed to stagnation in one's life. Participants added that, by the time many of them came out of prison, they had lost out on key progress opportunities compared to their peers. This, they argued, leads to a lot of stress and regret, which are difficult to deal with. It contributed to feelings of inferiority and regret, which are a psychological burden necessitating professional help and support.

> *"You see when you come out of prison ... some things are different in that you look different from your friends; they have things that you don't have and that makes you feel like you are nothing."*

> *"I have friends, and most of them now have good jobs and cars. Some are married with a good life; you see that's why I feel bad."*

> *"My girlfriend whom I have a child with found another man whilst I was in prison. She found somebody else and it's justified, because how can you wait for somebody who would stay in prison for such a long time?"*

We now live in a dynamic and faced-paced environment. Rapid change and progress in people and society at large have become the order of the day. The participants' views stated above are therefore understandable. When one serves time in prison for a few years, one will definitely miss opportunities, given that prison entails stagnation. One is therefore bound to feel regret when one realises how one's own peers have progressed in

life. This finding has implications for social work practice. It is important for social workers and other professionals working within the field of offender rehabilitation and reintegration to fully understand the potential challenges that ex-offenders face and would need support and counselling on. It is possible that if feelings of regret and inferiority are not addressed and issues at the psychosocial level not dealt with, this may actually lead to reoffending. Crime offers the potential for instant riches. As such, ex-offender may see resorting to crime as a potential panacea for making up lost ground. To this end, psychosocial services offered to offenders in preparing them for release should also focus on preparing offenders to accept and comes to terms with the issue of "lost ground". This would reduce the levels of stress and regret. And it would also help ex-offenders to cope better and adjust. Scholars such as Davis *et al.* (2012:447), Shinkfield and Graffam (2009:29-30) and Small (2005:38-39) note that rapid changes that take place in the outside world while offenders are in prison often leads to their struggling to cope. Their low self-esteem and doubt that results if not addressed can hinder reintegration and result in recidivism.

Struggle with change of environment

Participants also highlighted that adjusting to a changed environment was a daunting challenge which they were struggling with. They noted that the prison environment is characterised by routine and its own culture. As such, one gets used to the prison routines and ways of life, and after many years readjusting to normal life outside the confines of jail becomes a challenge. A number of participants revealed that the transition from confinement in prison into mainstream society was associated with psychological stress as a result of change. They also noted that their struggle with adjustment was exacerbated by the fact that they lacked the means, such as material and financial resources, to deal with the change.

> *"I need psychological help because I spend too much time in prison."*

> *"Psychologically I am not well. So many things are difficult for me, I stress a lot because I have nothing and I am not used to be outside."*

> *"I am afraid of everything, so many things have changed whilst I was in prison … there are new things which I don't know: it's not easy to settle again."*

One key informant corroborated the participants' views. He mentioned that "changes happen whilst they're inside, so they find it hard to cope when out. Some of my clients even suggest remaining in prison due to fear of being outside."

From the above comments, it is evident that many ex-offenders find it hard to adjust to life outside the prison environment, especially after spending many years in confinement. This is even made worse by the fact that many prisoners struggle to get family acceptance and employment when they are released from prison. The view expressed by a key informant that some ex-offenders would rather be in jail than outside is therefore not surprising. This may partly explain why the rate of recidivism is rather high. Scholars such as Davis *et al.* (2012:447) and Shinkfield and Graffam (2009:29), note that many prisoners spent time in jail leaning attitudes and ways of life that will not

help them to adjust to life in society upon release. The prison world is not only different from mainstream society, but upon release offenders are plunged into a completely different world compared to the one they knew before imprisonment (Davis *et al.,* 2012:447). This makes adjustment difficult and the stress and strain that result can lead to recidivism. Similarly, Shinkfield and Graffam, (2009:29) note that if ex-offenders struggle with adjustment to change after prison, the chances of recidivism are high. It is therefore important for probation officials to focus on mentally preparing offenders for the changed world that they will be plunged into upon release.

Lack of after-care services

The struggle to adjust after imprisonment may largely be a result of limited or no after-care service provision to ex-offenders. While in prison, several organisations visit prisoners to offer support. Increased support is offered as the day of release for an offender draws nearer; they are enrolled into pre-release programmes. Many ex-offenders highlighted that while they appreciated the support they get prior to release, after-care and follow-up services after imprisonment were not provided. Such support, they noted, was critical in helping them to deal with transition to life outside prison. Some participants remarked that the change was too abrupt to handle, considering that they received support in prison, but once outside they get little or no support from professionals or the community.

> *"These programmes also do not continue after release, not with me or anyone I know."*

> *"They all came together to support. But after I was released there was no support ... until now these organisations promised to conduct support groups with us after release but they never came."*

After-care consists of checking on the offender to see if they are adjusting to the outside environment and helping them deal with the problems associated with transition. Some of the after-care services encompass counselling, giving food parcels, providing temporary accommodation, seeing to it that their financial needs are met (Altschuler & Armstrong, 2001:79-81). These after-care services are paramount to a smooth reintegration. According to Albertus (2010:21), "the first six months of release have been the most vulnerable period for ex-prisoners, who are often confronted with and struggle with the harsh reality of re-entry". Given this, after-care services are needed to help ex-offenders to adjust to life outside of the prison environment. A failure to offer such support may increase the chances of recidivism. In the same vein, Muntingh (2001:28-34) notes that support for ex-offenders is critical once they get released and should focus on five domains: finding employment, financial support, accommodation, coping skills, and family and social support. To this end, after-care services are vital for effective offender reintegration. Most of the challenges highlighted in this paper would be mitigated if comprehensive post-prison support services were offered to ex-offenders. This could be done by the Department of Correctional Services in partnership with non-governmental organisations that work in this arena.

RECOMMENDATIONS

- The expungement of criminal records, especially for people who have committed less serious crimes, needs to be considered. This will enhance their chances of getting employment and it will ease the adjustment of ex-offenders to life in the aftermath of imprisonment.

- Most of the challenges highlighted in this paper would be mitigated if comprehensive post-prison support services were offered to ex-offenders. To this end, there is a need to ensure that more resources that are targeted at offender rehabilitation and reintegration are channelled to the Department of Correctional Services and non-governmental organisations that offer similar services.

- Community service should be explored as an alternative sentencing strategy for petty crimes. This will ensure that petty criminals do not get exposed to hardened criminals in prison as such exposure may lead to their committing more serious crimes.

CONCLUSION

This paper has discussed the various challenges that ex-offenders face when reintegrating into mainstream society. These challenges include rejection by family members and being stigmatised by society, inability to break into the labour market, struggling with adjusting to a new environment after spending many years in prison, inferiority complex which affects mental health, and lack of or inadequate after-care services. This largely compromises the effectiveness of offender reintegration and increases the chances of recidivism amongst ex-offenders. Thus, despite the excellent legislation on offender rehabilitation and reintegration in South Africa, such as the White Paper on Corrections, programming remains poor. Policies by their very nature are simply ideals until they get to be realised through good programming. Apart from this, excellent policy documents will continue to mean nothing for the many prisoners whom the system is failing. There is a definite need for the government to do a comprehensive review of programmes within and outside prison that are designed to rehabilitate and reintegrate offenders. This is critical especially given that effective offender reintegration is a core element of the crime-reduction strategy in South Africa.

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