

Evaluating Rehabilitation Programmes in the Fiji Corrections System

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I: Report Summary

1. Rehabilitation programmes across both Fiji Prisons and Corrections Service and other non-governmental organisations are considered in this report. The national recidivism rate is approximately 45%.
2. Prison rehabilitation programmes implemented in the Fiji Prisons and Corrections Service prior to 2007 appear to have been poorly conceived and implemented. This may have been a reflection of a transition period from *containment* to *corrections* where the role of rehabilitation may not have fully understood and/or embraced.
3. The current Fiji Prisons & Corrections Service has a stronger focus on rehabilitation programmes including a number of innovative ideas that are currently being tried such as: commercial ventures, an art gallery, show casing prisons to high ranking government officials and adopting a nation wide campaign called the *Yellow Ribbon Programme* to highlight the important roles that 'community' has in successful rehabilitation.
4. Within the Fiji Prisons & Corrections Service there appear to be a number of obstacles to overcome in order to run effective rehabilitation programmes. The main ones being:
 - a. Internal communications from senior management through to junior prison officers. This is seen as a particularly important first step in making sure that all officers are in line with the 'corrections' philosophy.
 - b. Acquiring technical expertise to: evaluate prisoners needs, match those needs with relevant rehabilitation programmes, administer them correctly, and monitor the performance of these programmes as to their effectiveness - normally this is titled a '*case management approach*'.
 - c. Persuading the rest of government that rehabilitation that reduces the re-offending rate by a high enough proportion, leads to an overall 'saving' for government (and therefore, by extension the whole of the nation).
5. Three innovative rehabilitation programmes were evaluated that dealt with either alternative sentencing for convicted offenders, or which looked at strategies to help offenders to not re-offend once they were released from prison. All three programmes are based in the western side of Viti Levu. All three programmes at the time of the evaluation can be considered a 'success'. All three programmes have had financial and/or technical support from either the *Australia Fiji Law & Justice Sector Programme* or it's successor the *Australia Fiji Community Justice Programme* (or both).
6. The *Ba Community Corrections Programme Pilot*, placed mainly first time and 'petty' criminals back into the community where they served their sentence - a community work order or a probation order. Of the 218 offenders sentenced under this programme, 10 have subsequently re-offended. This is a recidivism rate of about 4.6%, whereas prior to the start of the programme it was 47%. Principally the success can be attributed to the commitment and dedication of individuals who championed the programme and the Ba community which embraced it. There are concerns as to the sustainability of the programme. There remains the task of establishing good procedures and protocols to make the success of the programme independent of individual champions.
7. *The Prison and Court Support Services* is a programme run by a non governmental organisation (NGO) based out of Lautoka called *Pacific Counselling & Social Services*. It has been running for just over 18 months. It tries to help clients to understand the underlying causes in their own personality and the behaviour that results from this, that led them to carry out criminal acts. The recidivism rate of this programme's clients is about 2%, and there appears to be sufficient evidence that this at least in part, due to the programme rather than a coincidence. As in the Ba Community Corrections Pilot Programme, the commitment of the facilitators is very high and appears to have been a strong contributing factor.

8. The *Restorative Education for Alternative Livelihood* (REAL) is a programme run by another NGO also located in Lautoka called the *Foundation for Rural Integrated Enterprises 'N' Development* (FRIEND). The REAL programme has been running for just over 2 years whose dual aim is of: making prisoners on the programme recognise and acknowledge the consequences of their previous and current actions; and planning a strategy to generate a sustainable income when they are released from prison. The current recidivism rate is about 27%. There is some evidence that the programme succeeds in delivering a programme based on *restorative education*, but is not doing so well or succeeding on income generation plans (IGPs).
9. A further fourth programme based in Labasa Prison was evaluated which in part had its genesis from a workshop originally conducted by the *Australia Fiji Law & Justice Sector Programme* around the implementation of case management. The Labasa Case Management Team have interpreted '*case management*' to mean something more akin to planning an income generation project. Inmates are either first time or serious repeat offenders; none of the 36 clients of the programme since its inception have to date re-offended.
10. All four programmes appear to have enjoyed their respective 'successes' because of their location in rural parts of Fiji, either in western Viti Levu, or in Vanua Levu. It is believed that these respective communities have a higher sense of community or *social capital*.
11. Key individuals from all programmes who were involved in their respective delivery went 'the extra mile' and this appears to have been a strong contributing factor to the successes found.
12. The shared challenge to sustain the success of these programmes appears to lie in building a suite of effective processes that are owned by the organisational/institutional and/or community groups. There is a perception that the three directly funded programmes have relied on the *Australia Fiji Community Justice Programme* and its predecessor the *Australia Fiji Law & Justice Sector Programme* to do this for them, instead of trying to develop the processes themselves.
13. There can be no doubt that the *Australia Fiji Community Justice Programme* and the *Australia Fiji Law & Justice Sector Programme* have had a significant impact to the success of these programmes but it is not clear exactly how they did that. At the very least one can confidently say that they have created substantial awareness of issues around crime and justice, particularly with a focus on rehabilitation.
14. Natural recommendations that stem from these findings are discussed, the main ones being:
 - a. Success in reducing re-offending rates appears to be more likely when modern rehabilitation efforts are blended with ethno-cultural mechanisms to help align the community to which a released offender is returning. New rehabilitation programmes should bear this in mind when being devised.
 - b. Technical expertise is required to help Fiji Prisons & Corrections Service set up case management systems as the backbone of their modern rehabilitation services.
 - c. Fiji Prisons & Corrections Service should offer rehabilitation programmes that address criminogenic needs (such as anger management, problem solving) rather than just relying on vocational rehabilitation programmes.
 - d. Data recording, secure (encrypted) storage, retrieval and analysis must occur for any form of case management process to be effective.
 - e. A stronger emphasis on processes must occur, rather than relying on individual 'champions' in the execution of existing and future rehabilitation programmes.

- f. Community Corrections should be implemented across the nation. This would serve as a foundation for the implementation of a Parole Board, the latter is part of the new Prisons Act but which currently has not been advanced enough to implement.
- g. Fiji Prisons & Corrections Service should continue their engagement with the community at large through the *Yellow Ribbon Programme* that they first implemented in 2008.

2: Introduction

In many ways this document is an extension of a report that was presented to a Youth At Risk Conference in Fiji in November 2006 entitled *Finding Causes for Increasing Offenders in Fiji Prisons* (Taylor, R, 2006). In this report it was suggested that Fiji has a unique opportunity to consider rehabilitation in a slightly different vein to many countries including contemporary ones in Asia-Pacific. In part this is because there are still strong ethno-cultural elements of Fiji society which can be used to provide a more humanistic and more effective suite of rehabilitation programmes. This is possible because of the greater sense of community that is present in Fiji. Anglo-European 'developed' countries in contrast would need to spend huge sums of money implementing policies, to reinvent a community - the success of such a venture being at best doubtful (Field, 2008).

The previous report indicated that although most people anecdotally suggest that crime, and especially violent crime, is increasing - that there was no firm evidence for this. The report also noted that 'crime' is not a highly organised syndicate as it is in places like Europe, the US, Russia and many Asian countries, and it went on to say that,

[W]e feel that [crime in Fiji] may be easier to tackle than say the problems faced by disenfranchised urban youth in the inner city slums of Washington DC, Mexico city, or Moscow.

The report also signalled that in the realm of rehabilitation initiatives, Fiji has many strengths which may make rehabilitation efforts easier or more successful, even if the Fiji government is financially under-resourced. Fiji's main resource is the strong sense of community which may remain because of the slow change of cultures from traditional to modernised ones. The concept of a strong sense of community making significant contributions to fighting crime, has been discussed in the academic literature on *social capital* (Putnam, 2004; Halpern, 2004). This retention of social capital in Fiji is in stark contrast to many Anglo-European ethnic cultures, especially those in big cities, where isolation, alienation and depression are on the significant increase (Putnam, 2001). However, it is important to realise that there is a 'window of opportunity' that is shrinking as Fiji embraces both the best and worst of the globalisation movement. There are now many indigenous Fijians who are third generation born & bred in Suva having never been introduced to the respective traditional villages of their parents. Any talk of these indigenous Fijians 'returning to the village' is at best limited. There is a race therefore against time to embrace and perhaps adapt successful rehabilitation programmes into the Fiji context using the high social capital that Fiji still retains, before this window of opportunity closes.

2.1: Focus on Rehabilitation

One could argue that once a person has committed a crime, society has in fact failed that person and by extension society itself. Protective mechanisms to prevent the person from committing the crime in the first place were evidently not strong enough. One could of course try subsequently to put these protective measures in place - this report does not deal with these important issues². Instead this report focuses on giving these offenders appropriate attitudes and tools to prevent them from committing future criminal acts.

2. To some extent a holistic approach on tackling crime would feature crime prevention which brings up issues around Fiji's societal capacity to anticipate criminal behaviour and to correct these before they turn into 'real' crimes. Family upbringing skills, schools, organised religions, sense of community and the issue of economic disparity and the knock on effects of perceived or real poverty all require significant thought, policies, laws, training and enforcement mechanisms to play their part in reducing crime. This report acknowledges this even though the focus is purely on rehabilitation programmes and processes.

Appropriate indices to monitor whether crime is being reduced or contained would be the frequency of different criminal acts. Such indices would probably be an amalgam of police and judicial statistics to give an overall balanced picture. However, the focus here is on reducing the rate in which an offender commits subsequent crime after their initial one. In this case the appropriate indices to measure are ones based around the attitudes to re-offending and actual recidivism rates.

The new Prisons and Corrections Act 2006, was enacted in the first quarter of 2006. One of the most significant changes is a direct acknowledgement in the *Guiding Principles* of the new act (3e) which states:

[the guiding principle for people interpreting this act is to] ... facilitate the shift of underlying philosophy from the containment of prisoners to the provision of effective and appropriate corrective services;' (p.31)

The Fiji Prison & Correctional Service (FP&CS) prior to this Act had already started to implement a rehabilitation philosophy which was seen as appropriate since Fiji is a signatory to the Convention for Human Rights (which includes a section dealing with the appropriate treatment of prisoners). For instance FP&CS gave the opportunity for religious ministers to visit inmates not only to preach but also to offer rudimentary counselling for them.

This report has a focus on two main areas. One is on specific pilot rehabilitation initiatives, and the other is a general overview of the rehabilitation efforts within the FP&CS.

The results of this evaluation are discussed and form the basis for making specific recommendations.

2.2: Abbreviations Used Throughout the Report

Abbreviations will be introduced throughout the report and repeated in significant new sections of this report. However, here is a summary of all the abbreviations to look up if the reader cannot find a definition close to where they are reading.

| | |
|--------------------|--|
| AFCJP | Australia Fiji Community Justice Programme |
| AFLJSP | Australia Fiji Law & Justice Sector Programme |
| DSW | Department of Social Welfare |
| FP&CS | Fiji Prisons & Correctional Service |
| FRIEND REAL | Foundation for Rural Integrated Enterprises 'N' Development and Restorative Education for Alternative Livelihood programme |
| PC&SS | Pacific Counselling and Social Services |
| NGO | non-government organisation |
| SLG | Strategic Leadership Group |
| USP | The University of the South Pacific |
| YRP | Yellow Ribbon Programme (in Singapore it was called the Yellow Ribbon Project) |

3: Report Overview

3.1: Aims of this Report

Issues to be addressed include:

- A review all the rehabilitation programmes that are currently being conducted in FP&CS
- To identify potential workable and sustainable rehabilitation programmes that could be undertaken in prison whilst taking into consideration the community support and the economic circumstances in Fiji; and to identify stake-holder organisations or individuals with whom Prisons can work in order to provide support for released prisoners.
- To conduct in depth reviews of the rehabilitation programmes identified with three main initiatives as set up by, or partially funded by, the *Australia Fiji Community Justice Programme* (AFCJP) (formerly *Australia Fiji Law & Justice Sector Programme* or AFLJSP).
 - FRIEND REAL with a particular emphasis on evaluating the stories of inmates who had participated in the programme.
 - Analyse outcomes of inmates who had been placed on community-based orders through the Ba Community Corrections pilot between September 2006 to December 2007.
 - Review the inmate counsellor programme that has been provided for by the Pacific Counselling and Social Services group based in Lautoka.

These aims are not necessarily covered in discrete sections of this report but instead covered in a number of different sections.

3.2: The Interview Process

The research was based primarily around interviews of the different stake-holder organisations. Key personnel within the organisation and clients of the programme were interviewed who were found by the facilitators of the respective programmes. It was stressed from the start that the visits and interviews as part of this research, were **not** supposed to make people intimidated and it was stressed that this was about letting the people involved in the programme have a voice in making it better. The main questions asked were:

1. *What has been good about the programme?*
2. *What could be done to make it even better?*
3. *Was there any major surprise that you had from participating in the programme?*

and for the clients of the programme (ex-offenders),

4. *Where would you be if you hadn't taken part in the programme?*

3.3: Identifying & Naming the Clients of the Respective Programmes

In this report, 'prisoners' or 'inmates' or released 'convicts' who took part in the various rehabilitation programmes, are referred to as *clients* - as in to be a 'recipient of the delivered services offered by the programme'. This is an attempt to acknowledge the focus of these programmes is on the offender, but also to avoid the societal negative values laden with terms such as *prisoner*, or *convict* even though it is accepted that the '*client*' has engaged in socially negative behaviour.

Clients are identified in this report by a randomly generated code in intervals of 5. The stake-holders, people who are implementing the various programmes or schemes are identified by name and title the first time they are mentioned in the report. Thereafter they are referred to by their first names. A key of all the interviewees is presented in separate Appendices document.

3.4: Collecting, Analysing and Reporting the Results

Interviews form much of the background research material, particularly for the AFCJP funded programmes and are quoted here to illustrate different points as part of the research analysis. They were chosen as representative of an thematic analysis of all the transcribed texts. Different computer software packages were utilised to complete the thematic analysis³.

The interviewees are assumed to have had no deliberate or conscious intent to deceive. Their testimony is presented at face value as the genuine beliefs of the respondents. Ambiguities were cross checked later in the interview with further probe questions for consistency. Information that was internally consistent was used in the results. Some of the quotes have sections omitted for clarity of a point being made. The sections taken out were normally 'fillers' or references to a previous part of the conversation that would be unintelligible unless the whole of the previous conversation was also included.

There are interviews in which Fijian is quoted and the interpretation by the relevant facilitator is also included as the translation. The interpretation that was given during the interview guided subsequent questions in the interview. Some of the interpretation seems quite short compared to the actual Fijian dialogue. This reflects the interpreter summarising much of the conversation which had occurred previously; the facilitator might for instance have asked whether an issue was like this or like that, the respondent would reply 'yes' or 'no' until such time that a respondent might clarify with a final statement that appears as a quote in this report. Full transcripts can be found in the separate Appendices document. However, all the interpretations were subsequently reviewed by two native Fijian speakers to confirm that the interpretation by the facilitator was a fair representation of what the respondent had actually said. There were no instances in which the reviewers believed that the interpreter had misinterpreted the respondent speaking in Fijian.

The first few sections of this report focus more on reporting the results with only a modicum of discussion. There is a separate discussion section (section: 9) that draws threads together in order to offer a more comprehensive critical analysis.

3.5: Additions to this Report

This report has a number of additional components which should be considered as the 'total' package.

1. The first is a separate document of Appendices.
2. The second component is a DVD entitled *Australia / Fiji Community Justice Programs: reviewing rehabilitation programmes*. It specifically focusses on three reviewed programmes which the AFCJP partially or completely sponsored. All too often, an evaluation like this report can be written in a way that glosses over that the issues deal with 'real' human beings and the consequences for their lives. The message can be lost either because there is simply too much information, or because the author has a poor presentation style - or both. The specific purpose of this DVD is to provide a 'human' story to the results of this evaluation report. There are three mini films from each of the AFCJP funded programmes, each lasts between 11-15 minutes. Each film is not supposed to be thought of as a stand alone documentary, but to be used in conjunction with either this report, or in conjunction with a verbal presentation of this research.

3. Nisus Writer Pro (ver 1.2), Adobe Acrobat Professional (ver. 8), TAMSanalyzer (ver. 3.4), Numbers (ver 1) all running on Mac OS X.

3. The final component is a web page which includes a number of research projects associated with offending and/or rehabilitation. From this web page, this report and the appendices document can be accessed and downloaded in 'pdf' format including any addendum that might occur. The web page can be found at: <http://corrections.societyintransition.org>.

4: Ba Community Corrections Programme

A prison sentence has traditionally thought to focus on the following three functions: it acts as a form of punishment; it protects the public from the offenders doing more harm; and finally it is supposed to act as a deterrent both to the actual offender and also to others in the community from doing the same sorts of crime. However, there is mounting evidence that these functions may not work, or not work as cleanly as previously thought (McGuire & Priestley, 1995). The Ba Community Corrections programme was launched in 2005 essentially on the initiative of the appointed Magistrate Salote Kaimacuata who galvanised the Ba community into implementing legislation that had been available as an alternative form of sentencing but which has not been utilised on a wide scale (*Probation of Offenders Act, 1954*, and the *Community Work Act, 1994*).

I felt that we in the Judicial system were actually reacting to problems when they got too big. And we are offering band aid solutions; we are the ambulance at the bottom of the cliff when we really should also be simultaneously preventing the problems by somehow putting fences at the end of the cliff so when they get to the edge they are protected from falling off the cliff. My approach was hands-on stuff that you can empower the community with. Its about avoiding unnecessary unlawful offences, teaching them to basically follow the rules and be informed; stay away from troubles if at all possible; and if they come before the courts then they should be prepared to explain what they did. And why they did it.

The rationale for giving a non-custodial sentence, most especially for first time minor offences which would normally attract a short prison sentence - perhaps 9 months but more typically 6 or less, is that an offender is still punished and therefore they and other may still be deterred but they do not go to prison. The relatively minor nature of the crime also suggests that taking an offender out of society for a relatively short period of time, is not really protecting the society - in fact what many appear to learn is now to engage in yet more criminal acts. Ultimately, the non-custodial order is about minimising the chances of an offender from re-offending.

Salote ... to give [the offender] a probation order really would mean that you have struck some sort of relationship where you have got to know that person in terms of information that you get from the police, the community and social welfare, so you get a full picture of what the person is about, and find out the best outcome, in terms of punishment, rehabilitation, deterrents for him/her and maybe they can still keep their job, and still go to school but use up their free time to serve the community in terms of the punishment meted out.

Magistrate Kaimacuata's ultimate aim was an overall reduction in criminal activity. She notes,

if you're really looking at the outcome of preventing this person, giving them a chance not only to be deterred but also allow them to keep their jobs or carry on with their education, support their families and still become good citizens at the end, of course you win some and you lose some, but I've seen some enough young people go in and come out worse'; they've progressed from probation, petty thefts and robbery with violence, and that is also one of the reasons why I explored non-custodial sentencing options because I didn't really want to see young people go in and come out worse career criminals and I saw enough to want to do something about it.

The Magistrate was however at pains to point out that this is not 'her' initiative but rather a whole community effort. She sated,

... the community had been waiting for a long time and they just needed a catalyst to start them rolling; they are really the ones taking the thing forward, with ministry of youth, social welfare, community policing; police, and Ba Police have been great. It was simultaneous collaboration with the community.

The *Probation of Offenders Act* & the *Community Work Act* allows a sentence to be given that takes place outside of prisons. This is not the same as the current 'extra-mural punishment' in which a current inmate maybe released from prison after a minimum time period, to finish their sentence doing work in the community. Instead, the convicted person never enters prison but does the whole

of his or her sentence in the community. Two variations of sentencing orders maybe given: a *Community Work Order*, or a *Probation Order*. Broadly speaking the *Community Work Order* is a 'punishment' that simply takes place outside of prison under supervision. Normally this might be between 10s or 100s of hours of community work depending on the severity of the offence. Clients of this programme are not entitled to any form of payment under this order as it is perceived as a *punishment*.

A *Probation Order* on the other hand is one in which the emphasis is on rehabilitation. Ideally consultation is made with the client to try and establish what the factors were that made them commit the crime in the first place. The subsequent *Probation Order* may then be constructed to provide for adequate training or as an intervention to negate these factors. For instance, if the issue was a loss of control of anger, then an anger management programme would appear to be salient. If the issue was peer pressure, then the client needs social skill sets that allows them to 'gracefully' but forcibly refuse future peer pressure. Clients under this programme may assistance as part of a work skills development programme that they may be placed under on this order.

Six government stake-holders were interviewed, six clients and three older members of the Nailaga community were interviewed. Two of the programme's clients were back in prison for an offence that they had committed after they have left the programme. The respondents for the interviews were chosen by the chief police prosecutor they all consisted of men who had committed, or intended to commit robberies - sometimes the robberies were with violence.

4.1: Apparent Success

From a crime rate that was the highest per capita per province in Fiji at the end of 2005, Ba become one of the lowest in 18 months. The reported crime statistics went from approximately 1500 cases at the end of 2005, to about half of that at the end of 2007⁴. A 70% drop in reported crime during the period that the Ba Community Corrections Pilot was launched and sustained. By any accounts the Ba Programme cannot be considered anything but a success. However, there are qualifications to this claim which are explored later in this report. However the statistics are an overwhelming attribute of the success of the programme which may not legitimately claim to be the sole reason for the reduction in crime in the Ba area, but can at least claim a contributing factor to it. The following are excerpts of the various interviews that attest to the success.

Salote: I've had about 3 persons come before me who have reached their 50s and I remember them quite vividly, and their A4 pages reports were full, from the top to the bottom. I looked at them and I asked "*Aren't you tired of this, aren't you tired of looking at my face, are you tired of coming here? I am challenging you. and I am going to try and do something radical. I am giving you a non-custodial sentence and this is why I am doing that.*"

I was pleasantly surprised as this was a sort of an experiment – they never came back before the courts again. One particular one spoke to the prosecutor and said, "*I expected an imprisonment term and I was surprised and I believe there is a God*", because for the first time he believed that the courts has a human face.

Commenting on the community, one of the mature members of the Nailaga Chariots of Fire Reform Club said:

It's a big surprise, really big surprise to the village especially these people here were living that type of life and then this programme and changed them completely altogether. They found that these people are living a new aspect of life, they changed from that bad situation to this good situation, they were really happy. They had a village meeting and then they asked me about this programme and they were very happy. They were very positive about this programme and they are really supporting this group.

4. There is a substantial difficulty in talking about significant crime statistics because of the way that the statistics are (or are not) collected, above all with no apparent consistency either between agencies, or even within the agency itself.

Of the 218 cases that were given Probation orders or Community Work orders, only 10 have re-offended in the same time period. Whereas previously the recidivism rate for prisons was around the 47% mark, the recidivism rate is closer to 4.6%⁵.

BCC-15: We have about 33 people who have been in and out of jail, and I can rightfully say that for the last 10 months or so, my group has never been charged in any major crime, [or any that we have been] normally associated with before.

or

BCC-35: All I can say is that [Community Corrections] really really helped me. [... because] It provided for me, provided funds for my screen printing,...things that I can't buy.

In actual fact the funds were provided for by the Ministry of Youth who wanted to support this client in his income generation project. However, the client perceives all government official stakeholders as 'Community Corrections'.

or

BCC-05: I've got another chance to go school again. And the two years that's given me for my probation, and since I've started this year, so I got one more year ... like this school takes 2 years course. So that probation years I can just finish it here in school. Doing something; better than staying home.

or Community Police Inspector Raj Ram:

Before, Ba District used to experience a lot of robbery with violence cases. When you hear about a robbery, an offence committed tonight and you'll know that the next one is to be done in a few days time because the vehicle has been stolen from here. Obviously the other robbery will take place before the vehicle is left somewhere. Now it is not experienced anymore in Ba. So the offences that are prevalent at this time, at this very moment, should have been robbery, stealing, all big crimes. But now we are experiencing crimes directed at food items, minor crimes.

or

Raj: When I last visited Ba Prison, there were only 3 people from Ba and 2 were Indian boys, no other villager from Ba' is in Ba prison, that is something stunning for us, unlike previously. And this is just because of [the] program that we don't have any hardened criminals in Ba.

4.2: Contributing Factors to Success

During the course of the interviews, the following factors appeared to come through as reasons for the success of this pilot programme.

4.2.1: Strong Sense of Community

The overriding factor that seems to come through from all the respondents is that it is the strong sense of community in Ba that has contributed to the success of this programme. Ex-magistrate Salote Kaimacuata:

Salote: What surprised me most the positive response from the community, they came on board full on, they were happy to work with us, and when things slowed down they came and asked, what do we do now; why are you not inter-facing with us as much as you used to do.

Remarking on the tightness of the community in Ba, Community Police Inspector Ram comments

Raj: It is firstly, I would say our culture. If I commit crime in my house, I would be ashamed to face my parents, I'll be ashamed to meet my brother and sister. Even in the Fijian village. When I go back, though I'll be regarded as a hero but when I sit down to eat, in the family meeting and when the whole family goes out to pray preach and I am at home that is what happens in our community. So when the magistrate says, ok you go and

5. There are potential problems with this comparison, as there is a danger that many of the offenders who were given a Community Work Order or Probation Order, might not have been given anything under a magistrate handing out traditional custodial sentences. Please see Section 4.3.

change in your community, you do 40 hours work at the Naidrodro community hall and that will be a big. I'll go and cut the grass, Richard will see me, Rocky will see me, my sister will see me, how will I do it? So the first thing comes in mind, that will be the first and last time. So just because of the culture set-up here, it is very easy to reform people here. Unlike in Suva or Lautoka, it's more like, I do mine and you do yours.

The fact that most of the community tends to know each other quite well. Migratory work is not nearly as large as it is in Suva or Nausori.

...in city areas, we have that urban drift effect. People from all walks of life – you will not find the same people on the streets as there were yesterday. In Ba, Nadi, you'll find the same people and same vehicles going around in the night as in the previous night. ... Sometimes the areas too differ, and the level of interactions [of] the two major ethnic groups we have; so in the western side its quite good ... like Labasa we talk of, our Ba ... Lautoka to some extent, Tavua is quite rich in that and Rakiraki is quite rich in that. In Ba in most of the communities you go, you'll see an indigenous person and Indo Fijian speaking in either language (Hindi and Fijian).

4.2.2: Civil Servants Who Approached the Community at 'their level'.

The strong impression that came out from the interviews was that it was the government officers, be they social welfare, the judiciary, or community police that instigated the community involvement by making the 'first move'. In other words, the community seems to have been impressed by the fact that the government officers were 'coming down to their level'.

BCC-20: One thing that surprised me is like the people from high status and from different backgrounds and people in different jobs like I get to know them and their field of work which I didn't experience before. So when I go to town most, plenty people know me and some ask me "you know..." "yes I know him through this, through that", social life and dealing with people from high status that was the thing that surprised me. People from high status like Madam magistrate which we can't talk to them like that.

or

BCC-15: In that daily conversation I saw [government officials] with a higher status who were able to listen to me and cared for my decision and gather my views; that made me believe that I can help [myself and my peers].

or

Toduadua: ... if you want this programme to work and if you want, in particular the communities to support this programme then you have to go down to them, you have to bridge that gap between the community and the police which has been absent for so long and by doing that we have to walk the talk rather than talk the talk and I believe in that.

or

BCC-25: ... in here you see people from higher status like doctors coming down, social services, people who are doing the counselling they broaden their view, their knowledge in this workshop, apart from the values and spiritual training from the church. In other ways they try to learn from them.

To have civil servants in Ba who have stepped beyond their normal boundaries in trying to make and suggest genuine policies and decisions that benefited the whole community, must have been very liberating and empowering; probably both to the recipients and possibly the civil servants themselves⁶.

4.2.3: Government Officials Personally Invest in the Programme

Government officials implementing the programme stated that they felt an obligation to go 'the extra mile', either by working beyond their remit, or many times contributing out of their own pocket to make the programme work.

6. Although this was not formally explored, there were enough comments from the respondents in conversation outside of the formal recorded interview, to suggest that they were genuinely more satisfied in feeling that they were actively contributing to the welfare of the community.

Aporosa: ... through this program, we needed a lot of awareness and with awareness, we needed to travel from here to there, and what we lacked was fuel; vehicles are around, but no fuel. Fuel was allocated for a month, so once the monthly allocation is finished, we have to wait for another month sometimes we have to fork the money from our own pockets to travel because when we see that the interest is there from the community and we have the commitment to go, we feel bad not keeping up to commitment, so we have to pay from our pockets, contribute, fill the fuel and then go.

or

Raj: So it's like that for us, the good part, before we come to this program, we all have that "going the extra mile effort". Look at Patrick, if he comes for the awareness program in Ba, bring his car, he'll stay here and the last person to leave the office. Mr Aporosa goes for the night. In that awareness program, tells him the spiritual kind of thing that he has to go up that "extra mile effort".

or

BCC-15: I think, to say that Mr Toduadua [the police prosecutor] has only been trying to do his best is an understatement. I think he has done more than his best. He has used his own means to assist us.

or

Patrick: Teamwork, yes. Whereas we had commitments we sacrificed, we came out of our ways in order to see that this programme does work for the people. For sure I know at my head office they were also trained, we were all trained together and these people were not taking it seriously, they didn't devote that much of their energy into the programme, I would say. And here though it was part of our annual corporate plan we really tried to achieve and I can assure you that we produced our report and we told them how many Wednesdays, how many courts that we really engaged ourselves in rather than... just like in Suva not much commitment was involved from our ministry I would say.

or

Salote: We were fortunate because we had Aporosa, Inspector Toduadua from police prosecution and Inspector Shalend from community policing, the court officers in the court, the clerks, they came on board' they really did care about the young people or the community members'

The interviews also suggested the the programme had brought the community effectively into the discussions with clients of the Ba Programme. One of the Nailaga Chariots of Fire Reform Club members commented:

We are very happy with this Community Correction because before we are hating each other, police and our society, and after the community corrections came through we are happy for that because we are getting closer to each other, with the police officers, with the village people, the chief, it was a big surprise too for the community...

or

BCC-15: to be able see and hear the village elders saying good morning to me , that things that they didn't say to me before, that is satisfaction in itself. That village elders come and say "thank you for the work you've done this morning". ... but to see the community accepting us and slowly getting back our association with close family members as I said, thing we've never enjoyed before. We have our own village houses but because of our activities we make our own houses, bures right in the mountains ,stay there we do our own things, and we do not interact with the village, but now its different we are allowed to come back and be able to get back with the family.,

Jeri Taoi, a Ba Provincial Council Youth Leader states,

Jeri: After a decade or what then the community recognised them, after a long time the community came down to this level.[This] changed the whole aspect of life especially living in the village. The people see them in a different way, especially to the chief. He came down to give some donation and he told me that he was very happy because our village most of the time have been blamed for doing bad things. ... when this programme came down it really changed the way they looked at us, it really changed them.

4.2.4: Working with Aspects of Ethno-Cultural Traditions

Aporosa: ... when we did the community correction pilot project here, we were trying to marry everything together so when young people go back to the village under probation they have to be assisted and rehabilitated.' That's where one of the traditional element comes in which is called *ai solesolevaki*, that is team work. There are tasks. If there are 5 or 10 boys, your task is to plant 20 mounds of cassava each. If there are 20 of us we'll try to make 20 mounds by 20 that is 400. The *solesolevaki* or the principle of team work is there. Because the law says that you have to be rehabilitated, the young people had no choice, if they did not they were breaching the court ruling so we blend the two together.

4.2.5: Government Stake-holder and Community Synergy

Patrick: the support that we had here the magistrate, the police, the social welfare, the youths and the prisons we really clicked well and we helped each other.

Inspector Ram commented that the programme seemed to have a side effect of bringing the community together so that other non Community Corrections Programmes became possible. For instance

Raj: every time [reports] use to arrive about no water in the area. People had to go for miles and miles to get their drinking water. These are the basic things. So I told the [Police] Post officer 'let's put our heads together, why don't we solve this water problem and see whether we can bring about some changes', at the same time we had two probation [cases] and they joined the police post youth group, they did their work. But they didn't want to go after that and ... so they came in and did some fund raising for a Hindu Festival, the Ram Lila, they got some rich business people to make some donations. So we were a bit surprised when we were coming to the end of the programme, ... we had less in numbers so we asked the indigenous boys 'hey why don't you join in'. That brings people together, when we see the pundit and the talatala working and eating from the same plate. So the person who used to complain the most, came to my office and said, 'Mr Ram your group is No. 1'; I said 'why?', 'they have been patrolling', I said why? Then he told me 'water is back, so we are good', We see the report book [of the area] the crime disappears. So it's not only the crime network we're looking at, we're looking at other forces ... so community probation – this pilot project I would say has jumped from the back passengers seat to some extend the driver's seat.

4.2.6: Bringing the Community Together

There is evidence to suggest that the programme worked at the level of bringing the community to the youths who had been 'lost' to the community. This seems unusual given perception that Fijian communities are so tight. However, it seems that once the youths commit a crime or are perceived to have committed a 'sin', then the community seems to 'look down' or 'abandon' these youths. The result is that they have no guidance and instead try the best they can to 'make it up' as they go along. The result is more anti-social or criminal activity.

This maybe in part because of a growing change in societal expectations of how leadership in traditional Fijian communities used to be exercised, and it's mismatch to what youths may require today.

BCC-25: Before the elders they hadn't helped youths, when we do this kind of programme we had to ask for help, for them to help the youth, [...] They just look at the wrongs we do, they talk about the wrong. They look at the good we do they hardly talk about the good things we do, they just wait for us to make one mistake and they start to talk about it, take it to the police and start ending up in court.

The Pilot Programme appears then to have been a mechanism to re-introduce youths engaged in criminal behaviour, with their communities and this was perceived to be a significant point.

BCC-15: But frankly speaking, but to be able see and hear the village elders saying good morning to me, that things that they didn't say to me before, that is satisfaction in itself. That village elders come and say "thank you for the work you've done this morning". [...] to see the community accepting us and slowly getting back our association with close family members, as I said, something we've never enjoyed before.

or on commenting on what was it about the life skills programme that was so good for the members of the Nailaga Chariots of Fire Reform Club, one mature member stated that it was on "*How to solve problems, how to communicate with each other.*"

4.2.7: Financial & Technical Support

Although the Ba Community Corrections was initiated from within the Ba Community, there is evidence from the government stake-holders that the whole programme was lifted to a new level because of the explicit financial and technical support of the *Australia Fiji Community Justice Programme*. Although the programme sponsored over the time period of 2006-2007 a considerable amount of money, it appears as if an initial workshop sponsored by AFCJP holds particular psychological significance for Magistrate Salote Kaimacuata for taking the programme to another level.

Salote: The initial resources was just us, the people. We had zero budget and I told them that at the end of the day where there is no money and there's no resources, the commitment has to come from each individual within the stake-holders; well, they came on board but we also needed to bring in the turaga ni koros from the villages, who were presenting the highest numbers of offenders amongst their young people, and members of the advisory councils who were leaders in the Indian community to come to training. And to bring them to training we needed money to bus them in; we needed them to pay for their lunch for a one-day workshop at first. AUSAID came in to help and offered to pay \$300 for a 2-day workshop. That was really the start and we've never looked back after that.

in addition Ministry of Youth and Sports officer Patrick Morgan states,

The other thing I really appreciated is the support that we received from the Australian community services programme in terms of Richard and now we have David in terms of technical support they are always there and that helped us in the community to really work and the team work that we had in Ba was quite different to comparing maybe in Raiwaqa or Navua where we didn't do well ...

4.2.8: Someone is Actually Listening or Giving Advice

The traditional ethno-cultural mindset particularly (but not exclusively) in the indigenous Fijian community is to enforce the idea that youth are to listen and not to speak, making it hard for youth or young adults to engage in conversation and test out their own thinking processes with potential mentors in the community (Monsell-Davis, 1986). There was a strong sense amongst most of the participants of feeling relief that someone was willing to actually 'listen' to them.

BCC-05: My counselling; I like my counselling. [...] Because I get to talk to people and I get to open up my mind to them. They tell me what's right and what's wrong.

or

BCC-25: Most of the people after the 3 day workshop they said that was their first time they experienced training, first time such training they have not experienced it before, like it trains their spiritual life, physical, mental.

or

BCC-15: Before it was different. The law enforcement was more concerned in getting me brutalised: go the police station, go to the judicial system, back to jail. They were vibrant in trying to get me back into jail. When I came out this time, the community corrections was trying to keep me out of jail. and for me to try and influence the young people, that was what showed me that this is the way I can go.

4.3: Qualifications to the 'Success'

The statistical and anecdotal 'success' of the community corrections programme is almost 'too good' and may provoke many to doubt the results as real. Some of the reasons for apparent success maybe due to a number of different factors other than going through a community corrections programme. After all the straight numbers show that if there is a reduction of approximately 750 reported crimes but only 120 offenders have been put on community corrections there is still a considerable 'shortfall' in the apparent drop in crime.

Firstly, the way that crime statistics are calculated are circumspect. Non standardised procedures, poor data management and input as well as poor coding procedures make any collation of reported crime as much a function of addition as well as inspired 'guesstimates'. It is possible therefore that the crime statistics for 2005 are over-inflated because of poor coding or poor data handling. For instance the crime statistics quoted by the Chief Police Prosecutor for Ba was from 1500, to 'about' 500. The actual police crime stats units for the same period specifically for the Ba province recorded 810 for 2005, 1475 for 2006 which then dropped to 742 crimes reported at the end of 2007.

There is also additional evidence though to suggest that the figures for 2005 may have also been 'high' because of the drive by the Police community to 'solve' more crimes. A report presented in 2006 to investigate an apparent dramatic 35% increase in prison statistical figures (Taylor, R, 2006), concluded that the actual crime rate had not increased, or not increased by as much as 35%. The increase was instead attributed to greater activity by the police - in other words the same amount of crime was being conducted in the community but more of the crimes were being 'solved'. This strategy appears to have fallen away after the then Police Commissioner left at the end of 2006 due to the military take over of Government. In other words the crime figures for 2005 may have been inflated.

Another potential compounding factor is due to the reported criminal activity in the early quarter of 2007 being dramatically reduced because of Fiji's Military Take over over the then Government with resulting military presence at strategic road checkpoints accounting for a dramatic drop in the attempted crime rate. In other words the figures most especially in 2007 may have been 'lower' than normal.

There is also a chance that the profile of offenders between Magistrate Kaimacuata who served from 2004-2008, maybe different from the previous magistrate. With the use of Community Work and Probation Orders, there is perhaps a greater percentage of 'minor criminals' who are given a sentence and who would have been unlikely to re-offend anyway. In contrast the previous magistrate may have been inclined to give no sentence to offenders of minor crimes⁷. Follow up conversations with ex Magistrate Kaimacuata explained that much of her first year of work at Ba was going through a large number of 'bound-over' orders that had escalated in severity of crimes (but they kept getting a bound-over order). In other words there is potentially enough evidence to gather to make a direct comparison - namely looking at the recidivism rate of offenders who were given bound-over orders, versus those that were given community work or probation orders. Between 2002-2003 198 Bound-Over orders were given, of which 9 re-offended giving a recidivism rate of about 4.5% Not too different from the community corrections. Apparently most of these re-offenders went onto the community corrections programme and none of them have re-offended. This does give some more support to the idea that perhaps the profile of the types of crimes being sentenced was not significantly different.

It is doubtful though whether any of these factors can explain away 'all' the effect of the dramatic drop in crime statistics in Ba, but it may reduce the effect. This may appease those social scientists or policy makers who insist that when the figures are 'this good' then there is something 'fishy going on'.

7. There are a number of different ways to statistically analyse this data. The first would be to have a straight forward analysis that states that of the 230 cases that were put on the Community Corrections programme, if there had been no effect then there would have to be an additional 98 members of the programme that actually had offended but had not been caught. Another would be to say that the national average would have an error associated with it, perhaps by 15% either side of the actual average of 47%. This would mean that the actual re-offending rate could be as low as 32% or as high as 62%. In order to bring the Ba Community Corrections pilot data into the lower end of the national average, there would have to be an additional 63 clients who had offended but had not been caught. In other words for every re-offender caught, more than 6 others were not caught - there is no current reasonably plausible explanation as to why this failure rate should be preferentially worse for the pilot programme compared to those prisoners not in the pilot.. It is up to the discerning reader to decide whether this is a reasonable ratio that can 'explain away' the success rates of Ba's Community Corrections reduction in recidivism.

4.4: Apparent Failure

Two of the interviewees had been clients of the programme but had since re-offended and had returned to prison. Their interviews were instructive in helping to explain why the programme did not work for them.

Both cases, it seemed that the programme was not enough because it gave neither client the tools to resist the urge to commit their respective crimes (robbery) again. Part of the problem appears to be that the clients found it hard to get a job because of the stigma of being an 'ex-convict'.

BCC-30: they just look at me as an ex-con that's why they rejected me from some companies in FSC, all those companies I want to go and work and earn my living and they rejected me because I've been in prison and the don't know that I've changed. That's why they rejected and I can't earn my living.

Asked why he had robbed again he replied 'because I can't earn money'.

The concern with money was apparent in other respondents, for instance one of the clients when asked why previously he was a repeat offender replied:

BCC-35: I was not doing it for my own personal..., I have a family to raise. I'm not a very well educated man, I don't have job.

The issue of resisting peer pressure came to the fore for one of the re-offending clients:

BCC-10: Its better to be in the village because most of the time your friends come and invite you to ... do some more crimes. Its better to do community work to come away from the village.

4.5: Sustaining the Community Corrections Programme

The major criticism of the Community Corrections Programme is the fact that the programme has been personality driven rather than process driven. That is to say that the programme seems to have in part 'succeeded' because key personnel in Justice, the Police, Department of Social Welfare (DSW), Ministry of Youth and the key members of the community such as the 'Turaga-ni-Koros' and members of the Advisory Councils. There appears to have been a real effort on the part of a system with significant 'human' faces to have made things work. This of course sounds like an ideal, except that there was little emphasis or even follow up on systematic recording and record keeping. The price to pay for this is the fact that when key individuals leave the programme (promoted, change jobs, retire, relocated), then there is no system to guide the replacements to continue the excellent work.

For instance, in the beginning many orders were handed from the court directly to individual supervisors without a record being kept at DSW who were unaware of exactly whom has been given community work or probation orders, or indeed of those that they do, there is no continued follow up. The result is DSW has little awareness of the state of a particular order (whether it has been fulfilled or not, whether an order has been breached or not) and is currently having to play 'catch up'.

When the Ba magistrate was asked about this, she acknowledged that in the beginning DSW was bypassed in part because of her experience with DSW as a legal aid officer and later as a prosecutor where social welfare has always been perceived by successive Fiji governments as a 'waste' bucket for awkward areas of responsibility to deal with. Understaffed, under-trained, and generally under resourced, she felt that initially it was too much to ask for DSW to be the lead agency. However, she started to utilise them more as the programme matured in part because it was a way of under-scoring their importance as a government organisation (and of course they have to do more than provide supervision for community corrections orders).

Within Social Welfare (& without exception), and within all the main stake-holders in government, there was a universal pragmatic recognition that the DSW needs to be the key agency that is tasked with enabling the community corrections to work. Starting at the beginning of the court processes where they may provide pre-sentencing reports, through to explanations with the offender what the actual possible order means in practical terms, to assigning a volunteer probation officer, doing subsequent follow ups with both the offender and the volunteer probation officer, possible interim reports given to the court if requested and/or reporting back to the Court should the offender breach the order and finally completion reports. In actual fact the legal statutory responsibility for overseeing community corrections lies with DSW anyhow (please see Section 10.3.1 for further discussion on this issue).

4.5.1: No Follow On Programme

Another key component that may or may not dictate the success of future programmes is the ability for the programme to provide concrete links or services to allow clients to further or continue their rehabilitation efforts, particularly in relation to acquiring enough skills to resist peer pressure and of course to generate a legitimate income that meets their minimum living and social needs.

When a convicted person is given a community work order, there is an implicit assumption that preventing them from going into prison will firstly take them away from 'hardened criminals' that will 'teach' them to engage in more criminal activity. There is also an implied assumption that someone on a community corrections order will be given a 'breathing space' to consider the consequences of their actions and will most likely adjust their behaviour having had a close brush with incarceration. However, if the reason that the person committed the crime in the first place is because they have no way of generating an income, and they have no one effectively to turn to for advice, then if either or both of these conditions remain, there is naturally going to be a higher likelihood of re-offending.

Toduadua: I may not call it a problem, but the wants and the needs of the young offenders to advance and further and to continue this programme, one of the problems we are facing now to continue this problem specially when we have reached this from 2005, the expectation from the community that this programme is going to stay, is going to continue. We have reached that height, I think we have reached that level, the expectation from the community from us, what are we going to do next.

Rightly or wrongly, the participants of the Programme feel that they had entered a 'pact' that if they were to do their end of this 'pact' then the others (really referring to the AFCJP programme - often titled 'AusAID') would do their end of the bargain by coming up with income generation project schemes.

Jeri: We've done our part, the provincial has done our part, we've given the boys what they want; we provide them with brush cutters, [...] we've done our part, only from your side, if you can give something specially funding to run something for them so that they can start off.

and later on,

No, there's no hiccups at all, its OK everything is OK, the main problem is that we need funding just to kick off. If we can give them funding from then onwards just for two years or three years then we can withdraw and we can see them running the programme. The province is just here to help them but it depends on them, the main issue is for them to survive and to achieve something, that's what we are doing.

Whether this is a justified expectation, or whether something that had been poorly communicated when the community corrections was being proposed or some wishful thinking allowed the pilot to be interpreted this way is not being considered here. However, this issue is taken up in the discussion (section ?)

5: Pacific Counselling & Social Services

Two visits were made to the Pacific Counselling and Social Services (PC&SS) non-governmental organisation, one in early May and another in late May of 2008. PC&SS run a counselling programme that caters specifically to inmates called *The Prison and Court Support Services* programme which aims to provide inmates with both group and individual counselling that helps them to identify themselves, the kind of cycles they often find themselves in which leads to a life of repeat offences.

The first visit was beneficial in finding out about the programme and to orientate them as to the purpose of the research. A two hour conversation with an Australian Volunteer attached to PC&SS, Robert Carter who is a chartered clinical psychologist originally employed there to act in a supervisory capacity for the counsellors. The overall impression was that the dedication and empathy shown by the counsellors for the prison programme was by far and away the most important factor in determining the success of the programme as measured by the engagement of the inmates and their subsequent lowered re-offending rates.

The facilitation was done following a programme devised by a forensic US behavioural worker called Ron York. It follows a suite of modules that help the clients to identify their roles and potential blind spots which have contributed to a life of criminal activity (see the appendix for a break down of the core programme modules). The purpose of these sessions is to help the clients identify which potentially hidden 'forces' are operating to make them more likely to behave in a criminal manner. This enables them to devise appropriate alternative behaviour.

During the second visit, four clients were interviewed who had been part of the PC&SS programme; a prison session was observed facilitated by PC&SS; and the debrief session was observed of the whole prison counselling team along with a focus group conducted straight after that.

It is not possible to assess the quality of the counselling that PC&SS are offering for one-on-one counselling as clearly I was not privy to such sessions. However, the language that the facilitators used was certainly of a sufficient quality to assure me that the counsellors did have counselling training and they did seem to be very cogniscent as to the professional standards that would be internationally recognised. In other words they gave no cause for concern that their application of the counselling was not of a sufficiently high standard to at the very least (i) respect the dignity of the clients (ii) retain confidentiality of the clients. One thing that can be commented on though was the atmosphere that was generated by the PC&SS facilitators when they ran a group work session. The clients that came into the programme were clearly 'keen' and engaged in doing the session. There was no indication that anyone was there under duress. There was a single client who felt the need to retain sunglasses on throughout the session but there was no indication that this meant anything other than an initial shyness or reluctance to open up. The facilitators told us that often newcomers to their programme would sit very defensively outside of the circle, and with the chairs turned around with the back of the chair as a sort of 'barrier'. There is apparently no pressure put on the clients but over time they more or less turn their chairs around and enter the circle of their own accord.

Ratu: ...when they come to the counselling room the first day; like majority of the clients would have objects in front of them, their behaviours; the way they present themselves; they don't express themselves, it takes them while when they then come to this bonding, like they feel that someone is hear who can listen, someone is here to empathise, someone is here who can experience what I am experiencing and after a while they are more comfortable. With the sitting arrangement, they always sit front to back, it takes them awhile before they change. These are the little things that you have to observe; you'll see after a while that he will come in and put the chair the other way around. Don't even tell him, let him do what he wants, it's a barrier, and after awhile, he moves and then gets to participate and get involved.

5.1: Apparent success of the programme

The PC&SS programme has been going for just over 1 year at the time of this review. The total number of inmates seen was 109. Of these two have re-offended (recidivism rate of about 2%). Below are some of the possible reasons given as to why this might be so.

5.1.1: Providing a space to listen

Ratu: It's only a matter of listening. most of the time, after the introduction; we provide the environment that they feel we are there for them.

or

Robin: And so you went to prison in Lautoka, and you met Ratu and his team, and can you explain what that was like, your experience in meeting up with the counselling people?

PCSS-10: First of all, I was carrying a burden and couldn't say it to anyone. Just be with myself and always cry, and then I met them and they asked me some questions causing all the burdens to go away, and now I feel very good, and has caused me to behave as I'm a human being. It was nice.

or one of the participants is asked directly to speak about himself, and he described his response as if it were a question he was just waiting to be asked,

PCSS-20: Sometimes they come and teach me in prison and they ask me the question, "what is the main problem in your soul?" So from there I started telling them what happened to me; from my family, my first wife, my second wife and my wife now.

Part of the problem for these respondents appeared to be that the ethnic culture of indigenous Fijians is one in which there is no opportunity to actually talk about one's feelings and this is instead just laughed off.

Robin: Why do you think it's hard to talk?

PCSS-10: It's not hard. Sometimes when we're outside here we can't talk about ourselves so if they ask anything we just laugh and when you go inside we just can't say we're OK, because some thing caused me to go there....

Robin: Why do you laugh at all when you are in the village context rather than in prison, But you said that when you were carrying that burden, it was good to talk so what about the normal village life that made it hard to talk about those issues.

PCSS-10: Everybody here has a burden but they are just 'guysing' [ignoring] about it.

Commenting on this, Ratu the facilitator had this to say,

Coming to the family, as a client mentioned to you yesterday, anything happens we just laugh it off and they suppress their feelings through laughter because no one bothers to listen until an incident happens. In the village, it's very unusual for a father and son to express their emotions, but when they get out there they just need someone to effectively listen to them.

Another version of this was stated thus:

PCSS-05: Na yaloqu ni se bera ni lako mai counselling, na yaloqu vaka me sega ni dau vinakata na, vaka meu sega ni kila vinaka tu na kenai balebale se kena yaga, vaka meu lako tu ga yani, na lako tu ga va noqu via solia wale tu ga - au sega ni kila ni dua na vuli vinaka eda gadreva tu kina me da lako kina.

Ratu: Ia, a cava na kenai duidui? Mai na nomu se bera ni lako kei na nomu sa lako. Me vaka oqo, gauna au se bera ni lako kina, oqo na ka au dau lako curuma, au dau lako curuma na dredre, sega ni dua na tamata rogoci au. Se cava na ka yaco?

PCSS-05: Io, vaka meu dau sotava vakalevu na dredre.

Ratu: Ena gaunisala cava? Sega ni dua rogoci iko?

PCSS-05: Io, sega ni dua rogoci au. Sega ni dua kauwaitaka na veika au vakayacora, au vinakata.

[Ratu: *He has mentioned that before coming into counselling, he used to face up with a lot of difficulties, in terms of no one bothers about how he felt, no one bothers to listen to his side of the story. He began to suppress all those feelings, like accumulate with other feelings that he used to have. And he thought it was normal feelings, then once he came in there, he felt like no one bothers, no one listens. So it was some of those feelings that he kept depressing and suppressing himself.]*

A concern was the idea that sharing one's feelings and emotions with another in ethnic indigenous Fijian culture, can be used against you in idle gossip.

PCSS-15: From the first day when I attend counselling when they told me I had to go on one-on-one, where I had to talk about myself, I was really scared because some people will know about my secrets and everything, but after one month, I learned a lot from the counselling program.

5.1.2: Focus on Family Relationships

Two out of the four interviewees specifically mentioned how the programme help them to identify the poor relationships that they had with their families and how they were able to improve these.

PCSS-10: The last lesson I learnt before I left was how we hate, our anger, how we express ourselves. Sometimes we human beings get angry; When I went on this program, sometimes I express my anger to my wife, to my children and family. The last lesson that I learnt, now almost everyday, we, my wife and I talked about how we want to change our lives. It is better for us.

or

PCSS-05: Sa basika mai na vakatulewa. Au sa tuvana na noqui lakolako, noqu toso e veisiga, noqu tovo ni rai, noqu tovo ni vosa ni veimaliwai. Sega ni vaka au dau cakava tu eliu. Na noqu suka mai na counselling oqo, iratou mada ga noqu matavuvale eratou tukuna ni veisau levu sara oqo. Iratou mada ga na tiko e loma ni vale oqo.

[Ratu: *The change in behaviour, was something that was mostly identified by the family.]*

5.1.3: Memorisation of the Modules

The programme has been devised in a way that uses many striking images such as 'circles' and 'trees' as analogies to aspects of their lives. One surprising detail that came out of the interviews was just how much each of the clients could remember each module and the learning that took place in each. My expectation was that the clients, who have mostly left school early, would only remember vague parts of the programme and have more of a 'general feeling' about the overall programme that would give some generic effects. Instead the interviewees gave very specific details right down to the week that they took the module. This would suggest that in fact the programme is doing something quite specific and not just providing a space for facilitators to show empathy to the inmates as previously suggested.

PCSS-20: Like in our Second Module then they give us "what's inside your bag or sometimes, what I put in my bag, or it's like what I put in my life, like when I go into prison, same thing I take to prison I bring it out again. From there, after the counselling I knew that when I come out from prison I should bring out an empty bag so I can come and fill some good things in my bag.

later on the same respondent says,

They showed me Module 4 - the tree of addiction. So many things they showed in that tree of addiction that's what I'm addicted to, and they showed how you can get away from that. From there I knew how to move away from that addiction. They tried to know what's all in my mind. What source of things that I have to get away from. Like marijuana before I was addicted to, once I came outside I tried to control myself. I smell don't from there I stand up and go away and after they have finished then I'll come back and now I thank the Pacific Counselling in teaching me all these very good things.

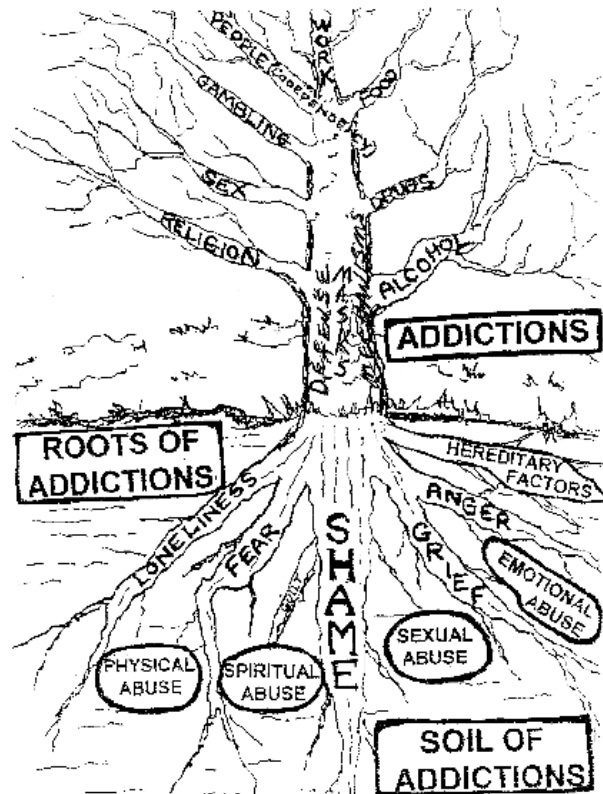


Figure 1: Graphic used by Pacific Counselling & Social Services to illustrate matters pertaining to addiction by using a tree as an analogy.

Another participant identified with the addiction tree but this was referring to addictive behaviour,

PCSS-05: Me vaka na vunika. Tiko na kena veitabana. So na ka au malumalumu kina.

[Ratu: *The thing that really convinced him, that brought him changes was looking at the addiction tree with its many branches. He identified majority of the things that was bothering him all through out, he calls it the norms, was all hanging as the fruit of the tree. It's the addictive behaviour and the lifestyle that he's been living with for a long time.*]

or

PCSS-10: Nai matai ga ni siga au a interview taki kina na ka sara ga au dau leqa kina, vei Nileszni e qai drawing taka e dua na circle

[Ratu: *The very first session he had they had, so within the cycle he managed to identify that it was him all over, that it was really hurting him all over, hey "I'm hurt and I'm experiencing what's being drawn on the paper...."*]

5.1.4: Participants appear to be engaged in programme

Other comments by the facilitation staff appear to suggest that the participants did become actively engaged in the programme.

Ratu: For every session, we give a little assignment, maybe 2 to 3 questions. Identify why this is happening, and the first thing we do next morning is review their assignment. Majority of them, if they are not into it, they will not come out with anything, they will not comment, they will not take notes or anything. But once they realise the impact of it, you'll see the first thing they want to talk about and. even if we forget to debrief, they will remind us, so it tells us that changes are taking place.

or from a participant's observation,

PCSS-20: Like in Module we learn inside in prison, like you cover your face for people. for people to see only the mask so people don't know what's inside you. When I was wearing a mask I use to tell lies to everybody. Now I have taken out the mask and I do not want to wear the mask again and I have changed and I'm doing my things and I know that I

don't have to wear the mask again and I .

5.1.5: Participants learn about consequences of their actions

The counselling programme's focus is about helping the participants recognise the mostly hidden factors that make them enter into a cycle of crime and prison sentencing.

Ratu: Sometimes during counselling, like some of the activities that I do with them like I give them the choice, those that have issues with money, those that are used to robbery because of the love of money and if I have \$10,000 in my hand as cash and maybe \$3 hour work is here for you what is your choice now, can you clarify the reason why you need this and why you, let's weigh it out. Majority of them would rather take the work, although it's \$3 an hour rather than taking the \$10,000 at that point in time. So from there, then we explore more why don't you take \$10,000 because its already there. You don't have to sweat for anything, you can do a lot of things, you can invest? But they say, no, I believe if I'm given \$10,000 it will only last me for 2-3 days, I'd rather struggle with \$3 which will earn thousands and thousands.

Robin: This is what they saying at the end of the program. So if you asked the same question at the beginning of the program, would they say...?

Ratu: Grab \$10,000 grab \$10,000.

Robin: So at that point you realise that things are changing.

Bim: You see that they believe in themselves, their self-respect, self-esteem is being boosted... besides

or later on

Ratu: at the end of the session, once we value that, then we believe it is somehow or the other, the little things, little ideas it has worked out for them, they have been able to identify, because the majority of them when they make the choices they forget about the consequences, they don't know whether they go to prison or go to hell. That's the last thing that it will come out of their mind. But when we begin to explore more of it, they now feel that, hey, if I do this, the consequences of this is this. If I take the \$10,000 the consequences of it is this.

or from a participant,

PCSS-15: I'm married and have a child to look after. Sometimes I found it very hard to cope with our relationships, between my wife and I and my family. When I came across this program it taught me a lot of lesson and it built up my personal and family life.

or

PCSS-05: Me vaka na yalo totolo. Me vaka na gauna ni veivala, vata na sota na kaukauwa, vaka na buka, ni sota na buka waqa, ena solia mai na kena vaka me na direct mai so na lako sobu na yameyame ni buka..

[Ratu: *So with him, he's mentioned that the biggest thing he's learnt from counselling was it's all right to withdraw to win, rather than retaliate. So he's mentioned like, it's like putting firewoods together, it sort of sparkle and make a big fire. He'd rather get out from the heat, and not be part of the heat, and be a winner.*]

5.1.6: Follow Up Visitations

It transpired that the PC&SS programme has been going for about a year and that until this visit, they had only been able to do follow up visits for clients who lived in or close to Lautoka. All the others, particularly those living in the Nadroga region, had never been visited after their release from prison. My visit to collect the interview data provided PC&SS an opportunity to do their first follow up visits with some of the prisoners. It was very clear that these visits were appreciated by both the clients and the facilitators. One of the younger clients seeing us approach his house somewhat unexpectedly gave a loud whoop of surprise and then spontaneously gave the senior facilitator a full body hug. Full body embraces between traditional indigenous Fijian males is very unusual, so this episode was very striking and showed the depth of engagement that this client and this facilitator had had during the actual prison programme. The other clients we saw were equally delighted to see the facilitator even if they were not quite so physically demonstrative.

It was very striking for the facilitators to see the effect that their work with these clients had had on their lives. To paraphrase one of the facilitators comments, “It’s remarkable to see that this client is looking so well and healthy and clearly feeling happier in their community.”

One of the interviewees has though been in frequent contact with the PC&SS staff who seemed to be accessing them more or less to help him find gainful employment. As counsellors PC&SS staff are clearly there to provide a professional support structure, however, their training is more in line with personality issues, rather than providing pragmatic support. Nevertheless, it was clear that all the PC&SS staff were committed enough to always respond to requests for help to the best of their capacity. One needs to continue to bear in mind that in the traditional Fijian protocol, it is extraordinarily difficult to refuse such a request because of the influence of cultural values. However, it is important to recognise that at this point, PC&SS are really stepping out of their professional roles as ‘counsellors’ and are having to step up to a different plate namely that of trying to help this particular client find sources of income.

5.1.7: Consequences of cancellation or late starts of PC&SS visitations

PC&SS does three counselling visits a week to prison which is by modern forensic standards a lot. However, the Prisons is quite strict as to the time allocated for the PC&SS sessions. Inmates were quite annoyed when their sessions are either cancelled (because of a public holiday for instance), or when there is a delay in starting the session. Apparently these delays often occurred because the prison officer staff were ‘slow’ in bringing the PC&SS staff through the various prison gates. In other words the inmates seem to actively look forward to the PC&SS sessions. Corroborating evidence from the prisoners released from prison, suggest that this is not because it is an ‘escape’ from the monotony of the prison routine, but because they are getting something genuine out of the sessions.

5.1.8: Social Worker Embedded in PC&SS

It was impressive to see that PC&SS had in fact employed a social worker in their prison programme. This was because of the recognition that much of the ‘counselling’ that the clients required in prison was due to concerns that they had over their families outside of prison. Unfortunately, experience showed that DSW took literally weeks to follow up on a query or concern given by the client. Discussions with prison officers suggest that one of the principal reasons given for escaping custody is because of concern for the family. Having someone ring up the same day and report back a few days later to the client has apparently contributed to making the clients in their roles as inmates in prison, ‘calmer’ - this adjective was relayed to the PC&SS facilitators by prison officers looking after the inmates.

5.2: Perceived Gaps in the Programme

For the most part the inmates did **not** feel that the programme needed to be improved. They felt the PC&SS staff and their programme were more than enough. The question was asked, not withstanding the excellent work that PC&SS conducted, was there anything that, given virtually all resources required, could be done to make the programme ‘even better’.

Many spoke about the need for a more structured release back into the community, particularly on the pragmatic employment and income generating front. In other words despite the excellent programme which dealt with more abstract issues (such as a vicious circle of anger), there was still the very concrete hurdles to overcome such as how to find a (legitimate) job to earn money. Here one facilitator describes how he is being contacted frequently by a participant after the release from prison who is desperately trying to find employment.

Robin: How many contacts have you had since he’s come out?

Ratu: About 5 or 6 times He has been the only one that has been calling me.

Robin: On a weekly basis?.

Ratu: If he’s finding something difficult and he wants to discuss then he calls.

Another participant talks about the need for help beyond the prison sentence,

Ratu: Taufata beka kevaka me nomu taledi iko na dau teitei se dau qoli, qai sega tiko beka ni dua na nomu lawa se dua na ka va oya, o sa lako mai, qai vurevure tu ga ni nomui lavo o iko na qoli. Ni o suka mai o kila ni na vinaka me voli mai dua na ka oqo me baleti iko, mo rawa ni mai tekivu tiko kina? Me dua nomu lawa se dua na nomu waqa ni qoli se nomu yaya ni teitei, o kila ni na rawa ni veivuke oya? Ena vinaka me na vaya na ka e caka? Se cava nomu nanuma? Me na vakavinakataka cake na vei qaravi ena nomu sa tiko oqo. Me na vaya? Ena so na ka vaya me na caka?

PCSS-05: Io.

Ratu: Taufata o iko ena gauna sara ga oqo, o cava on a vakasama taka, kevaka au na tukuna vei iko, na cava o gadreva ena gauna saraga oqo ena nomui teitei, na cava so o na vinakata?

PCSS-05: Yaya ni cakacaka, nai tei.

[Ratu: *He agrees if only they could have helped in terms of whatever is the source of their income, if that hasn't been there with him. For example, if he is a fisherman, he is coming out and then if he could identify that his sole source of income was fishing and he doesn't have a boat, and he doesn't have a fishing line or fishing net. Or if he is a farmer, how to do farming, subsistence, how to plant other stuff, cabbages, tomatoes, and other stuff. A little bit of training in this instead of them being used to do gardening and other things and learn nothing out of it. Because it was just a task for them to do in prison.*]

Robert Carter, the Australian Volunteer clinical supervisor, did mention that the programme recognises this but feels it would go beyond their remit to be involved in income generation projects. He specifically mentioned the utility of a register of NGOs and governmental organisations that could provide resources of help to provide guidelines as to where the clients could go to try and find a job as soon as possible on their release. Of course there is just such a resource that the AFCJP is working on.

The facilitators who accompanied us to the four interviewees were both positively surprised and also vindicated in their beliefs that follow up visits were more than worthwhile endeavours. In particular there appears to be a perception that the programme managers perceive the follow up visits to be desirable but perhaps not necessary. In contrast I share the same opinion of the facilitators that the follow up visits probably provide a necessary affirmation to both the client and the client's community that the client himself is perceived as a worthy recipient of the effort to come and see him - in many cases considerably far away in the interior. The obvious pleasure that the interviewees showed and the interest generated by their families and communities cannot but help contribute to a client's resolve to continue a non-criminal lifestyle.

The facilitators were of the opinion, backed up by Robert, that the programme probably needs to be revised now in the light of having delivered it for over a year. It is perhaps surprising how the actual programme contents appear to be making a significant impact on the inmates, rather than possibly another manifestation of the 'Hawthorne Effect'⁸

Like many organisations, the PC&SS prison programme staff appeared to genuinely appreciate the presence of a qualified supervisory counsellor who was able to provide them with clinical supervision as well as help in their own professional development. This appreciation was enhanced during the period of time when the Australian Volunteer clinical psychologist was acting director of PC&SS.

8. The Hawthorne effect (http://en.wikipedia.org/wiki/Hawthorne_effect) effectively means that people perform or act in a more positive way, simply in the act of having 'management' pay attention to them. It does not seem to matter how they are paid attention to. It is acknowledged that this study does have controversy about how the results can be interpreted. The point here though is that the results seem to suggest that if the Hawthorne effect is 'real' then this does not seem to be the explanation for why the clients of the PC&SS prison programme are benefiting from the programme.

6: FRIEND REAL Programme

'Foundation for Rural Integrated Enterprises 'N' Development' (FRIEND) aim is as an NGO that empowers communities and their members by seeking ways for them to generate sustainable incomes. They run a programme called *Restorative Education for Alternative Livelihood* (REAL) which focusses specifically on two arenas: the first is in helping inmates to break a cycle of crime but undergoing a personal developmental programme which the facilitators call '*restorative justice*'⁹; the second is to help inmates to plan for an income generation project. It has been running for just over 2 years. Like PC&SS, they too visit inmates in Lautoka prison who become their clients in sessions that are similar to the PC&SS group sessions. Inmates sit in a circle and go through a structured programme during the course of the 9 month visits. Similar issues are covered such as the vicious cycles that can keep clients repeating their criminal offences. However, the core belief of the REAL programme is that the much if not the majority of the repeat criminal behaviour, particularly those that involved robbery, is driven by financial needs, i.e. it has a poverty cause at its' core. This fits in well with the interviews conducted in 2006 with the prisoners even if the need for money is to finance social needs (cigarettes, beer, kava) rather than not being able to feed oneself (Taylor, R, 2006).

There appears to be a real strength in this programme by including a 'follow' through programme that has the facilitators traditionally prepare the community to accept the prisoners on release, to subsequently take the prisoners out of the prison and formally introduce them back to their communities and then do a number of follow ups with the client to be supportive if their attempts to complete their action plan.

6.1: 'Restorative Justice'

A 'real' restorative justice programme aims to have criminal and victim eventually come together in a highly controlled condition which allows the victim to explain the impact that criminal has had on their lives, and (hopefully) for the criminal to recognise the significant cost incurred by their crime against the victim. FRIEND REAL does not do this kind of *restorative justice* programme, but instead implements a programme that tries to get the criminal to nevertheless see the consequences of their actions both in terms of what their victims will have experienced, and also what the medium to long consequences are for themselves, their family and their community.

Isoa: E taroga tiko o koya, ni ko sa lako curuma mai eso na ka e sa vukei iko, eso tale na ka o iko rawa ni wasea ni vukei iko kina vakalevu na program?

FRP-20: Io, vei au, vinaka sara ga veisau vakalevu. Noqu mai tu mada ga e tuba oqo, Sega ni vaka e liu, au dau lako mai, au dau gunu, mateni, levu noqu veimurimuri, noqu vuli oqo e vukei au vakalevu. Au rawa ni mai dabe, wili vola tabu, masu, masulaka tiko noqu bula. E vukei au sara ga vakalevu

[Isoa: *He saying that the program helped him to change his ways. Previously when he came out of prison, first thing he drinks. There was no firm decision for him to control his life. Now he is cautious about his steps.*]

or

Robin: What do you think is the benefit of the program? What do you think in the program that is good that is wanting them to take part?

Isoa: It helps them in the way they think about their future and what are their responsibilities.

9. The Director made it clear that whilst this is the parlance that the facilitators used amongst themselves, FRIEND knew that this was not a genuine 'restorative justice' encounter. Instead it utilises the principles that are part of restorative justice, particularly in getting the clients to understand their part in creating victims. For this reason within FRIEND's formal communications they refer to this as '*restorative education*'.

Looking ahead and trying to picture themselves where they will be in 10 to 15 years' time, I believe the program has done a lot in helping them psychologically. thinking of their tomorrow and their future.

or

Sashi: But it's not only about re-offending, the process that we wanted in prison was people to start taking responsibility for their actions. So we want to use restorative justice principles but not fully restorative processes because restorative process normally works for victims first and we don't have the staff capacity, there's no way we can go down the road right now.

or

FRP-10: Now the program let me think about myself; I think about the hardship. Every time I go into prison I'm wasting time in prison and doing stuff and crimes but now the program has helped me with one of my project, piggery farm; now the project is helping me to earn a living, and Mr Isoa had helped me with building of the fence and the building materials to build my piggery farm; the pigs are there and I'm feeding my pigs. I'm doing this slowly.

They do **not** however encounter the actual victim of their crimes. The programme feels that this is still a powerful incentive to reduce or prevent future crime.

6.2: Income Generation

Thus this programme is based around the idea of trying to help the clients devise strategies to empower them to be able to generate their own future income. Breaking the poverty cycle in other words will break the repeat offending cycle.

The programme is geared to be able to eventually help the client devise their own action plan that, with the help of a S.W.O.T analysis help to maximise the success of their plan.

6.3: Apparent Success of the Programme

Approximately 23 inmates have been released from prison who have gone through FRIEND REAL's programme over a two year period. Of these between 5 clients of the programme have re-offended. That puts the recidivism rate at about 22%, which is marked decrease from the national average of 47% in 2005 and 43% in 2007.

However, even without these statistics there are indications between the interactions of the facilitators and the programme's clients that they were having an impact. The facilitators suggested that one way that they could see an effect was in the way that the clients of the programme give unusual answers, or unexpected answers which shows genuine engagement with the programme. In other words the facilitators can think of instances in which the clients made suggestions or comments which incorporated the information that they had received in a session but was presented in a novel or unusual way.

Eunice: Well, the reason why I thought these were not necessarily parrot answers, repeating answers that were given out, and it was for me, it was reading between the lines of what they were saying, for some of them it was emotional, getting all teary eyed, they realised "the effect of what I did; these are the consequences of my actions"; they didn't go so far as to them saying "and I feel so bad about it"; it was more like "I acknowledge..." so for me it was telling us or telling Peni and her group that this the answer we are looking for, it was more like a half answer; I don't know if that makes sense.

or

Adivasu: For me, it is just basically the response of the participants that has been surprising. My expectation was not really prepared to accept from these boys because I've been told that some of them were not very well educated, some only reached primary school and some were early school leavers, but I was surprised with their engagement and their response, like one of the guys that has just joined in, he used to be listening from the other room with other participants, he overheard us talking about balanced communication and the use of the word "empathy" and he went ahead and did some research on the meaning of

the word “empathy”. and some of the language they are using and one of their learning experience for me was their use their own language and they apply it in the session, for example, when we did “values” we explored what are their values and hopes and they do this as their exercise where they draw and write down and they share their hopes and one of the boys used the Fijian word “*tirivu*”, and I am always taking a trip this is one of them saying it in Fijian, “*Na ka au dau tirivu taka tu*”- the trip that I always go on. And it is when they speak in their own language that they explain their feelings better. It is very encouraging how they use their own language, their own comfort, and their own culture, and integrate their learning and using these forms, these approaches and this for me, is a surprising experience.

Adivasu: If I may just highlight on the word “*tirivu*”. It means ‘high’ as in the use of drugs, marijuana, It was surprising that they used the word “*tirivu*” when we were discussing their “hopes”...

Ashna: ...their hopes are high.

Adivasu: they fantasise about and some other words that they use in the session which we found brilliant.

for example in the case of one client,

FRP-10: I’ve done crimes that are very bad and violent crimes such as house breaking, home invasions, shop break-ins daylight robbery. I learnt from the program that it has the violence person in me I’m getting changes it’s like I’m not the person I used to be; it’s like its getting out of me; it’s like when friends come and say, let’s go and do one job, its no longer in me, the heart is not there to go. I’ve learnt like to be. in Fijian, to be *vakamalumalumu*, it’s gone away.

Like PC&SS, prisoners in the programme were engaged enough that if FRIEND REAL were not on time for their counselling session for whatever reason, the prisoners were unhappy with their loss of time.

Adivasu: One of the first signs I saw in the beginning during our third week in session we were about 15 minutes late because of the new changes happening in the office. They showed their disappointment when they arrived. This was one of the boys who was really angry because “we were so looking forward to com to the programme because they always go back and discuss it in their dorm especially together and they look at what they went through the day and they look forward to the next session. And when we were late that man said he was disappointed and he wanted us to be there on time because the time for the session was really short and they still want to share and discuss further but the time was up.

6.4: Possible Reasons for Success of the Programme

As with the PC&SS programme it seems that the client inmates and eventual released prisoners respond directly to the genuineness of the facilitators. This came through time and time again from the ex-inmates who totally trusted the facilitators. It became clear that part of this trust comes from the fact that the facilitators appear to ‘go the extra mile’, such as always being available to the inmates when they are on the outside.

FRP-10: We have to trust somebody who had put their trust on us, like especially Mr Isoa, he’s like one of us before, like now he’s changed and he’s sharing to help us to change too, like from his experience and what he’s going through and it builds confidence in us and this goes for the pain too. We realise that it will not be like this forever. Good role model.

or

FRP-05: The reason why I really liked it because some guys like Isoa and there was another woman who was with Isoa before but she has left the job now, she really knew what it was like to be in prison, what’s it like to be in that position or in that situation, she was really understanding as to what I was going through and I was open with her and so I explained about my personal life, my life back home and what I was going through; the difficulties that I was facing. I really liked the program the way they were teaching it and I learnt especially how to talk back when someone talks to you and when you can speak back, and all those kinds of things.

or

Robin: You said that the program helped you. So how did the program help you?

FRP-30: Like this is my only friend that I've got outside. If I go around and I find no place to rest and share, I always end up with Isoa. But I can't go alone because I only know Isoa.. Sometimes I just find Isoa in town he will bring me home. ...

Because if I borrow something I only know that Brother Isoa will give it to me.

or

FRP-35: Yes. When I went inside for this case, receiving stolen property. Then I met Isoa, because I grew with him in the neighbourhood. When I was inside, Isoa used to come and do the program and I started to learn some work from Isoa, and he started to advise me. It's good to hear from someone like Isoa. I am so happy that someone like Isoa is willing to bring this program because Isoa too was in prison. And I thought that if something like this can change Isoa, it can help me too.

or

FRP-25: Yes, they were really caring, we always felt that we were at home. We never felt that we were in prisons. Whenever there was any celebration, we had cakes and stuffs like that. We were treated just like their brothers and sisters.

and later in the interview:

FRP-25: And another thing, when we are in prison we get to celebrate together and we don't miss home. Ok we don't think, like, I miss my family and I will try and escape. What's the reason to escape from prison when we are treated just like we are at home. We are getting this love in prison why should we do something unlawful like escaping. That is another contributing factor.

In the following section there is a commentary on the perceived weakness of the programme that suggests that the facilitators may get 'too close' to the programme's clients. However, an alternative interpretation is that the facilitators are in fact creating a blend of a professional developmental relationship based along Fijian/Pacific core values. In particular in Fiji it is important in any introduction to establish a point of overlap or connection between two people, which necessarily means self-disclosure up to some point (see Vusoniwailala (1986)). The facilitators indicated that they knew what they were doing.

Adivasu: I also feel that it is important in regards to professionalism and bringing it down to our context and applying our culture in it, for example, we are talking about relationship building, how do we contextualise that. And for me coming from my background as a Fijian looking at and sitting inside there as a mother looking at the prisoners, the boys inside there and trying to apply my profession as a trainer and the theory in what I'm bringing and how do I put this into context. So we use a lot of this relationship in our culture and we'll stop and casually ask "where are you from", it happens automatically with any Fijian or any Pacific islander. So you are my "*tauvu*" my so and so is from there, or I have a cousin there. So this is how the relationship goes although it is casual but it is relevant in this context for us to get close to each other like you mentioned. For me I feel that that all times also we are professionally conscious on where is the line that Ashna is bringing up but then again not to lose that relationship because its also important.

or

Eunice: And they [the facilitators] are a Pacific island team as well. They localise their contents, put it in context, e.g. restorative justice topic, I know Adi Vasu has helped Isoa a lot in really understanding the whole process just by using local examples and local ideas within restorative justice so its just not in theory side in trying to teach the boys but also in just living restorative justice. Even though that was happening last year it has happened a lot more this year, and I talked to Isoa about it and he seemed to understand the restorative justice a lot because he is not only teaching the theory but he understands how that should be applied. Based on the one last year and I came in this year .. they understand it a bit more now because it's not so theorised.

or

- Robin: You found that the presenters made a big difference, or the facilitators helped and they were doing small things as well, like what? What kind of small things they were doing that made a difference?
- FRP-10: Like not hiding anything and sharing personal stuff, like heart to heart talk.
- Robin: Why is it important that they share their personal stuff with you?
- FRP-10: That is important so that we can trust them in sharing our feelings.

Furthermore, the facilitators seemed to indicate that they were taking precautions against an inappropriate level of self-disclosure by extensive peer and supervisor debriefing.

- Ashna: We are dealing with human beings, we are calling them subjects and objects differs, these are human beings we are dealing with and it becomes hard. Yes, at times it becomes hard and you have to draw the line sometimes, not sometimes, all the time but its a challenge and we go through training and we have de-briefing, we have each other to talk to and that's why we end to overcome that hurdle.

There was a consensus that the group dynamic of the facilitation team plays a very important part. No facilitator can be all things to everyone. The team as interviewed for this evaluation consisted of a Fijian male (ex convict) about 30 years of age, a Fijian female who has had considerable training in mediation and an Indo Fijian female graduating with a BA in psychology from the University of the South Pacific. They were backed up by a programme manager who had also taken the role of being a mediator whilst the two females were being recruited. The team had originally started with a Fijian mature female and an Australian volunteer as well as the first Fijian male. The two women left the programme prior to the start of 2008. It takes time to become a dynamic team whose inter-personal interactions is positive and 'played in'. In other words the facilitation team compliment each other with different individual strengths that are appropriately used in the field.

- Robin: As the manager of the program, how important is it to have a certain dynamics of team membership...
- Eunice: Like staff members?
- Robin: ...yeah, in terms of their effectiveness to deliver the program.
- Eunice: Very very important. Only because when I went in with Isoa just to fill in for staff that were no longer there or staff that were on leave, I felt that I had to build up some relationship with the boys, but with Isoa it came naturally eventually I was there only there for a month, and to be sure, the beginning and to the end of the month we got used to each other and to deal with the program inside and also outside when we went to visit different boys, and what I would do and what he would do; it became easier for us to work as a team, the interaction to implement the program and also from the boys who were inside and when I moved out how Isoa and Vasu worked, there were difficulties in the beginning.

Vasu and Ashna had never worked together with Isoa in the prisons and the program didn't fare as well because of that difficulty, and basically who would do what and when one was conducting a session and things like that and the boys responded to that. They responded to the uncertainty of the team, they could see that they were not sure who was going to do the introduction, who's going to do the program or if one was not feeling happy if things were going on that day. And when they came back we had a lot of discussions on it and a debriefing. Usually, if the day's programs weren't going so well because the team wasn't clicking so well. Yes, definitely team dynamics is very important.

or

- Adivasu: ... in the beginning of our session we touched a lot on cast building which is very important in the first module in relationship building and its one of the important points is trusting us as a team and that we are the same team that is going to work together. Maybe some people they bring in some facilitators now and again but I saw that the trust there up to now. There had been trust and they are beginning to share openly.

The interviews also did give strong indications that the content of the programme did have genuine components that seemed to strike a chord with the interviewees. This was surprising given that most of the interviewees had left school at an early age and some of the concepts might have been thought of as too academic, or too removed from a Fiji context. Like the PC&SS programme, interviewees could state specific exercises and remember the modules in which a seminal change of attitude to the programme occurred. Many of the interviewees in addition to learning about consequences and planning, focussed on the way to communicate civilly and effectively with people.

Isoa: E dua tale na ka e vakakurabui tale vei iko baleta na program, se ka vou vei iko baleta na program?

FRP-40: Na bula ni vakaveimaliwai vata kei ira so tale na kaivalagi, sega ni matau sara vei au na vosa vakavavalagi.

Isoa: He learnt to mingle with different people

Robin: Speaking different languages, right. Do you say that you were a little bit shy to talk to different people?

FRP-40: Yes.

or

FRP-20: In June, we learn one program of how to listen and skills. When we talk to people, how we approach them, how we look people in the eye. That program that day made me realise it's good.

or,

FRP-05: I really liked the program the way they were teaching it and I learnt especially how to talk back when someone talks to you and when you can speak back, and all those kinds of things.

Robin: With all that kinds of skills, why come that those skills were not taught from home; what's the problem there? These are skills that one should have and should have been taught from home; how come they don't teach those things: how to address people how; how to keep eye contact; how come they don't teach those things at home?

FRP-05: It's different in the Fijian way. In our family all you have to do is listen when the elders talk; you don't talk back. But the way the life is now, how they teach us in the program is different from the Fijian culture. So when someone talks to you, you listen and you are also given the chance to talk back to someone who is older than you.

or,

FRP-25: At first, before I went to prison I could not talk in front of people, but now I can. I was very shy;; I could not talk about myself of why I went to prison. I learnt to communicate in front of people.

A number of interviewees did state that for them the information was presented in a non-threatening way which ironically seemed to put some of the prisoners off because they thought it was more like a 'game', however for the most part, the clients felt that this was a great way of presenting information.

Eunice: I guess what struck me with going into the present program is how they react to the games and activities and to drive home a lesson of the day and to bring out things and issues and this, to me, was very effective, but yeah it did for some it didn't for others. But at the moment there were a lot more interaction when there was lesser lecture and lesser classroom kind of session and formal, but at the same time it's not a kind of session where they are just treated as kids where they are just playing games or drawing or secondary meanings, just drawings. So it was interesting to see the reaction of...I didn't think that they would respond as well as to that way of non-formal education.

and comments from the programme's clients:

FRP-30: Because when we stayed together inside they see the program when we started this

program we were like in kindergartens, we start with drawings and I understand the program. They explained to us that this program would be like this, We start from drawings so we can know what kind of school...*yaco e vei na neimani vuli*.

or

Robin: For the first 2 months you did not think it was relevant to your life?

FRP-25: No, we thought it was just like in pre-school; telling stories and having games ...

or,

FRP-20: One big surprise is that, we have to draw what we learn. Like my case I have to write what happened there, the program we learn there, we are not to write, we are to draw what happened until I go to prison. That was my big surprise that I had to draw what happened to me; I don't have to write it down.

For many interviewees, particularly the indigenous Fijian community, this programme dealt with issues, particularly in the 'restorative justice' side, that most of the inmates had never considered before. This was particularly in terms of the medium to long term *consequences* of their actions. It was clear that this act of considering *consequences* was a key element in helping them to change their behaviour.

FRP-10: Yes, the program of restorative justice really helped me very much, man. It's a very valuable program and helped us to understand what happens when we do the crimes, especially violent crimes upon the victims of the crimes. We learn at first we don't know what we go through when we do this kind of things, it looks like we are looking only at our own side; we are not looking at what will happen to them, at the hardships, the trauma of the other side; like we are doing this for our own good and leaving them to be in a very sad situation, very helpless. (p 6 of 10)

and later in the interview,

FRP-10: It was like a role play that played the victims part and us gang we played the offenders part, the role play helped because we played the victims part what the victims had to go through and we list down what they feel, and we rewind and go back we feel what they feel then we know these things are very very bad stuff. When I come to realise what happened then I knew it's a very very bad thing that I did, like regrets, it's like I want to go back and apologise to them and I couldn't because they wouldn't even know me as it was a long time ago. (p 8 of 10)

There was also a significant amount of information that suggested that the pre-release effort by the programme with the community to prepare them for the acceptance of the released inmate back into the community; and the actual bringing of the prisoner back to the community on the day of the release, was of traditional ethno-cultural Fijian value and therefore of huge symbolic importance.

6.5: Perceived Weaknesses or Gaps in the Programme

The facilitators work 6 days a week for solid 9 months whilst the programme is running within prison, and they continue the work outside of the 9 month programme with follow up visits and consultations. With only three full time staff to the programme there is a very real danger that the staff members will 'burn out'.

Eunice: I think that that staff should be given some time off in lieu, at least Saturday for one, should be time off to allow the whole team members of the team to rest and recuperate as this is a draining program.

Robin: Well, maybe in a different way, but this week I've been pretty exhausted and by 8.30 p.m. I'm tucked up.

Eunice: I've been fighting for some compensation for the team, not in monetary terms may be but time off in lieu but that has not happened, and for Saturdays as well. It's sad for me that every time we have a meeting, Isoa keeps bringing up the Saturday issue and that management doesn't recognise that really if we give them Saturday, Isoa will be so much better for the present program.

The criteria for inclusion into the programme appears to be first or second time offenders with relatively minor crimes against them. Specifically not including rapists or those who have intentionally caused violence against people, or indeed repeat offenders. The first consequence of this is that Natabua Prison has interpreted this as a directive. With the consequence that they simply announced to prisoners who fitted the profile that they were on the programme. There was no consultation with the inmates and no explanation as to what the programme was - or indeed any choice in their participation or not.

Adivasu: The rest of them were called that morning because they fall under the criteria and I told our director yesterday that this is what I saw as a weakness because it will affect their attendance in the long run and I feel that they should take ownership of the programme from the beginning. Although they all under the criteria they should be asked first if they want to attend and they should understand or at least have some kind of knowledge of what this programme will be about.

or

Robin: So you didn't volunteer yourself to the program?

FRP-25: No. Our names were given by the prison offices.

Robin: You didn't realise that it was a pilot program?

FRP-25: No. We thought that it was something just to pass the time.

or

Robin: Why did you want to do the program when you were inside? What made you want to actually do the program?

FRP-20: The Chief picked the school inside. Then I was picked to come and

Robin: So you did not volunteer; you were just chosen?

FRP-20: Yeah, They chose us.

Consequently about half of the original prisoners dropped away from the programme. There are hints that they dropped out probably because they did not understand the programme and thought it too simplistic (although see above how that was of benefit for some of the prisoners because it was pitched at their level).

A potential weakness of the programme is a directive from the FRIEND director to be rigid about the inclusion criteria for inmates to the programme¹⁰. This may miss out on potential clients who would genuinely benefit from the programme. In particular the facilitators mentioned instances of prisoners who simply turned up to their sessions and volunteered themselves to be part of the programme. Contrast this with the clients who were simply elected into the programme and who subsequently dropped out. One of the facilitators pointed out that particularly in a Fijian protocol, it's not really a viable scenario to ask a prisoner to leave the group because they are not the 'right kind of criminal'. There are of course excellent reasons for having inclusion criteria but perhaps these should be seen as guidelines rather than rigid rules. A competing argument could be made that a willing self volunteered participant, should carry more weight than the number of offences or types of crime that an offender has engaged in. Indeed traditional *restorative justice* principles stress the need for the offenders to be willing participants of a restorative justice programme. These issues are explored in more detail in Section 9.

10. The inclusion criteria in fact focusses on first time offenders for relatively minor crimes. However, the research literature (Lipsey, 1995) suggests that these are in fact not the ideal population of criminals for an intensive intervention programme that FRIEND engages on. That is not to say that the research literature's findings are relevant to what is happening in Fiji (clearly the results suggest that there are differences which favour the programmes inclusion criteria).

Whilst the income generation component worked hard at getting the prisoners-as-clients to identify and construct their own realistic income generation project (with the understanding that empowering them to do this will make it more effective), there appeared to be little critical analysis as to how effective these plans would be in real life. In particular the programme does not appear to focus on the hard realities of how a client needs to feed himself and his family pretty much from the first day that he's released from prison. To underscore this point, there is some circumstantial evidence that about 3 clients of the programme are possibly doing illegal activities, i.e. they've reverted but haven't been caught. However, there is also some evidence that they feel 'trapped' into this life of crime rather than this is what they want to do. In other words there is a guilty conscience of what they are doing (in which case the programme was a success) whereas previously they felt no guilt about their crime. This does suggest that overall, the programme has great success with the *restorative justice* element of the programme but has not really worked on the income generation side of the project.

Isoa: I believe the program is like a one-sided affair; it's working more on the social issue side of empowerment but not looking at more economic empowerment and their practical support, the other half of the objective. Some of them had professions before they went to prison like one was a mechanic and there were two market vendors. Their initial plan was to get back into that market vendor business and the mechanic as well, which he did; this was part of their action plan from inside. And some other guys who needs help and looking at the economical empowerment side of the program, we have done only one IGP (income-generating project) in 2006 in Sigatoka, a piggery project, for the real participants.

or

Sashi: The action plans they are doing are still not realistic many a times, and some boys are not very happy. because we are not actually giving them the IGP money. We've tried some of the IGP money and it is just not working out. A lot of people can't start and run a business so why are we expecting them to. What's more feasible or that will work better is us putting them in jobs and then slowly, that's one of the gripes; we are setting people up and they have failed and the last thing we want to do is to set them up for more failures. So I'm thinking if they have workshops for this sort of thing, they come out and start working and making money and slowly if they want to, they can do it from home, or if we teach them agriculture or we work with the entire village to see a major IGP project for the village or something like that, with family supportive, *turaga ni koro* supportive, village supportive, the church supportive so we are creating a support system outside, so there's a whole support system from different stake-holders.. Hopefully, the boys won't re-offend and go back. That's our ultimate dream.

A slightly different point of view from the first facilitator though:

Isoa: No. Because we didn't tell them straight away that we are going to help and they were double minded about it...

Robin: I see. Was that done in part because you don't want to give the impression .. they might relax about not trying to fund their own?

Isoa: We are trying to identify from them how they will try to start off. The Director always feel that they will always be dependent on the program. She always come up with this idea of dependency, that they will always be dependent on us. For them to be responsible for their own lives..

Robin: What do you think?

Isoa: What I think is, they are coming out from prison without any money and there is the program and we are there to help them. And the main objective is pretty much for them not to re-offend. And if we are not there to support, how can we expect them to find money to get started in a legal way?.

Many of the action plans that were observed involved planting, or growing or waiting for things to mature which happened over the course of weeks or even months. It seemed that the programme had not specifically geared or helped the clients to consider how they would survive until their own projects matured enough to generate their income. In this sense they need more of a structured approach as mentioned above but also by the following client.

FRP-05: Especially if they were financially... It's good at home but I can make it at home but it's not financial help; but not 100% financial help so...

Robin: In terms of finance it would be more on the lines if the program had more finance...

FRP-05: Yes...help financially, to give to the family in case they needed a little bit of support, but especially to support their needs because some of the guys that came from prison faced a lot of problems, some didn't have a home to go to, but when I came out my parents had been chased out of their house and my father passed away a few years ago and my mother couldn't take over the mortgage, and when I got out it was really hurting because I didn't know where to go but now I have a house; I already built a big house...

Robin: What you are saying is that basically some of the money is required because not everyone is maybe as fortunate although you could have done a little bit of help but you could get by, but what you are suggesting is that overall for the program if they were given a little bit of financial help to help them out, you are not talking about giving them a substantial salary ...?

FRP-05: Yes, especially guys with families, because life now in Fiji is different from before; food prices are just going up and up, and nearly \$100 is just fit for a family...

or

FRP-30: My action plan was selling fish, but I have no - e sega ni dua na ka vaka i lavo me tekivu taki au. Au kila ni sega ni na dua na veivuke mai vei tamaqu, vakabibi, o ratou mada ga the jone; e vica na siga mada ga oqo, au kau tu ena police station, au lai moku walega au beitaki na ka au sega ni cakava, au biu tale mai tuba.

and later,

Robin: Has [the Programme] changed you?

FRP-30: Na program oqo e vaka yadratake sara ga na noqu vakasama ia na kena leqa ga ni na kau au vakasama taka mai loma, niu curu mai I tuba e sega sara ni sota vata.

[Isoa: *The program and what he was thinking inside that he would do when he came outside, the problem is that it is cannot compare it with the realities that he's facing outside.*]

Happily though many of them appeared to have problem solved the issue themselves by being employed on other people's farms harvesting sugar cane for instance or as above by having a supportive family. It is not clear whether their mindset had changed enough because of the programme that they were able to problem solve the issue, or whether necessity became the 'mother' of their inventiveness to generate an income in a legal manner.

There was no evidence that FRIEND REAL has any significant expertise in terms of actually setting up and running a business. In other words there is a danger that the programme may talk generally about the need to 'plant, harvest and sell cassava', but the nuts and bolts of putting a business together, working on financial plans, ensuring a reasonable rate of profitable returns, and even strategies to cope with their potential relative new found legal wealth, did not appear to be present. One of the facilitators did try to give some budgeting advice that he uses for his own small fish re-sale business. However, it's clear that he acknowledges himself that he is only working from his own common sense and has apparently repeatedly asked the FRIEND Director to send him on a short micro-management course in order to become more knowledgeable - but this has apparently been deferred or given a low priority.

The facilitators agreed that there had not been an identified 'exit point' for the programme with the clients. In other words at what point are they not expected to do follow ups with the clients? This could pose a problem in that as the programme continues and the client list gets longer, if FRIEND does not move some of their clients off their active projects then their staff will stretch themselves thinner between more and more of the clients, with an inevitable loss of quality interaction between all of the clients.

There is a danger that FRIEND staff may find themselves inevitably in a situation which is more akin to *counselling* rather than the issues of restorative justice and income generation. Since they do not have specialised training for the arenas in which counselling is probably more appropriate, there may be situations in which the FRIEND REAL facilitator will be out of their depth. This can happen because it is not helpful always to stop an interaction that may have taken a number of sessions to build up a rapport even if the conversation appears to be steering towards arenas that are more personal in nature and which may become appropriate for a counsellor to listen to. Until the 'depth' of the self-disclosure of the client is actually known, the temptation would be to continue the interaction to continue the rapport. The boundary between the two functions of establishing trust & rapport, vs. acting as a counsellor is a fuzzy line that a facilitator may inadvertently cross. It is however clear that the FRIEND REAL facilitators understand this inherent danger and apparently do refer clients onto professional counsellors. As mentioned above they also do considerable peer & programme manager group debriefings in order to catch any 'drift' into this fuzzy area. However, it would probably help a great deal if the facilitators went through a short (probably a 2-5 day workshop) to orientate themselves to counselling principles so that they understand the principles of counselling and understand the situations in which they could find themselves inevitably drawn into a counselling situation. In other words this would give them the tools to prevent them from becoming 'the counsellor'.

There is a relatively high turnover rate in the staff in the FRIEND REAL programme. Management needs to be careful with this programme particularly when so much of the initial part of the programme is about building up trust between the inmates and the facilitators. Whilst management may have significant reasons for moving their personnel around the different programmes, they need to consider whether the cost of changing personnel around in the middle of a programme just as the trust is being established, is significantly offset by removing the perceived negative aspects of facilitators who have originally built up that trust.

7: Labasa 'Case Management' Programme

In the next section (section: 8), previous and existing rehabilitation programmes done by the FP&CS is detailed. The *Labasa Case Management Programme* is an initiative of the Labasa Prison, and is therefore also part of FP&CS's rehabilitation programmes. It is dealt with in this separate section because it has effectively progressed on its' own initiative with only minimal direction from the central headquarters of the FP&CS. In other words this programme is considered differently from the main thrust of the FP&CS rehabilitation initiatives.

This programme was so far 'under the radar' that it had not been originally flagged to be formally reviewed for this evaluation. It came to my attention in the last 7 weeks of the formal review period. A meeting with Labasa Prison's *case management programme officer*¹¹ in Suva gave background information on the programme in Labasa along with some preliminary statistics. This provided justification to visit the programme in Labasa. Since this was so late in the review process, there was not enough time to have these interviews transcribed and analysed. The results are from basic notes taken from re-listening to the recorded interviews. The trip occurred at the beginning of October and involved many of the case management programme team driving to the outskirts of Savusavu in the Cakadrove province, where two clients were interviewed. A further two inmates were interviewed on the outskirts of Labasa (Macuata province).

Since October 2005, Labasa Prison has embarked on a rehabilitation programme which they have titled the '*Case Management Programme*'. This was inspired by the attempts of the AFLJSP to set up a case management system. The concept of case management had been discussed and attempted, according to the then supervisor of the Northern Division (Mr. Sairusi Gauna), in the mid 1990s with the result that he sent along the young prison officer mentioned above (Mr. Simone Ere) to attend one of the original workshops conducted by AFLJSP's technical expert (Michael Brownjohn). The workshop made a big enough impression that Mr. Ere proposed that a case management system attending to the prisoners; rehabilitation needs could be implemented at Labasa Prison. Mr. Ere felt confident in being able to set up the programme because of his basic counselling and psychology skills courses that he had taken as part of his theological training prior to changing careers and becoming a prison officer. This confidence convinced the supervisor of the Northern division that case management could be attempted by Labasa prison after approval from headquarters.

An analysis of '*case management programme*' at Labasa reveals that it has only some elements of a traditional prison based case management programme (see section 10.2.2 for what this would normally entail). The whole process is outlined below to illustrate this point.

In the Labasa interpretation, a *case management team* convenes about four times prior to a prisoner's release. The prisoner is selected for this programme on the basis that they are either first time offenders, or they are severe recidivists, the type of crime that they are involved in tends to be larceny, damage against property or against a person. Inmates are asked if they would like to be part of this programme after a brief explanation.

The case management team consists of:

- Two Prison officers, the senior officer who is the chairperson of the team, and the junior officer who is in effect the secretariat for the team.
- At least one member from the Ministry of Agriculture
- A member from the Ministry of Youth & Sports

11. In the case management team there are two members from Labasa prison. The chairperson of the case management programme is the Labasa prison chief officer. A second junior officer, Simone Ere, is the case management programme officer with whom I had the most contact and who has been the consistent face of Labasa prison on the case management team.

- A member from the Department of Social Welfare
- A member from a faith based (Christian) organisation.

In each of the meetings convened the client is interviewed to try and establish what it was that brought them to prison in the first place and to consider ways in which this can be prevented in the future. Since the prison holds inmates that come from the Northern Province, which is for the most part rural, the recommendations have up until now always end up being a farming initiative. This has similarities with traditional prison based case management programmes

The meeting lasts anywhere between 1-2 hours, at the end of which a report is written up and is used to inform the next meeting or used in their post-release follow up monitoring visits. The Ministry of Agriculture has a development fund from which they have used some funds to provide basic farming tools (fork, spade, cane knife, chemicals for spraying) for the released clients. The release plan includes a specific goal that the client would like to achieve once they are released - for instance to own their own carrier truck or build their own house. The case management team helps them to break down the costs and reasonable living expenses that are incurred prior to achieving their goal. Finally the profit margins of their intended crops are calculated and finally they arrive at a figure of a minimum number of plants that need to be planted in a single day over an agreed to time period to make achievement of the clients stated goal a reality. This part is more akin to providing a specific need which is a post-release plan to generate income.

Once a plan has been agreed to and about a month prior to the release, a pre-release visit is done by the *case management team* to explain to the community or family to which the inmate is returning, what they can expect and what the case management team has helped plan with the client once they return to the community. On the actual release day, the whole *case management team* goes along with the prisoner to their community, where they will offer a traditional tribute (*sevusevu*) on behalf of the client. Normally the tribute is *yaqona* (kava) roots, however, if the original criminal offence is severe, then the team will also bring a *tabua* (sperm whale's tooth). The *case management team* uses a traditional customary protocol to apologise *on behalf of the inmate* to the community for the actions which has brought them into prison. They conclude their tribute by ceremonially handing the client back to the community along with expectations of what is expected of the ex-inmate as well as what is expected of the community to help the client succeed. Normally a village spokesperson (*turaga ni koro*) is nominated as a mentor/supervisor for the work carried out under the jointly developed and agreed to plan.

The progress of the client is subsequently monitored either by the agreed to mentor/supervisor (*turaga ni koro*) or they are physically visited by the *case management team* or a sub-committee of the team. The monitoring includes counting the number of crop plants that have been planted.

7.1: Apparent Success

The recidivism rate for Labasa inmates not on this programme for 2006 was 60%, and for 2007 was 64% (mean= 61%). Since late 2005 when the programme first started 36 clients have gone through this programme and been released. To date none have re-offended.

Of the 36 that were released, 29 were repeat offenders (on average more than 2 offences on top of their original offence). In other words one cannot claim that this impressive data set is due to a bias in choosing low risk offenders who probably would not have re-offended anyway. This highly impressive result merits considerable scrutiny to ascertain the possible causes for its success.

7.2: Reasons for Apparent Success

7.2.1: Ability to Listen to Clients

Though not expressed as vocally as in the other reviewed programmes there was a sense, particularly from the *case management team* members, that in the case management discussions clients indicated or remarked that they have never been asked to talk about themselves, either addressing possible reasons why they fell into a life of crime, or indeed talking about their personal aims. These discussions were for them one of the first times they had talked about themselves in this way. The Labasa *case management* officer remarked that often clients could not explain what they thought they wanted or could achieve in the future and they had to be coaxed into voicing a future plan.

7.2.2: Focussed & Effective Planning

Clients following their income generation plan appeared to generate a real income. Their industriousness extending to becoming employers by paying youth from their respective communities to help out with their farming, harvesting and even selling of produce in the market place. Two of the interviewed clients explained how they knew that they were acting as explicit positive role models because of their conversion from apparent failure to a success in their farming projects which were generating income for themselves and their community members.

Case management programme team members and clients of the programme suggested that part of the success is the simplicity of an easily stated daily goal - for instance to plant 20 *dalo* (taro) plant tops a day. This goal was arrived at in consultation with the client. In other words the client's post release programme is broken down to a daily goal. Contrast this with a goal that is stated in a more nebulous manner such as 'do farming in your community'¹². Coming from a rural community, it was found that most clients of this programme have a background in farming and can plant. Prior to this programme, inmates knew how to plant, but they had never had a specific planting plan.

7.2.3: Use of traditional protocols to ease inmate back into community

Discussions with the *case management team members* made it clear that the use of traditional protocol was something that seemed to be an important part of the client being accepted back into their community. Specifically, the discussions made it clear that the *case management team* is apologising to the community *on behalf of the client*. Clients interviewed from all the programmes including this one, stated that they felt that after committing a crime they were punished twice. The first is when they are caught and have to serve a prison sentence; the second comes when they are released and shunned by the community for being a convicted offender. The released inmate would leave the formal community to be with fellow peers who were most likely also on the 'periphery'. With no suitable role models to guide them, the result was more often than not, committing more crimes. Getting the community to forgive the client for their transgression is therefore an important part of allowing the client to feel that they are not being given their 'second' punishment.

7.2.4: Committee show genuine engagement

In order to make a traditional offering team members would reach into their own wallets to purchase the *yaqona* and *tabua*, sometimes even purchasing fuel to complete the journey particularly to the interior of Vanua Levu. It was clear that this personal 'sacrifice' was noticed by the clients that were interviewed and that this spurred them onto to 'not let the *case management team* down'.

12. This makes a stark contrast to the income generation projects of the FRIEND REAL programme. In the latter, the plan is vague and stated in overall goals. Clients of the FRIEND REAL programme do not therefore know how much 'farming' they need to do on a daily or even weekly basis. They do not have goals and sub-goals that fit into clearly defined time frames.

7.2.5: Inter-connectedness of the stake-holders

Effective delivery of the programme appeared to have been possible because of the close integration of the different stake-holders within the *case management team*. This appears to have been facilitated by the close physical proximity of the various offices of the different ministries in Labasa. They were either within short walking distance, or even in the same public building. Furthermore the individuals from the different ministries seemed to be genuinely committed to the concept of rehabilitation - in other words this was not a professional mandate that they had to fulfil, but rather a new enterprise that they willingly undertook. They instigated this initiative by being creative in their capacity to this work under their existing mandate and guidelines.



Picture 1: Supervisor Northern's truck being used to transport the 'Case Management Team' from Macuata to Nasinu village in the Cakadrove Province. This included 5 people in the cab, and a further four in the back open ended pick up. The team consisted of FP&CS officers, Ministry of Agriculture officers, a member of the Ministry of Youth & Sport. If the research team had not been there then the Police and a church Minister would have come along instead.

7.2.6: Effective monitoring of programmes

As mentioned previously in section 7.2.2, clients were given a plan that was as specific as a daily number of crops planting target. The monitoring system set up involves, amongst other things, counting the number of crops planted as an immediate way of getting feedback as to whether the client was 'on track'. There as no indication from any of the interviewees that this was seen as an imposition or a form of social policing. Instead, the reverse was true for at least two of the clients. They felt that they were probably inspired to 'over reach their targets' knowing that they were going to be reviewed. The impression from these clients was one of trying to demonstrate that the trust placed in them by the *case management team*, was well founded.

7.3: Perceived Weaknesses of the Programme

7.3.1: Missing main components of 'real' case management

Case management in most prison contexts involves working from the very first day of the inmate's prison sentence, to consider what their needs are during their time in prison and how to successfully transition back into society after they leave. Case management officers are much more akin to 'brokers', who having ascertained what the prisoner's needs are and tries to match them with the best available resources. This whole process involves sophisticated assessment procedures and access to viable resources that can be instituted in the prison system - or beyond in community corrections or parole systems, (please see section 10.2.2 for a more complete explanation.) In the

case of Labasa, the '*case management team*' and their programme is more akin to a relatively sophisticated income generation project team. They are acting as one of the resources that a more typical case management officer might call on as a way to help deliver an identified need for an inmate.

The *case management team* works only with a selected sub-section of the inmates in Labasa prison. A more conventional case management programme works with all prisoners.

In other words the Labasa programme appears to be suffering a mild form of identity crises, in that they have taken the original concept of case management as it was originally, albeit briefly, presented by the AFLJSP, and subsequently interpreted it to the best of their abilities as mainly an income generating planning programme.

7.3.2: Lack of adequate resources

The *case management programme* lacks many resources. The main one identified by the team is a lack of funds to purchase fuel to do the pre-release, release and post-release monitoring visits. There are also no identified funds to purchase goods as part of the traditional protocol of handing the client back to the community. The *case management team* members overcame this by reaching into their own pockets to fund these purchases.

There is also no infra-structure to help administer the programme. There is no computer, or even a filing cabinet, let alone photocopier, or other resources to help compile, record, store and easily access the files of clients. The two officers who are currently allocated to the *case management programme* fulfil this duty along with other allocated duties in prison.

These lack of resources are the main reason that only four inmates can be taken into the programme at any one time.

7.3.3: Processes not explicated to continue beyond key personalities

The programme is unusual in that it tends to rely on the one prison officer who instigated it. He explained that when he took 4 weeks of allocated leave, all his files were left exactly where he had left them on his desk. In other words during his leave, no existing cases were reviewed, no appropriate case management team meetings were convened, no organisation of pre-release, release and monitoring visits had taken place. There is some considerable doubt whether the programme would continue if this individual were for any reason to leave Labasa.

7.3.4: No defined exit strategy

It was learnt that there is no defined exit strategy. In other words there is no defined point at which the *case management programme* would consider the client successfully rehabilitated. All the programme's 36 clients remain 'on the books'. At some point the numbers will inevitably grow beyond the *case management team's* capacity unless there is a formal exit strategy.

8: Prison Rehabilitation Programmes

Realistically one must consider there to be three distinct phases in Fiji's Rehabilitation Programmes. The first would be when the Fiji Prisons & Corrections Service (FP&CS) followed a classic 'containment' and 'punishment' model. The second phase at around the time of the early 1990s there was a nominal interest in a *rehabilitation* focus. Conversations with some of the prison officers who worked through this transition period, suggested that some of the most likely reasons for this change included:

- Fiji's inclusion of a Bill of Rights in its 1990 constitution which had sections that covered the treatment of prisoners.
- The impact of outside reviews conducted by technical advisors from overseas (Australia and New Zealand) not just for the Prisons section but also the Police, Social Welfare and the Judiciary.

The impression during this period was that 'rehabilitation' was a necessary evil to go through, rather than any genuine acceptance or belief that this was a viable alternative concept.

The third phase can be marked by the appointment of the current Prison Commissioner in late 2006 who has not only accepted and embraced rehabilitation as a core activity but has touted a mantra that "... the successful reintegration of offenders into the community is the best security for society". There has been a flurry of accompanying innovative rehabilitation programmes, in other words it is not just 'talk' but a genuine 'walk' too. This report focusses mostly on the last two phases i.e. the rehabilitation programmes that have been conducted from the 1990s until the end of 2006, and programmes that have been implemented from 2007 onwards.

FP&CS there has an administrative division that looks at the educational, training and rehabilitation needs of the inmates. It has a senior director who is effectively at the same level as a national division supervisor. The annual rehabilitation budget since 2005 has been about \$FJ 130,000.

8.1: Programmes from 1990-1999

Prison records are scant for this period. The only substantial long term record of rehabilitation programmes stems from 'spiritual counselling'. The Prison Fellowship and Prison Chaplaincy has played an integral role in securing permission to allow religious ministers (mainly Christian denominations which reflects the heavy indigenous Fijian population inside prison) to provide counselling and guidance to inmates.

8.1.1: Counselling Courses Taken by Prison Officers

Consultations by the FP&CS and the *University of the South Pacific* (USP) in the early 1990s had identified a need for some of their officers to engage in counselling programmes, as the officers were often placed in a counselling situation. USP was, and remains, unusual in that it has an undergraduate programme that can be taken at a certificate level that introduces basic counselling skills. This programme could theoretically be completed part time in one year (four units). The certificate programme was specifically tailored to professionals such as nurses and prison officers who found themselves offering counselling in an unofficial capacity. Four officers from FP&CS started the programme, two dropped out and two remained and converted to a full degree course graduating with a BA in psychology with an emphasis on counselling. Neither of them remained with FP&CS.

This pioneering initiative dried up after the first year of intake. No new officers have since taken part in the certificate or degree programme.

8.2: Programmes from 2000-2007

The current Director of Education and Rehabilitation programmes has records that only date back to 2000. It would be generous to describe the programmes chosen for, suited to or implemented as rehabilitation programmes that suited the individual needs of the inmates. They instead appear to have been chosen as activities to keep prisoners occupied with some semblance to vocational training. The various programmes offered are outlined in Table 1.

| | Number of times programme offered (2001-2007) |
|------------------------|---|
| Automotive Engineering | 3 |
| Carpentry General | 5 |
| Welding | 8 |
| Plumbing (general) | 3 |
| Cabinet Making | 2 |
| Basic machinist | 4 |
| CEFE | 1 |
| Food & Beverage | 1 |
| Caregiver | 1 |
| Business training | 6 |
| Basic Pastry | 1 |
| Block laying & Plaster | 2 |
| Screen printing | 1 |

Table 1: Prisoner ethnic & offence profile breakdown.

When asked the Director stated that there was no attempt to engage the community to ascertain which programmes are of use to the community, nor was there any evidence that the programme was matched to the interest, or even the potential of the prisoners. Again the evidence suggests that at least until very recently, the programmes have been allocated more as a way of keeping inmates occupied, or even as a way to utilise the rehabilitation budget.

8.3: Rehabilitation Programmes 2007 to date

The rehabilitation programmes offered to inmates within prison have for the most part been one of two types: the first is spiritual counselling and guidance, particularly from Christian denominations; the second is vocational in nature. There remain no programmes that are based on other personal needs that may address inmates' criminogenic factors such as: loss of temper, substance abuse, an inability to generate alternative solutions to problems and so on.

8.3.1: Vocational Training Programmes

A number of vocational programmes focus on agricultural activities such as land usage and micro-enterprise skills in running a farm. Bee keeping courses are also being run. Other activities related to farming skills are explained in the next section (8.3.2).

8.3.2: Commercial Activities

There are currently a number of different activities that are taking place, many in Nasinu prison a minimum security prison, which can be run as a commercial enterprise as long as the activities contribute to the inmates' rehabilitation. This is provisioned for in the current Prison Act (Section 45). Sales from the products or produce pays for raw material and the continued provisioning of existing and new programmes, and a part of the profit is kept for the inmate which is given to them on their eventual release. Although no formal arrangements have been finalised, it is understood from the Commissioner's staff officer that the break down is 40% to cover the costs of material etc. and 60% remains for the inmate.

Art Gallery

AFCJP along with the Pacific Arts Alliance, helped fund and refit a building within the FP&CS administration block of Korovou Prison (Suva's prison). Opened in mid-October of 2008, it is currently Suva's only dedicated art gallery displaying artwork. The Pacific Arts Alliance provided training for the inmates. All the art on display is created by the inmates and is for sale.

Broiler & Poultry

FP&CS along with a local commercial chicken farming company, went into a joint commercial business venture in 2007. The commercial company supplies FP&CS with chickens, chicken feed and training - at the end of which they buy back the grown chickens from FP&CS. A small number (5) of inmates from the Naboro prison complex, have learnt to rear and raise chickens as well as receiving a percentage of the sales.

Naboro also has a poultry farm producing eggs both for internal consumption but also potentially for commercial sale. They are increasing their egg production capacity in order to do this. Inmates on the broiler farm venture are learning a trade in egg production as well as earning a salary which they receive on their release.

Piggery

Inmates have also embarked on learning pig farming skills with the introduction of a piggery at Naboro, however, this operation has not reached commercial operations yet.

Bakery

Currently the bakery in prisons supplies bread to the inmates, but plans are being made to enlarge and activate this activity to be a future commercial one. Conversations with members of the Nailaga Chariots of Fire Reform Club just outside Ba suggest that this is a transferrable skill that some of members have learnt from their time in prison and which they want to use as an income generation project. In other words there is already evidence that this is a worthwhile activity to engage in as inmates are bringing these skills with them to the outside workforce.

Joinery

Joinery courses have been run in Naboro which gives inmates the skills to make relatively simple objects such as chests and cultural artefacts which are sold at various craft markets. They hope to expand these activities to include more skilled work objects (such as coffins) for sale at commercially competitive prices.

Tailor

Currently garment production within the FP&CS sewing shop, has focussed on the inmate's uniforms. However, now the initiative has been to start making the prison officers' uniforms. The plan is to receive specialised training so that FP&CS could start to garments for sale to the public at competitive prices.

8.3.3: Remedial Education

Many inmates did not complete their formal education leaving from year 6 through to year 10. This makes it hard for them to apply for jobs which require a school leaving certificate or higher. The remedial educational programme currently being offered in prison, is an initiative of the Pacific Teachers Mission. They teach English, Maths, Science, Social Science and Bible Reading. At the end of this programme the inmates receive certificates of completion. No assessment has been made of this curriculum.

8.3.4: Miscellaneous

Creative Writing

A staff member from USP (Ms. M. Daya) has been involved with inmates on a creative writing course which resulted in a book being published with writings and poems from the various prisoners.

Referee for Peace

An innovative programme that is the brain child of French IRB coach Franck Boivert, trains youths in the art of rugby (union) refereeing. On the way to receiving their recognition by the Suva Referee Association as qualified referees, they have to learn about: discipline, consequences, self esteem and leadership qualities. Referees in matches are paid a small stipend which over time can become significant sums¹³.

8.4: Recidivism Rate of Previous or Current Programmes

Attempts were made to ascertain what the recidivism rates were for the rehabilitation programmes of previous or more recent years. Unfortunately, there is no easy way for this to be calculated. According to the Director of the Education and Rehabilitation division, the FP&CS records unit was provided with a list, at the beginning of 2008, of all the names of inmates that had gone through the different FP&CS rehabilitation programmes in order to calculate precisely this statistic. Apparently this information has still not been provided. This makes it hard to make an assessment on the efficacy of any prison rehabilitation programme.

8.4.1: Electronic Data Collection

An attempt was made to comb through the prison data to successfully extract demographic and basic descriptive data to analyse underlying trends, principally to ascertain the recidivism rates amongst the various rehabilitation programmes offered by FP&CS. Access was given to the prison statistical data. However, a fortnight looking through the data established the following:

1. The data is collected in a spreadsheet format of a commercial programme (Microsoft Excel).
2. The data entry has no attempts at doing any standardisation of categorical data - for instance the offence for which an inmate has been incarcerated.
3. There is no 'error correction' methods employed to ensure that data is standardised including correcting simple spelling mistakes.
4. Data is inconsistently placed on the spreadsheet so that additional columns appear (or disappear) and data cannot be reliably addressed using spreadsheet cell references.
5. There is no easy way to 'track' the progress of any individual through the prison system, most importantly there are no obvious ways to assess whether an inmate has been on a rehabilitation programme and who may have re-offended on their subsequent release. The only reliable way to track this is by referencing an inmates physical personal file.
6. The data appears to be set up primarily to monitor day to day movements of inmates in and out of the different prisons.

13. A website for this programme can be found at: <http://referee.societyintransition.org>. Apparently the sums earned over the course of a weekend's worth of refereeing can be significant ranging from \$50-\$200)

7. There appears to be absolutely no concept of data security. Data is held in easy to access computers with no significant encryption to protect the reliability or confidentiality of the data.

In short the only way to usefully use this data would be to clean up the data by hand. When asked how Mr. David Evans from the AFCJP was able to calculate the statistical analysis of prisoner increases between 2002-2005, the reply was that the original files were used to input for his data analysis. This would probably be quicker than trying to clean up the existing individual data files.

8.5: Engaging the Community

Even if a prison programme remained in a 'containment' mode, at some point the inmate will be released and would therefore return to the community at large. In other words it cannot be stressed enough that for the released inmate, it is the community that gains the most if the inmate remains rehabilitated. If there is no significant positive engagement by the community with the released inmate, then this puts the latter at risk of re-offending again.

Sadly, whilst an inmate is locked away, there maybe a tendency to think 'out of sight, out of mind' with the consequence that the inmate is 'forgotten' until he or she returns. One of the key ways to ensure that this tendency does not predominate is to have a substantial and ongoing awareness programmes that continually remind the community that their inmates will one day return to the community and require support to reintegrate successfully.

8.5.1: VIP Visitations to FP&CS

One way that the FP&CS has done this is to start inviting senior members of the interim government, senior members of civic society and for the first time ever, the current President of Fiji to visit prisons and observe life 'on the inside' on a variety of fact finding visits.



Picture 2: Prison Officers presenting a *tabua* to the President of Fiji (still seated in the front car but with his window wound down) on his arrival at Naboro Prison in December 2007. This was the first time that any Fiji President had visited a Prison complex.



Picture 3: Inmates from different cultures perform a traditional male *meke* for the President of Fiji.

8.5.2: Outside Visits

Various attempts have been made to encourage the families of inmates to come and visit their imprisoned family members. This has not always met with success, particularly in the indigenous Fijian family context. The current Prison Commissioner has taken a slightly defiant attitude that if the community will not come to visit their relatives and friends who are in prison, then he will bring the inmates to them in the community. This has resulted in a number of occasions where inmates along with prison officers have gone to the community and done small performances either dancing (*meke*) or singing or both. These have taken place in the business community and also in residential areas.



Picture 4: FP&CS Christmas Carol Singing in the Raiwai Community, December 2007. Many inmates have traditionally come from the Raiwai Community. There were also prison officers intermingled in the choir but they were all wearing indistinguishable bula shirts and pocket sulus from the inmates.

8.5.3: Yellow Ribbon Programme

One of the main initiatives contributing to the current reform of the rehabilitation programmes by the Commissioner of Prisons has been inspiration from a successful Singapore based '*Yellow Ribbon Project*' (YRP). At its heart the YRP aims to get the community to 'buy-into' the philosophy of rehabilitation and to give offenders a second chance. Starting in 2000, the Singaporean YRP has systematically developed a programme that was first implemented nation wide in 2005. Since then it has been successively implemented on an annual basis. The YRP cycle begins in November and culminates in August/September the following year. Using standard advertising concepts such as the importance of branding, sound marketing devices and advertising campaigns that are accessible to the local public, it works by trying to create a 'ripple' effect in society.

Fiji's '*Yellow Ribbon Programme*' works on a very similar basis. The FP&CS has more or less transplanted Singapore's YRP into Fiji but without the long (3-4 year) preparation cycle that Singapore went through before their implementation. Much of the terminology used by the FP&CS's YRP is the same as Singapore's.

Differences between Fiji and Singapore's YRP

| Issue | Fiji | Singapore |
|---------------------------------------|---|--|
| Identified specialised statutory body | No. Spread over a few Ministries and different parts of legislation. | Yes. (Singapore Corporation of Rehabilitative Enterprises - SCORE) |
| Community networking | No formal collaborative body. Use of personal contacts, considerable effort was made to invite senior members of government and NGO bodies into prison (for many their first time). | A formal semi-independent body that oversees this (Community Action for Rehabilitation of Ex-offenders - CARE) |

| | | |
|-----------------|--|---|
| Evaluation | No formal independent evaluation. No formal monitoring indices identified. Informal evaluation within Prisons possible. | Yes, formal evaluation is seen as critical to the future success of the following YRP. However, it may suffer because it is not an independent review (i.e. prone to reporting bias). |
| YRP ambassadors | Not the same extent as Singapore. Mostly using reformed inmates as show cases. | Yes, including the use of local based celebrities including actors, singers, comedians. |
| Internal buy in | Limited, particularly to the upper levels of management within prisons and other stake-holder organisations | Considerable amount of time (4 years) was spent explaining about the Yellow Ribbon Project |
| Large events | Heads of Pacific Island prison Commissioners Conference (HOPICC). A march through Suva. | Concerts, film festivals, television documentaries/dramas, walk-a-thons |
| "tell a story" | Yes, through a half and sometimes full page 'Yellow Ribbon' feature that ran for months prior to the official launch. The pages often show cased inmates' testimonies. | Personal testimonies at events, movies, concerts |
| Art | books/poems | song and poetry. |

Table 2: Differences and Similarities between Fiji's Yellow Ribbon Programme and Singapore's Yellow Ribbon Project

Unfortunately no formal evaluation is possible of the FP&CS's YRP because no indices were identified before hand to measure if the YRP had had a demonstrable impact or not. Any observations that can be made are my personal impressions in discussions with friends and acquaintances and not based on any valid measurable statistic.

Certainly people appeared to have understood that there was a 'yellow ribbon programme' in Fiji. Many spoken to also knew that it was concerned with prisons. Most though did not appear to understand that its aim was specifically concerned with raising community awareness on the value of rehabilitation. Not many people observed outside of FP&CS prison staff and associated stakeholders, wore a yellow ribbon during the programme. Fiji may have been 'ribboned-out' in that there are red ribbons for AIDS awareness and blue ribbons to support democracy in Fiji and a few other ribbon programmes have also been and gone in recent years. This may explain why many did not appear to appreciate others wearing a yellow ribbon, or wanted to wear one themselves.

Despite this, it does not seem uncontroversial to suggest that the first ever YRP of Fiji was a success in creating an awareness of a major initiative that was started by FP&CS even if it was unclear as to what that programme was exactly.

9: Discussion

If there was room to take but a few facts away from this evaluation, the main one must be that there are rehabilitation programmes that have been *demonstrated to have worked*. Whilst there is no denying that considerable input has come from donor agencies including a huge input from *Australia Fiji Community Justice Programme* (AFCJP) and its predecessor the *Australia Fiji Law & Justice Sector Programme* (AFLJSP), the strongest impression is how respective communities have internal resources or '*social capital*' (Putnam, 2004) to bring about an impressive set of reductions in recidivism rates. Specifically these success stories all share a common denominator of acceptance by the strong (sense of) community to the respective programmes; and the adaptation of existing ethno-cultural protocols that can be effectively used to bring about a reconciliation and healing process between an inmate and the community that they are being released back into.

Another dominant feature has been the apparent revitalisation of the FP&CS, with a dynamic upper management team that is keen to embrace the rehabilitation model versus a containment model and has shown this by 'walking the talk' to the best of their current abilities.

Still, as optimistic as these features are, there are nevertheless sticking points and areas of concern which may hinder or potentially sink these pioneering efforts.

This section discusses some of these key issues. The points raised here are not intended to be statements of fact, but informed from the facts of the results previously presented. They are 'starting points' for future dialogue. This discussion sections forms the basis for following section (section 10) which talks about recommendations and potential future directions.

9.1: AFCJP Direct Contribution to the Success of Some Rehabilitation Programmes?

Critically one might question whether the AFCJP contributed directly to the success of the rehabilitation programmes that they directly funded or indeed that they may have indirectly inspired? This is important not simply to complete a programme's tick boxes in the appropriate *logframe* analysis, but perhaps more importantly to assess whether the whole enterprise was in fact resources well spent. This would inform whether the enterprise should continue or perhaps be modified to a new and revised format. This may not mean that the original funding agency takes the lead role in providing core funding, but rather it can be shown that this concept did make direct positive contributions, then it can be considered whether to continue it perhaps by another core funding body.

In the opinion of this author, there can be no doubt that the AFCJP and its predecessor AFLJSP has made a significant impact and contributed directly to the success of the various rehabilitation programmes outlined. However, specifying how this has been done may not be clear cut. At the simplest level the AFLJSP & AFCJP have created an awareness of the need for Fiji to orientate towards a rehabilitation approach. This was previously appreciated by both the Fiji government and the Fiji Prisons & Corrections Service (FP&CS), but AFLJSP and AFCJP input gave suggestions on concrete approaches that translated abstract concepts into real world policies and applications.

9.2: Australia Fiji Law & Justice Sector Programme

This evaluation is not tasked with making an assessment of the overall strategy when the programme was titled AFLJSP however, some evaluations are inevitable because it was the precursor to the AFCJP. This opinion is based on conversations with a variety of stake-holders over the course of this evaluation. Much of the initial work done by the AFLJSP was building foundations and in particular bringing most key stake-holder agencies involved on issues of justice, together. There were by all accounts, significant signs that these agencies were beginning to show a co-ordinated inter-agency approach. The political actions of December 2006 prevented this strategy from coming to fruition with potentially impressive observable results. It remains apparent though

that the key stake-holders organisations (police, judiciary, FP&CS & the Department of Social Welfare) have not continued to build inter-agency approaches to the justice arena and have instead reverted back to more insular modes of operation. synergistic effects are occurring due to inter-agency collaboration. Some indications of what could happen when inter-agency collaboration produces synergistic results, can be seen in isolated pockets such as the Ba Community Corrections Pilot and the Labasa *Case Management Programme*. The rehabilitation results are remarkable. The success of AFLJSP will frustratingly remain a 'what-if' set of scenarios.

However, what is clear to this author is that the preparatory work of AFLJSP made the implementation of the succeeding AFCJP that much more effective. For instance, the facilitators of the NGOs offering rehabilitation programmes in prison, stated that senior prison officer staff and management were 'on-side' and supportive of the whole rehabilitation ethos. It is likely that NGOs such as FRIEND and PC&SS would have had to have spent considerably more effort with senior management trying to persuade them that their programmes were worthwhile endeavours had this not occurred¹⁴. Discussions with the senior management indicated that significant awareness of rehabilitation occurred within management during the time that the AFLJSP was in operation prior to the political events of December 2006.

9.2.1: Australia Fiji Community Justice Programme

As to the AFCJP's direct success in terms of contributing to the success of the various programmes evaluated, this is clearly positive but it is still not clear exactly how. For instance, for the Ba Community Corrections Pilot Programme one could argue that considerable resources (training and financial) was given to make this programme succeed. However, there is some evidence to suggest that after an initial 'bump start' the Ba community and relevant government stake-holder organisations, may have found solutions to the technical and financial constraints that they faced. This has been somewhat demonstrated by the Labasa *Case Management Programme*. Hindsight does not allow one to make a definitive judgement one way or another. However, one can say that the direct contribution AFCJP appears to have made is providing the Ba Community Corrections Pilot Programme with that 'bump start'; that is initial funding and technical support allowed the first attempts at engaging with the community to work and be successful.

AFCJP has bought a number of programmes that might be suitable to address criminogenic needs of inmates in prison, and given it to the Pacific Counselling & Social Support Services (PC&SS) to implement in their prison programme. However, none of these were implemented during the period of the programme's evaluated success. So the direct technical contribution by AFCJP is minimal. And yet there was an overwhelming sense that the AFCJP has provided much needed and invaluable support to their programme. In particular having an AFCJP office in the west of Viti Levu based in Lautoka appears to have contributed in a large way to this sense of support. Exactly how this support manifested itself is not easy to categorically state, but certainly providing a convenient meeting space for different stake-holder organisations to meet and hold workshops through to AFCJP staff providing technical computer support (setting up of networks), appears to be likely candidates of why PC&SS prison programme felt this way. Certainly the 'western' AFCJP staff's physical drop ins for informal chats and meetings was commented on (unprompted) during the evaluation, so that at the very least they felt morally supported in conducting their programme.

This is not to imply that AFCJP's overall impact was of a more nebulous 'feel good' impact. Nor is it to imply that the technical or financial support was not important. Rather, the implication is that direct benefits from the AFCJP are not easy to measure in discrete objective quantities.

14. The Australian Government's rules of engagement with the interim regime subsequent to December 2006, prevented the AFCJP from having contact with FP&CS. In other words a change by senior officers to be more sympathetic to a rehabilitation ethos could not have occurred under the AFCJP.

However, there is some evidence that the gains made by some of these programmes would have suffered in terms of *their long term sustainability* without the technical input from AFCJP. For instance, it is clear that the Ba Community Corrections Pilot Programme has been implemented in a unique way that did not take due account of the statutory responsibilities of the Department of Social Welfare (DSW). One concrete example is that DSW was not been given the responsibility of carrying out early orders given in the programme. The result has been that they have not been able to 'sign-off' on completed orders, or indeed to make an assessment as to whether offenders have been in breach of their orders. There may be a, albeit weak, argument that suggests that this might have been tenable in Ba where the interest of passionate key champions combined with a relatively small community, may have been a viable *modus operandi*. However, should the key individuals leave the programme - as has indeed happened- then this system falls apart. Fortunately, this key failing was subsequently intercepted by AFCJP who have been able to give technical advice as to how to correct this. DSW in Ba have been on a systematic attempt to 'fill in the blanks' from the orders that were made and which bypassed DSW originally. Had this not been done, then there may have been a danger that the community corrections initiative would have been deemed illegal (not following legislation) and considered inoperable.

In other words it is clear that AFCJP made a big impression and impact on the programmes that they were involved in giving technical and financial support to, but the precise mechanism by which they did this are not easy to measure. Possibly, via the AFCJP's extension facility, continued support for income generation projects as follow up programmes for clients of the respective initiatives in Ba, Labasa or Lautoka, may have brought some of these mechanisms to light. In other words there has not been enough time to obtain concrete objectively measurable outcomes from AFCJP's impact, and these may be coming to fruition just as the programme is being wound up and finishing.

9.2.2: Can rehabilitation programmes work in Fiji

One way to measure AFCJP's impact is to compare recidivism rates of the various programmes that received AFCJP input (in Labasa's case prior via an AFLJSP initiative). The national recidivism rate is about 45% (47% in 2005, 43% in 2007). Research in the forensic literature suggests that the average effect of all rehabilitation programmes combined in various meta-analyses can be converted into a reduction of about 10% (Lösel, 1995). All four evaluated programmes compare very favourably in terms of the size of their apparent reduction in recidivism rates. Whilst it is possible to pick holes in the validity of the data presented, these critiques would not be enough to nullify the impressive results.

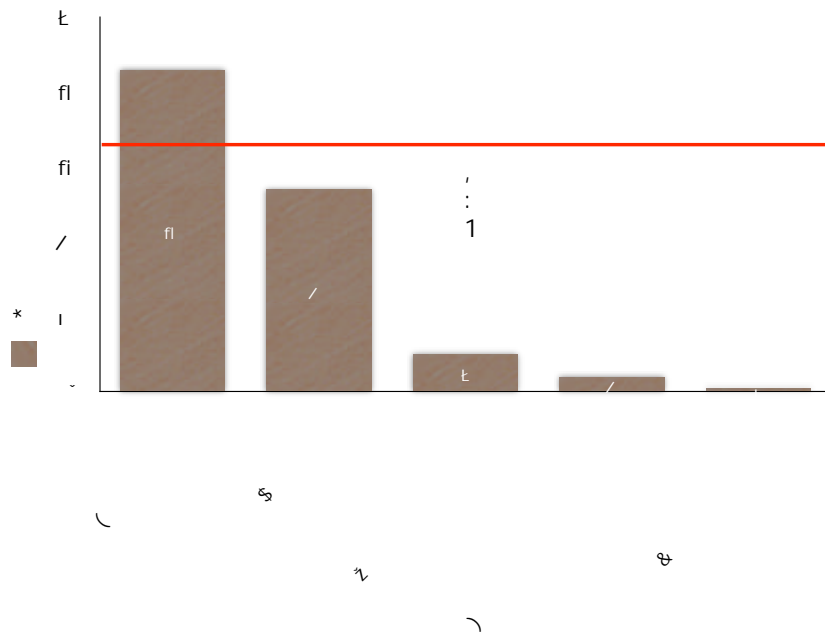


Chart 1: Reduction of recidivism rates between different programmes reviewed. The first bar is the national re-offending rate as of 2007. The rate has more or less stayed the same since (in 2005 it was 47%). Anything below the red line is therefore 'better than the international average.

The size of these effects demonstrates unequivocally that rehabilitation programmes **do** work in Fiji. This is not longer an academic exercise and governing administrations cannot today claim as such. There may be some debate and discussion as to why it works, but the government of the day must accept that rehabilitation programmes of the sort evaluated here, do reduce the re-offending rate.

What is not clear for the moment is how financially these rehabilitation programmes 'cost' compared to what it would cost to keep the anticipated re-offenders in prison. This is discussed further in section 9.11.1.

9.3: Cultural Traditional Mechanisms for Reconciliation & Healing

A consistent factor in the rehabilitation programmes that have had a demonstrable impact on reducing the re-offending rate, has been the use of traditional ethno-cultural protocol to bring about healing within the community to which a released inmate is returning back to. Specifically the protocol asks for forgiveness from the community, *on behalf of the client* who is not capable of asking for forgiveness in the same way or manner. Having a whole team of people come to visit a remote rural community, appears to make a big impact. The thought processes appear to be of the sort that ... '*... our returning member of the community must be important enough to bring all these people to our village*'. Doing a *sevusevu* or presenting a *tabua* triggers automatic social responses which makes it very hard for the community to refuse the invitation to forgive and re-accept the person back into the community. It is almost the social equivalent of an involuntary knee jerk reaction. The 'clever' innovation of the programme facilitators has been to use the protocol to place the responsibility back to the community for the continued rehabilitation of their clients. Once the forgiveness is accepted, the facilitating team explain that they 'understand the released client of their programme is now in good hands because they 'know' the community will now look after them!' - in other words if this person re-offends some of the responsibility rests with the community. There was no indication that this was done in a nasty or disingenuous way, but rather it continues to be an accepted use of an ethno-cultural traditional mechanism that has been adapted to the modern rehabilitation context.

9.3.1: Social Capital, Cultural Capital & Cultural Resilience

There is some scientific literature that deals with this phenomenon and it is worth illustrating because it deals with an otherwise unacknowledged resource that is not normally considered as a tangible asset. The use of the economic concept of 'capital' is traditionally used in financial sectors, and more recently it has also been used in terms of 'human capital'. '*Social Capital*' is a term that has been used in the context of the networking ability or capacity of a society. The term 'capital' is used because when (the 'capital') is utilised correctly, it can pay a 'dividend' (Putnam, 2004). Whilst social capital emphasises the relationships that are created by individuals in a society, ethno-cultural traditions are social mechanisms that immediately set a context for a social interaction to take place (for instance a *soro* or asking for forgiveness that the evaluated programmes employed). Cultural mechanisms might be more appropriately termed *cultural capital*. However it was defined by the originator of the term (Pierre Bourdieu) as physical objects (including works of art) that acts as a way of differentiating social classes (Field, 2008). However, in the current context *cultural capital* such as the use of traditional ethno-cultural mechanisms to ask the community for forgiveness, is more akin to an effective cultural 'buffer'. In this case the buffer helps an offender through the transition of being a criminal to being a released and (hopefully) rehabilitated member of the community. This mechanism is really part of a culture and may be what is contributing to what some American Indian scholars term as *cultural resilience* (Agnell, 2000). David Halpern (2004) has encapsulated some of what is being tried to be conveyed here by the term '*social fabric*', which is more than simply relationships. As an example he takes part of the '*social capital/fabric*' of his society to mean that when walking on the public underground transport system in London, it's a social habit or convention to walk on the left.

Using the current language, the point that is being made is that most Fijian communities are still relatively rich in their *social capital*, in which they still have viable *cultural capital*, or social mechanisms, which when applied correctly can help their *cultural resilience* or their ability to survive and possibly thrive in a time of transition from traditional society to globalised modernity.

So for instance, the programmes highlighted in this evaluation have apparently been able to bring about relatively large scale reductions in recidivism because they were able to leverage the social and cultural capital that is still relatively rich. Not only has the traditional apology helped the person to return to their community, but it has also allowed a relatively sophisticated cultural mechanism to bypass the 'double punishment' for offenders¹⁵. Otherwise a released inmate may find themselves once again on the margins of his or her respective society. For the most part this means that their only social company are others who are also shunned. With no gainful employment or means to earn an honest income, it becomes increasingly likely that they will return to criminal activities.

Whilst the social and cultural capital are still in relative abundance, then they of course remain viable methods for bringing released inmates back to the community where they are more likely to be accepted as a functioning component of their society. There is some concern though as to whether these ethno-cultural mechanisms can stand the virtually unstoppable influences of globalisation (the so called 'Mac-Coke' transformation of societies). This is where the importance of cultural resilience will be tested. Although suggestions of social engineering raise all sorts of legitimate alarm bells; some consideration might be given to government initiatives that enhance the opportunity for social capital to remain as strong as it is (Halpern, 2004). This is in line with what the leading exponent of social capital has suggested as a way to increase civic life (Putnam, 2004). Rather than try to 'increase' social capital through active policy, perhaps consideration might be given when new policies as to whether they may undermine the opportunities to keep the

15. Clients of the programmes evaluated and inmates from previous research conducted in 2006 (Taylor, R, 2006), often talk about being punished the first time in their prison sentence, and once again when they are shunned by their community when they are released). This was mentioned previously in section 7.2.3.

existing social capital strong, which would be a bad thing. In other words policy decisions are made with a mind to prevent unintended consequences of reducing the existing social capital. Policies can also be made that give the maximum chance for social capital to flourish on its own. A good example that is occurring at a local level would be the Labasa Case Management team that uses both local government and NGO resources to allow a traditional reconciliation to be effected in a modern context of rehabilitation and reintegration. Another good example came from the Ba Community Corrections Pilot interviews where the Inspector for Community Policing spoke how the community corrections programme allowed various government stake-holders to jointly visit communities in a 'one-stop-bus'. This initiative is apparently welcomed by the community.

9.4: Ba Community Corrections Pilot Programme

Under the pilot community corrections programme the recidivism rate is about 4.6%. A comparison between these orders and bound-over orders reveal a similar rate of recidivism (c. 4.5%). At first glance this would suggest that perhaps community corrections does not contribute that much with respect to reducing the re-offending rate compared to a bound-over orders. The Chief Police Prosecutor who saw both type of orders prior to and then after the pilot programme was implemented, suggested that the type of offences being committed under the bound-over orders were of a smaller criminal nature compared to the community work and probation orders. This remains to be verified in the future with a more in depth analysis of the original court registry.

9.4.1: Care taken in communicating what the AFCJP can offer

Most particularly in the Ba Community Corrections Programme, it appears as if programmes like the AFCJP need to be careful about what they are communicating as a 'promise' to the community stake-holders. In the case of the Ba Community Corrections programme, there has clearly been an expectation by significant parts of the community that there was an agreement between them and the AFCJP. They understood the agreement to mean that they would embrace the programme (i.e. do alternative sentencing and **not** re-offend) and they would be 'rewarded' with AFCJP funded micro-enterprise programmes. Had the AFCJP continued, they may have been able to offer this via their extension facility programme¹⁶ but perhaps it was incorrectly communicated as a 'promise'. There danger is that the youth that have been persuaded to be a part of this programme may become disillusioned, making subsequent development projects more difficult to introduce in the future, or worse still they revert back to a life of crime. There is no indication that this has transpired, or will occur in the future. In fact conversations have occurred which has further inspired a number of people who were Volunteer Probation Officers, and the Nailaga Chariots of Fire Reform Club to forge ahead in trying to create their own income generating programmes and/or training opportunities.

9.4.2: The Department of Social Welfare's role in community corrections.

The Department of Social Welfare (DSW) currently has the statutory responsibility of conducting and overseeing community corrections. DSW officers are the senior probation officers that oversee the volunteer probation officers. An argument can be constructed that this is also the most logical government ministry that should act as the 'hub' of crime prevention and inmate rehabilitation efforts, precisely because its domain oversees all of society.

However, conversation with both junior and senior DSW officers often complain about the lack of adequate resourcing and training. There is no recent analysis to confirm whether this is true or not. A report was commissioned and written in 1999 by consultant Allan Levett (1999), who did state that the case load responsibilities of DSW were beyond what he considered acceptable work load

16. When AFLJSP was first conceived it was not anticipated that there would be further political turmoil following the attempted 2000 coup with a military take over of government in 2006, and it is understood that there was a high expectation that there would be an extension to the programme, perhaps in a modified form.

levels¹⁷. At the time there was not much need for probation officers from DSW because community work and probation orders were rarely if ever given out. However, there was a recommendation that the statutory responsibility for probation orders should be taken out of DSW and should end up in a Division of Corrections that would be housed in the Ministry of Justice.

Superficially it appears that successive governments have not considered DSW to be a high priority according to the relative prioritisation of government resources. Indeed there is a train of thought by some inside in DSW that successive governments have considered their Ministry to be one in which awkward or hard to define areas of responsibility are 'housed'. So for instance the Ministry is currently one that oversees Social Welfare, Women & Poverty Alleviation. Within DSW itself there are three core areas covered: child protection, probation and income support. The result has been a *creep* of administrative responsibilities. Under a previous leadership, DSW tried to rationalise the implementation of their responsibilities by fusing or merging aspects of DSW's core responsibilities with that of Poverty Alleviation and Women, the rationale presumably being that such an effort would allow synergistic effects to occur. Whilst there are clearly situations where a natural overlap could occur (for instance, empowered women are able to contribute substantially to the household income and thereby reduce their reliance on income support and reduce their level of poverty), it maybe that the fusion has meant that DSW has lost its ability to adequately fulfil its core mandates. One interpretation maybe that DSW has enough resources, but they are not suitably focussed. The current senior management in DSW has started to redress this loss of focus by restructuring the department.

It is also clear that currently there is a lack of senior welfare officers who can provide suitable supervision for professional social workers (rather than an administrative one) in the same way that professional counsellors also need clinical supervision.

Clearly if DSW is to take on a central role they need to be suitably empowered to do so. Whether that means more personnel, or better training or a reorientation on the focus of their core mandates, or even a combination of all these issues, remains to be seen.

9.5: The Future of Lautoka Based NGOs: PC&SS and FRIEND REAL

Both programmes aim to prevent or reduce re-offending rates of prison inmates who are due to be released. Both programmes work through intervention programmes that deal with the issues that inmates have had in the past and deal with in the future. Both programmes have a *modus operandi* that involves group work (sitting around a circle sharing life stories and insights) and one-on-one sessions. Both programmes have facilitators that appear to be effective in their roles because of their apparent genuine connection with the communities of the clients and of course to the clients themselves.

However, it became apparent that despite these similarities the actual programmes differ markedly enough that they should not be perceived as fulfilling the same roles. FRIEND REAL deals more with the the nuts and bolts of identifying what the consequences are of committing crime to the wider society (i.e. beyond themselves), as well as trying to help with their planning and implementing of strategies to stop them re-offending - such as securing paid employment. PC&SS on the other hand is more concerned with internal recognition of their state of mind and the internal mindset that led or could continue to lead them into a life of crime. FRIEND REAL superficially deals more directly with the issue of re-offending. PC&SS superficially may deal with more fundamental causes that lead to a life of crime. Both approaches are equally valuable.

17. Caseloads of more than 250 in Australia are considered excessive. The caseload (not including the Poverty Alleviation Scheme) was 434 in 1992, and subsequently increased to 634 in 1997, see p. 22 of the report).

It does appear though, to be an inefficient use of resources and talents that these two organisations are not working more closely together. An interview with the Director of FRIEND suggested that from her part she felt some of the antagonism between the two NGO's was as a result of a perceived 'encroachment' into their respective operational 'territories'. This probably has occurred even though most likely unintentionally. The nature of the respective programmes suggests an easy progression of one focus into another. For instance, PC&SS counsellors inevitably had to deal with their clients who were released and were desperately trying to find employment opportunities. Similarly facilitators of the restorative education programme would inevitably find that their clients were asking questions that required a more traditional counselling approach.

Facilitators from both groups said they personally had no problem with their opposite numbers and in fact were working informally together or doing cross referrals. Undoubtedly there would be better synergy if there were more formal joint case management arrangements and a memorandum of understanding outlining an agreed referral processes, between the two NGOs. The two programmes could benefit enormously on such issues such as sharing transportation costs during follow up visits, or initiating 'one-stop-shop-visits' as is occurring in Ba and Labasa's respective programmes. However, it is important to note that despite these overlaps, the two organisations are best served by being complementary rather than seen to be doing the same thing, and therefore potentially competing for limited resources (such as funding). Both programmes have an end goal of wanting to reduce the re-offending rate, but the focus on how they do this is different.

9.5.1: FRIEND's prison programme's future

There are however, indications that FRIEND REAL may feel that they have 'fulfilled their mission' and would like to eventually pull out of their prison programme initiative. Conversations held during the feedback sessions with the management at FRIEND including their Director, suggested that they felt their resources were not being utilised well, for instance it appears that a total of only three clients turn up for some of the sessions. From FRIEND's perspective they see this as a positive outcome with marked reductions in prison populations across Fiji.

Additional reasons that FRIEND maybe considering retiring their REAL programme include the fact that they have had a significant turn over of staff in the programme, and there is organisational acknowledgement that the component on income generation plans have been weaker than they would prefer. There was talk by the Director of perhaps working with PC&SS in either a joint case management system, or possibly handing over parts of their own programme that they were delivering, for PC&SS to incorporate into their own suite of programmes. These are ongoing deliberations.

9.5.2: PC&SS Prison Programme's Future

Since the original review, some developments have occurred within PC&SS which suggests that they are further evolving their programme. At around about the middle of the year, the prison management now formally invites a PC&SS representative to be part of their 'case management team'. PC&SS's prison programme staff members feel that this is a significantly positive step forward.

There remains a feeling however, that prison officers particularly those who are directly dealing with inmates on a day to day basis, remain unaware of what the PC&SS programme is and what it is not. Specifically they feel that some officers believe that participation in the PC&SS programme is a privilege, and could then be taken away by FP&SS officers as a form of punishment.

One suggestion was that all the prison officers might benefit enormously from going through the same programme. Apparently some of the officers have attended parts of the course, but apparently they cannot complete the session in the time allocated to them. In other words the current situation should be extended to include all officers and there should be a greater allocation of time to get through key components of the programme.

9.6: Fiji Prisons & Correction Service's Future Rehabilitation Programmes

Fortunately, the current forensic scientific literature unequivocally tells us that rehabilitation programmes 'work' in terms of reducing re-offending rates compared to older containment and punishment models (McGuire & Priestley, 1995).

Furthermore the research goes further to categorise what the key elements are to an effective rehabilitation programme (Andrews, 1995; Lipsey, 1992; McGuire, 2002). Such as:

- The rehabilitation programme should suit the risk factors associated with an offender who might re-offend. In depth programmes work best with offenders who have a higher risk of re-offending (**risk factors**).
- Programmes should target specific attributes that brought the person into prison: it might be an impulsive loss of anger, or a lack of problem solving skills, or a lack of employment, or indeed combinations of these factors (these are titled **needs factors**).
- Higher success occurs when the programme is delivered in a learning style that suits the inmates (these are called **responsivity factors**); and
- The programme is delivered as it is supposed to be (**programme integrity**).

Inmates typically require issues to be addressed whilst they are serving their sentence, and issues that occur once their sentence is finished, in order to reduce the chances of them re-offending. Issues dealt with during their sentence typically include trying to identify and assess what chain of events brought them into prison in the first place. The aim is to break a potential or existing cycle that could otherwise form to make them into habitual re-offenders. Issues dealt with after their sentence is completed typically revolve around gainful means of generating income. These will be considered in turn.

9.6.1: Assessing criminogenic (risk) factors

The first step to establishing the risk factors is to have an appropriate appraisal tool, or set of tools. Training needs to be given to the personnel that acquire this information. Ideally some of this information would come from other stake-holder organisations that have been interacting with the offender prior to their arrival in prison (for instance police, judicial and social welfare reports). The current intake form does not fulfil the required assessment adequately. It is suggested that initial assessment forms be acquired from abroad and adapted. Care would have to be taken though to ensure that the assessment tools were adequately localised. For instance, the question 'where are you from?' may yield a number of different answers all perfectly valid in the Fiji context¹⁸. The Prison Act partially covers the requirement to utilise effective assessment tools in Section 35a (effective classification is to help identify an effective rehabilitation programme) and Section 35d (when being classified, the demographic and educational capabilities of the inmate need to be considered).

Four different individuals may be involved in the same criminal act (say breaking & entering and using violence on the house occupants): the first may feel that they are without cash and have not been able to find legal employment; the second may feel angry about some of the occupants with whom they've had a social altercation and this is their way of 'punishing' them; a third may have been drinking all night and is now intoxicated to the point where their normal civic judgement is seriously impaired; the final individual has been persuaded under peer pressure from the other three to join in. These four individuals require four different programmes to suit their needs, see Table 3 below.

18. When an indigenous Fijian is asked this, they most often reply that they come from an ancestral home from their father's side of the family. However, many have never been to this place and are born and bred and currently live in another part of the country. Care needs to be taken then as to what the purpose of the information from the question is to be used for.

| Person | Primary Cause for Crime | Most effective Programme required |
|---------|-------------------------|---|
| 'Tomu' | no apparent income | problem solving skills, esp. on |
| 'Dicks' | angry with occupants | anger management programme |
| 'Jo' | drunk | substance abuse and management programme |
| 'Mex' | peer pressure | rehearsed scripts to effectively say no without appearing to let the 'gang' down. |

Table 3: Matching Individual Prisoner Needs During Sentence

In other words what is required is a suitable assessment tool to find out what the actual needs are for each individual inmate. Only then can the appropriate rehabilitation programme be suggested. In the above example these are specialised forensic programmes that are usually implemented by trained facilitators of these programmes. These programmes would require technical expertise most likely from abroad. AFCJP has bought two programmes for PC&SS to use but they were not in use at the time of the evaluation (see the later section 10.1.2.)

9.6.2: Responsivity Factors

The programmes from PC&SS and FRIEND REAL provide good examples of programmes that appear to have been tailored at least a significant proportion of the inmate population for whom the programmes were designed. For instance information was presented to clients whose formal schooling ended in year 6 or 8. One could not expect their corresponding literacy levels to be the same as a secondary school leaver or a tertiary educated person. Section 35e in the Prison Act deals with this issue by stating that 'appropriate training and employment opportunities for each prisoner shall be identified'. A good starting point is to have a demographic breakdown of the inmate population, however, a better methodology would be to make an evaluation of the inmates literacy levels so that programmes can be devised that best suit his or her educational level. There was for instance evidence from the FRIEND REAL programme that initial clients of the programme with a higher level of education, left because they thought that the programme being delivered was too simplistic.

9.6.3: Case Management

Most if not all of the above considerations can be effectively implemented through a **case management** system. As previously mentioned there parts of the prison act that refer to considerations that would be part of a case management system (e.g. Clause 35). The current forensic literature on 'what works' (Lösel, 1995) makes a strong argument that looks at risk, need, responsivity principles and programme integrity in order to make rehabilitation programmes effective. This is most efficiently implemented through a well constructed case management system, or it's equivalent. Case management serves as the core or backbone of a good overall rehabilitation suite of programmes appropriately deployed.

Although the FP&CS 2007 annual report states that they have a case management team that matches and recommends appropriate rehabilitation programmes. This is really the admissions form which asks for background information from prisoners when they first enter prison. FP&CS has an initial admissions interview in which information is taken with respect to the information that the new inmate can give. There is some initial orientation as to what the inmate can expect during prison along with an explanation how they receive an automatic deduction of one third of their sentence for future good behaviour (it gets taken away for misbehaviour during their sentence). However this cannot be described as even a minimal case management programme.

As previously mentioned there are small elements of case management in the Labasa 'Case Management Programme' (see section 7) which tries to have a *case management team* ascertain what the medium to long term goals of an inmate are, and how this can be attained through an agricultural income generation programme. However, this must be more properly understood as an income generation programme with some elements of case management.

According to prison officer Sireli Dausiga he instituted a 'case management team' at Naboro Maximum prison, where inmates were counselled as to their medium to long term aspirations. The success rate of this initiative was measured by the degree to which the inmates opened up and started to share personal information with the team.

Normally the case management approach starts on the very first day of an inmate's sentence. Information is collected about the background of the inmate, which ideally would include notes that might have been taken prior to their sentence from the police and courts. The initial meeting also helps to orientate the prisoner as to what they can expect from prison, including the opportunities that they can access within prison. Many times a case management team might be put together to form an initial conference to form an individualised sentence plan for an inmate. A case management officer would oversee the implementation of the plan and ascertain on the way whether in fact the plan was being followed and make adjustments accordingly. There is a defined exit strategy where formal relations with the prisons case management system is completed with all sentences having been completed (either within prison, or outside of prison under approved appropriate supervision).

Any modern rehabilitation programme must really have case management and the subsequent *individualised* sentence plan, as the key to successful future rehabilitation programmes. A 'one-size-fits-all' has not been shown to be an effective strategy in reducing re-offending rates.

The new Prison Act recognises this: clauses 35a, talks about classification of offenders in order to achieve effective rehabilitation programmes; clauses 35c, 35d & 35e talk about the offenders being given information about their sentence plan, care taken to fit the plan to the individual needs of the inmate, and ensuring that the inmate has access to appropriate programmes where this is reasonably possible.

9.6.4: Parole Board

Parole is a process whereby an imprisoned offender is released prior to the end of their prison sentence on the condition that they behave appropriately. Normally they must fulfil certain conditions during their parole such as not engaging in illegal behaviour, they must get employment, they must be at home after a certain time in the evening, and they must visit a parole officer on a regular basis to report on their progress. The underlying ethos behind parole is not too dissimilar to the community corrections programme whereby the parolee is considered to have a better chance of becoming rehabilitated in the community instead of staying in prison. Strictly, a parolee is still serving a sentence (like a community work or probation order). Originally parole was a mechanism for reducing prison populations with offenders who appeared to be behaving well. Since then though with the introduction of parole boards and parole officers and in some countries parole supervisors, parole has taken on far greater prominence as a potential rehabilitation programme.

The new Prison Act has a recognition of the introduction of a Parole Board (section 49). This would replace parts of the old legislation such as 'extra-mural punishment' (EMP). As far as is known, no significant work has been done to establishing this Board, no regulations have been drafted, no planning or budgeting for the introduction of the Parole Board has been provisioned for by the Public Service Commission at the time of writing this report. When it is set up, care must be taken to give sufficient time to consider these important aspects, and set up realistic goals that include sufficient time to train up the appropriate expertise.

Initiation of a Parole Board with inadequate resources or sufficient training could lead to severe repercussions. When one thinks of the possible worst case scenario, as has happened in other countries, inmates have been released from prison on parole without proper checks and balances and they subsequently perpetrate another crime, sometimes within days of their release (Stuart, 2007). In other words utmost care must be given to establishing a working Parole Board to avoid such calamities.

9.6.5: Engaging the community

Fiji's *Yellow Ribbon Programme* was first implemented in this year (2008) following senior's management's discussions with and observation of Singapore's own and original *Yellow Ribbon Project*. There are a number of pertinent observations about the conduct of Fiji's YRP which might be considered when (assuming if) future YRP's are to be conducted in Fiji.

This incredibly valuable programme is not only a more humane way to conduct a potentially viable rehabilitation programme (the community is engaged and consulted), but makes financial sense. Ultimately it is the community that benefits from successful rehabilitation programmes. If the community can do their part to make rehabilitation programmes successful then less resources are required by the government to implement them. This is important too in Fiji's context which has scant government resources, few trained personnel and even fewer appropriate infra-structural capabilities to run only centrally initiated Prison rehabilitation programmes. This approach makes even more sense while there is still a strong sense of community within Fiji.

9.6.6: Selling the 'rehabilitation' message to all prison officers

Despite the significant advances in a commitment to rehabilitation as a core activity within FP&CS, there is ample evidence that this message is not on board for all officers. There appears to be much confusion currently as to what a rehabilitation programme is and what its ultimate purpose is. In the formally reviewed programmes in the west (FRIEND REAL, and PC&SS) there was notable discussion by both facilitators and clients, that prison officers perceived the respective programmes as being a bonus, or privilege that they were entitled to take away as a punishment to the inmate. The facilitators of both Lautoka Prison programmes stated that it took perhaps a year for the Officer in Charge and his immediate subordinates to see the positive effects that the programme had on inmates. However, if there is a change of staff, then the NGO's have to once again build a relationship with the individual replacements before the programme could be properly run again.

This has been echoed in another rehabilitation programme called *Refereeing for Peace* programme¹⁹ where despite assurances from the Commissioner of Prisons that FP&CS was whole heartedly supporting the programme, this did not translate all the way through to Nasinu prison officers who would take inmates off from the programme to do other more 'menial' duties such as farming the (tapioca) plantations.

Clearly rehabilitation programmes cannot be effectively implemented without significant 'buy-in' by the prison officers who are for the most part at the front line of care for the inmates.

9.6.7: Rehabilitation programmes as an incentive to commit crime

As I have mentioned in a previous report (Taylor, R, 2006), one of the concerns with an effective rehabilitation programme is that because education and training are relatively speaking expensive, there may come a time when it would actually 'pay' for someone to commit a crime so that they are sent to prison or a rehabilitation programme where they could get it for 'free'.

19. This is a programme that the author is involved in helping to set up and run. It has not been mentioned here or evaluated in any formal way because it has not been running long enough to make a significant evaluation. Referee for Peace can be found at <http://referee.societyintransition.org>.

One interpretation of this potential phenomena would be to curtail or 'dumb' the programmes down. However, this would defeat the purpose of giving the training in order that they might receive gainful employment in the future. Discussions need to occur in the future about strategies that could dissuade people from committing a crime to receive 'free' training.

9.6.8: The Role of Businesses as Employers of Ex-offenders

Businesses have a strong role to play as potential employers of released inmates. It is understood that FP&CS is considering or in the process of setting up an employment agency, however it is the opinion of this author that whilst this is a worthwhile enterprise, it will not be successful. Essentially one has to think inside the heads of a current employer where national unemployment rates are relatively high; the social situation remains an 'employer's market'. Why, one might ask, would an employer make an extra effort to visit the employment agency in Prison, to employ someone who has clearly demonstrated that they had a problem with the respect for the rule of law (and perhaps no guarantee that this has changed)? On top of which the employer is receiving many unemployed people knocking on their own door, and who probably do not have a criminal record.

An alternative is for FP&CS to go to the business community and ask them what they currently need or lack in terms of qualified personnel. Specifically FP&CS might ask what kind of training or experience employers would like to see in their potential future applicants. FP&CS could then work with these business organisations to set up a specific training programme that addresses these employer wish lists. This kind of arrangement may be beneficial not only to the released inmates, but also the businesses who actually gain an employee trained to their requirements.

This approach is in contrast to a corrections service that tries to persuade or cajole businesses to employ released inmates out of a sense of civic duty²⁰.

Discussions with the director of a high quality furniture maker in the Suva outskirts (Modern Furniture), and an engineering company based out of Vatuwaqa (Vatuwaqa Industrial Engineering), show that their biggest loss in business potential is losing highly skilled and qualified staff who migrate abroad to either Australia, New Zealand, Canada or the USA. This has been, by their accounts, a demoralising recurring cycle. That is their skilled workers migrate once they have achieved enough skills, a new set of employees is recruited and trained and they apply for migration once they feel that they have enough qualifications or employment experience, and so on. Both directors of these companies were disparaging of the current formal vocational training offered by Fiji's various tertiary institutions, as they found that they took literally years to retrain their staff to acceptable levels of expertise to work in their businesses.

It was suggested to them that they and perhaps similar business organisations could come together to help spell out and design a vocational education programme that addresses their specific business training needs. FP&CS's task would subsequently be to provide it; for instance by buying in the training expertise or by implementing it themselves with outside advisors. Inmates who enter these specific vocational programmes inside prison, have a skill set that is valuable to an identified commercial business once they leave. The commercial business would 'win' if they employed them over 'conventional applicants' because the inmates already have skill sets that have been identified by the businesses directly. Furthermore there is some guarantee of employer loyalty since they are unlikely to get residency abroad because of their prison sentence.

20. Not that there is anything wrong with having a strong sense of civic duty to help offenders, but in this day of competitiveness, one cannot rely on this alone to secure gainful employment from businesses without them seeing a tangible gain.

A similar scheme was tried in Perth, Western Australia in Balga Senior High school which is situated in a socio-economic area of Perth that had previously found it hard to achieve high scholastic success. Potential employers were consulted as to what their specific vocational training needs were. One company in particular, whose main product were collapsible trailer tents, became a keen partner and was helped to devise a training programme, and then take graduates of this programme as employees. Apparently the scheme was a great success.

Care would clearly have to be taken in terms of: how people were selected for the training programme; how the training was delivered and the quality control the business houses would have in the delivery of the training; how to ensure that pay scales and organisational structures did not abuse the fact that the new workers were ex-inmates; undertaking to employ released inmates from the programme for a minimum time period. Both company directors spoken to, were keen to engage in future conversations to consider how this could be taken forward²¹.

9.6.9: Continuing Education

Many inmates have not completed their secondary education and this is likely to have been a contributing criminogenic factor; their lack of qualifications means that in a competitive marketplace they cannot get a (well paid) job. Continuing education therefore cannot but fail to provide a viable rehabilitation approach. What is not clear at the moment is how well the certificate from the Pacific Teachers Mission prison programme will be accepted as a viable certificate to secure employment during a job application requiring say year 12 English and maths skills. As this is a new initiative this would need to be followed up in due course.

There is a cause for concern that one of the core topics taught is 'Bible reading'. Whilst the majority of inmates come from a Christian upbringing, and therefore it may make current sense to include such a course, it is not clear that this is necessarily the right format in which to talk about religious doctrine. In other words remedial basic education should not include a condition to undertake religious education as well.

Foundation Studies

Sadly the *University of the South Pacific (USP)* dropped their otherwise excellent *Foundation* courses in favour of the different member countries offering Form 7 (year 13) classes as a preliminary entrance course to their university. Much of this material was also delivered in a flexible (distance learning) format. Whilst the cessation of *Foundation* programmes is still relatively recent, it may be possible to enter negotiations with USP to either revive them, or to take ownership of the programmes and to find a suitable deliverer of the material.

Tertiary Education

USP has a strong emphasis on distance and flexible delivery of education, this should suit the possibility of offering further education to inmates. Inmates could receive correspondence material which would be backed up by supplemental audio/visual material that could be played within Prison. This could be additionally supported by tutorial groups that might occur once every three to four weeks. Many of the inmates would be eligible to take courses under a mature student entry programme (older than 23 years old). They may be required to demonstrate a literacy aptitude. If they are not able to read and write adequately in English then clearly their first few courses would have to focus on this. Some of the *foundation studies* mentioned above may fulfil this function.

It is suggested that initially the courses and programmes offered might be limited so that course materials, and tutorial visits may be better rationalised. If these courses had the potential to help find paid employment afterwards then this of course would make the most practical sense. Programmes that immediately spring to this author's mind would be: social work; law and; journalism.

21. **Modern Furniture:** Director Truman Bradley, tel: 339 7044; **Vatuwaqa Industrial Engineering:** Director Vikash Singh, tel: 338 5611

- Social Work:** Qualified social workers are required in Fiji but perhaps as importantly is the fact that such skills may in fact help the reformed inmate to apply their skill sets more effectively when they return to their community. They would have a deeper understanding as to the issues that promote a civic society.
- Law:** As ironic as this may seem, many prisoners apparently act as unofficial proxy legal aid officers. This tends to be those inmates that have a long recidivist record, and who have built up a body of knowledge of criminal law. Some have apparently been commended for their ability to write strong appeals for both themselves and also their fellow inmates. Like a Social Work degree, there is a likely to be a deeper understanding of the need for and a respect for the law in a civil society. In addition a law degree is often perceived by employees as a good generic tertiary degree - in other words they do not have to be employed as lawyers *per se* once they leave prison.
- Journalism:** Journalism is also a good degree to have that provides good generic skills that employers value other than solely being a journalist.

9.6.10: Half way house

Many people interviewed, particularly prison officers in the rehabilitation section and also other NGO's such as the Prison Chaplaincy and the Prison Fellowship, were keen to promote the idea of a half way house. Prison inmates would, prior to their being let back into the community proper, would be housed in a facility that was essentially 'free' and open but which provided continued support for released inmates to adapt back into the 'normal' community.

This is an idea that probably has much merit, but in the opinion of this author, this may be a case of latching onto an idea that is used abroad and has been adopted without thinking through the implications as to what this would actually entail, or specifically what purpose it would serve. In other words aside from being a place of transition from the inside to the outside, what would a half-way house achieve that cannot be done through other methods? No-one interviewed could supply an answer beyond the idea that in principle it sounds good. The in depth reviews of the four rehabilitation programmes actually point to an effective means in achieving the same aim but they work directly with the community prior to an inmates release and then bring them back to the community and do follow up visits within the community itself. As resource intense as this is, this may still be considerably cheaper than running a half-way house and has already been shown to be effective.

One area where a half way house may work would be for ex-offenders who live in urban or semi-urban settings, who have been institutionalised in prison for a long time and who have no effective community to call 'home' to return to, or who are not accepted back into any community. In other words their effective social capital is very low.

9.6.11: Considerations of new rehabilitation programmes that may work

The discussion so far has been on the lines of examining the current rehabilitation programmes, but it can be asked whether there are alternative rehabilitation programmes that might be used, or adapted to the Fiji context which would show promise of working well? Some of these programmes have already been discussed in a previous section (?).

Sex Offender Programme

One category of offender that has not been discussed is the sex offender. Correctly the current rehabilitation programmes recognise that this is an area that requires much technical expertise. Whilst there are a number of women's organisations that have counselling skills for dealing with the victims of sexual abuse, it is not clear that there are specific skills for dealing with the offender who caused the assault. Given that many times the person causing the sexual offence was also a victim of sexual abuse, this is a very delicate area to engage in and it cannot be done without relatively intense specialised training. Most likely this would require overseas expertise but again there needs

to be a recognition that the programme cannot be a straight forward transplant from overseas. For instance, the research this author was involved in 2006 (Taylor, R, 2006) points to a dramatic increase in mature sexual offenders (older than 45 years old). The conclusion from the report was that this was unlikely to be a 'real' increase in sexual offending in this age cohort, but more likely a greater willingness for members of the respective communities to report these cases. Previously these cases were probably not reported as much because in traditional ethno-cultures, the role of 'elders' was considered as a cohort of society that was protected (as in '*show respect to your as elders*'). Being an elder does not of course exonerate the person from the crime or their convicted sentence. That is why they are sentenced by the criminal court. Beyond the sentence of being punished, the purpose of rehabilitation is to ensure as best as possible that the same or similar crime does not occur again. Although the status of an 'elder' in traditional communities is changing, there still remains considerable respect and veneration for an 'elder'. Therefore a sexual offender programme for this cohort of older offenders needs to be devised with these ethno-cultural contexts borne in mind.

Wilderness Programmes

So called 'wilderness' programmes have been employed for rehabilitation of serious offenders for whom many traditional rehabilitation programmes have not apparently worked. Clients of these programmes embark on physically demanding tasks, often trekking from one location to another over remote and demanding terrain. Accompanying the clients are parole officers²² who are also trained in the 'wilderness' component of the programme. The physical demands of the clients during the programme often make them confront issues around their own responsibilities particularly to their fellow programme inmates, as the programme cannot be successfully completed without learning to work well together and to learn to trust each other.

The forensic literature on wilderness programmes is marginal (slightly positive). However, it is the opinion of this author that there is much to be gained from considering a wilderness programme for a selected subset of inmates, because of the ethno-cultural context that exist in Fiji. In particular, much of the 'wilderness' potential could easily fit into traditional ethno-culturally assigned tasks such as learning how to sail and navigate, how to hunt, how to fish, how to farm, how to defend one's territory. In other words a wilderness programme could be designed that was easy to justify as having ethno-cultural relevance. In addition there are still members of the community that could offer additional support because they still have authentic and genuine knowledge to pass on in these areas. These community resources could be part of a joint team that works with qualified parole officers.

Two potential wilderness programmes are suggested.

The first is a 'survival' programme. Participants land on one of Fiji's uninhabited islands or an uninhabited section of an island, and set up sustainable living arrangements, including learning how to build the traditional Fijian *Bure*, learning how to live off the forest, learning how to do basic first aid, and if the time period was long enough, establish a crop of plants. This scenario might be presented as an enactment of the to the first ever migrants to Fiji's shores.

The second is related to this theme and involves building a traditional outrigger war canoe (*drua*) and then learning how to sail it beyond the reef and to other islands.

22. The use of Parole Officers may suggest that the Parole Board is fully functional, but this need not be the case. Firstly until the parole officers are trained and employed, it maybe that one could use probation officers who have similar skills. Probation officer may also be trained up in anticipation of the Parole Board formally starting so they may already be employed in this or similar projects.

9.7: Can rural success stories be transplanted to urban areas?

The success stories outlined in this evaluation all refer to rural communities whose social capital remains strong. There are however real concerns as to how applicable these success stories could be transplanted in urban or semi-urban areas. There is evidence to suggest that whilst mechanisms are brought from the village to the urban/semi-urban areas, crucial elements are left behind. Specifically indigenous Fijian culture is feudal in nature with allegiances stemming out from family, to family groups, to villages and then to provinces – priority is given in the reverse order (provincial chiefs supersede those of village chiefs; village chiefs supersede those of family groups (*mataqali*) and so on). However, once displaced out of traditional grounds and mixed around with people from different villages, provinces and so in (as in the main cities and towns of Fiji), there is no clear demarcation of whose authority prevails in these contexts. So for instance, in a village situation, the village headman can instigate a clean up of the village (and often does) by calling the young men of the village to be present in a communal clean up campaign. The ethno-cultural prerogative to comply is almost impossible to ignore. In an urban or semi-urban situation there is no acknowledged headman or spokesperson (*turaga ni koro*). Even if there was, there are not the same checks and balances that ensures that over time equal participation by contributing family groups is ensured. Relatively easier movement around cities and towns means that one cannot guarantee when youths will or will not be available.

Research has been undertaken by teams within the AFCJP to ascertain if there are existing mechanisms that might still be fruitfully employed or adapted to the urban/semi-urban environment. A workshop run with a small sub-unit of the Suva City Crime Prevention Committee acknowledged that this as a worthwhile enterprise to undertake as a piece of research. They were keen to help out in making contacts within the respective wards in Suva to help the AFCJP team access the relevant parts of the community.

Another approach however would be to try and apply some of the lessons learnt from the rural communities in communities which have urbanised elements but which still appear to have strong senses of community. Two areas that suggest themselves would be Sigatoka and Navua. However, Navua has already been tried and it did not appear to work. Commentary from some of the participants from Ba, suggested that the failure may have been because key individuals in government ministries were not as committed (for whatever reason) to the programme as they were in Ba. The intense commitment seen in Ba and Labasa programmes may have been because of the participation of many officers from the relevant stake-holder organisations, originally came from these areas. Perhaps a reactivation of these programmes, particularly in Navua, could occur when there is significantly greater proportions of stake-holders who come from the same area and who demonstrated a personal commitment to the vision of the implementation of the programme.

If these programmes can be successfully implemented there may be elements that are more appropriate in an urban or semi-urban context. In other words implementing these programmes could occur incrementally, learning as one goes, towards the main city centres.

9.8: The Role of Women in Rehabilitation

The explicit role that women take on during rehabilitation has not been fully explored in this evaluation, however it is clear that despite women making up but a small minority of offenders (c. 2% on the current statistics), and despite much of the work being conducted both in and out of prison is predominately male, there were clear indications that a main 'hidden' element that made many of these programmes actually work were women. For instance, it is noticeable to FP&CS officer staff that is mainly the family women of an inmate (mothers, sisters, partners) that come to visit. Rarely do fathers or brothers come. PC&SS facilitators noted on a few occasions when returning to the home with an inmate for their formal release, the father would often be absent from the house. Only the mother would be there to receive and welcome them. The time between a

pre-release visit for an inmate and the actual release date, according to some formally and informally interviewed, appeared to be a time that the women of a community would 'work on' particularly the men of the community, so that by the time of the release, everyone would be more accepting and forgiving to the released inmate.

Whether this is a phenomenon that can be formalised or merely explicitly acknowledged is not clear but it is doubtful that without the interventions of women who work behind the scenes in the families or the communities, that there would be a larger failure rate in successfully releasing an inmate back into the community.

9.9: A Single Corrections Entity

Currently there are numerous acts and different Ministries and departments that have statutory responsibility for different categories of offenders. *Unless these stake-holders have excellent processes and transparent communications between them*, there is the significant danger of duplicating effort and thereby wasting resources on significant other 'holes' in a well rounded rehabilitation programme. For instance, incarcerated offenders come under the Prison and Correctional Services department and associated Act; the Parole Board is an independent statutory body but is also under the Prisons & Corrections Act; whilst the Department of Social Welfare has statutory responsibility for juveniles under the Juvenile Act, and offenders under the Community Corrections Act. The AFLJSP acting as a secretariat, helped convene a high level group of leaders from key government stake-holder organisations called the *Strategic Leadership Group* (SLG). Over a number of meetings there was an endorsement of bringing all offenders under the umbrella of a single corrections organisation housed within the Justice Ministry. This might have been effected in a 5 year time frame (which would have been at about 2011 at the time of these discussions). There is some merit in this idea despite the infra-structural effort to set up a separate body. However, it would most likely bring about gains because of the synergistic effects from having technical expertise and resources under the one umbrella organisation.

9.10: Valuing an Integrated Approach

As indicated earlier at the beginning of this discussion, one of the strongest perceived and almost implemented strategies by the AFLJSP was the integrated approach for significant stake-holders to have a common core mission. Whilst the implementation of this approach was not realised because of the political events of December 2006, the ethos remains a standard to aim towards. Although the AFLJSP acted partly as technical advisors and partly as a secretariat for the SLG, there is in principle no reason why the equivalent of the SLG could not simply continue where they left off. In other words having been given a 'bump-start' by the AFLJSP it is not clear why the Fiji government cannot continue this endeavour without them. Certainly there is evidence as presented from this evaluation to demonstrate the very real beneficial effects of having such an integrated approach in both the Ba & Labasa programmes. There has been a high level alternative group that has been formed that fulfils a similar function, but it is understood that they have not met many times, nor do they have any organisational memory or notes from the SLG. What is most likely required is a governmental high level 'champion' to push this integrated approach forward. Until such a 'champion' steps up this will likely remain an unfulfilled legacy of the AFLJSP & AFCJP.

9.11: The Value of Data Analysis for Rehabilitation Programmes

There are a variety of valid reasons why rehabilitation programmes should be supported and resourced. However, given the previous budgets for rehabilitation programmes with FP&CS, anything other than a financial argument clearly does not win the day. The existing data is impressive enough to suggest that a solid financial argument could be constructed that provides support for financing and resourcing rehabilitation programmes. This cannot happen currently because there appears to be a dearth of accessible good quality statistical data. This may be because statistical data analysis is presented in a manner that makes it seem: (i) inherently boring;

and (ii) of no practical relevance to help in day to day decision making; (iii) something that only senior 'boffins' care about. And yet much of this evaluation, particularly with regard to the FP&CS cannot be completed satisfactorily because of the data that has been recorded and archived in a way that is virtually useless for any serious in depth analysis. Currently the only way to do this with some quality assurance, would be to take the original inmate files and to re-enter the data again in a properly constructed database.

9.1.1.1: Monitoring

If there is a single failing that is common to all the programmes, it is a lack of effective monitoring protocols which makes it very hard to evaluate whether the rehabilitation efforts are having any effect at all. Reliable data collection, storage, and easy retrieval remains a priority if any meaningful monitoring of intervention programmes is to be conducted. In terms of evaluating rehabilitation programmes, the most compact index of rehabilitation is the recidivism rate, but this is not easy to calculate from current electronically collated data sets.

The reason that there has been a possible analysis of the four in depth reviewed rehabilitation programmes is because:

1. the programmes are quite new and therefore most of the clients can be remembered,
2. data is still available at the source in it's original format meaning that individual case files can be accessed relatively easily,
3. the numbers are relatively small and therefore facilitators can still remember individual cases (similar to the first point),
4. individuals who were part of the programme could access the data directly when asked for (and had the goodwill to do so). It was clear though that the information was not easily to hand, and these individuals searched for the data specifically for this report because it was asked for.

This does not bode well though for a larger enterprise where many hundreds or thousands of individuals need to be tracked between organisations and over time.

It still beggars belief that when an inmate comes to prison on their first day, they are still asked basic questions such as their name, their address and family circumstances for perhaps the fourth time (police, courts, department of social welfare having already asked the same question prior to their arrival at the prison). It is still the case that there is no sure fire way to check the identity of the inmate when they arrive at prison. It is taken on trust that they say they are 'Jone Waqa'. The only reason they probably cannot give a false name is because of the long term memory of the prison officers who could conceivably ask why they were currently 'Jone Waqa' when last time they were 'Tomu Ika'.

For the most part, it seems as if the prison statistics that is gathered and laboriously entered into the spreadsheet format, serves the single purpose of being able to create a daily roster of the inmate population's movements.

However, with the advent of the far stronger emphasis on the rehabilitation programmes, there will have to be a far stronger emphasis on good data collected specifically to monitor these programmes. The Director of the Education and Rehabilitation unit must be able to make a case, say, for why an expensive to implement rehabilitation programme makes better sense than several less expensive programmes with regard to the respective reductions in re-offending rates.

For instance, working on the figure of \$30 per day, a traditional containment model means that for every two prisoners serving a minimum sentence of 6 months, the cost is about \$15,000: that is \$10,000 for the first 6 month term; once released, statistically one of them will re-offend and be sentence back to prison if it is for a further 6 month this is an additional \$5000. Once these numbers

are scaled up proportionally one can see that these costs can escalate significantly even for small prisons such as in Ba. Chief Police Prosecutor in Ba Inspector Toduadua stated that in Christmas of 2005 there were more than 30 prisoners in Ba prison and yet in the Christmas period of 2007 there were only 6. A saving of \$720 a day to the government.

Of course these numbers are not realistic and considerably more complex than have been presented here. The \$30 a day has fixed costs such as the number of prison officer staff which does not fluctuate up and down with the prison population. Variable costs that are dependent on the inmate population are a proportion of of this \$30 per day.

Furthermore, an in depth statistical quantitative analysis is not possible to easily ascertain for instance average sentence lengths for those that re-offend after different lengths of imprisonment. This kind of information would be required in order to accurately ascertain the costs associated with any programme (be it containment or rehabilitation).

9.1.1.2: Triple Bottom Line

Rightly or wrongly, many government initiatives are directed on the sole basis of the financial bottom line. Of course if there is no government money then no amount of wishful thinking can put projects such as effective rehabilitation projects into policy. Therefore programmes must necessarily be justified on financial grounds.

If a rehabilitation programme can be shown to be more effective than a straight forward containment ethos, then this provides strong financial evidence to implement the rehabilitation programme. However, what happens when an analysis reveals that neither alternative is more cost effective than the other?

A purely financial argument to justify the implementation of a rehabilitation programme misses out on at least two other critical components: the cost to the environment and the cost to society. For instance, a recidivist who has started a young family, returns to prison for extended periods of time. The mother, to all intents and purposes, is now a single mother trying to bring up her children with no father figure. One of the biggest predictors for future criminal activity, particularly for young men, is a broken family or an absence of a suitable role model.

Trying to calculate these apparently hidden costs has always thought to be too hard and enters in the realm of educated guesses rather than the 'real' figures that straight forward financial analyses provide. Fortunately though there are emerging tools to perhaps start to calculate these hidden costs and the whole enterprise is called Triple Balance Scorecard, or Triple Bottom Line or 3BL (Elkington, 1999). For the most part 3BL is employed in the realm of social corporate responsibility. Petroleum companies who only consider their current financial bottom line, have (conveniently) ignored factoring in the environmental costs (when they extract the oil and when consumers burn it, contributing to climate warming), or indeed the social costs (think of the political turmoil currently occurring in the Middle East which many commentators believe is ultimately about 'western' countries guaranteed access to cheap energy) (Tamminen, 2008). Whilst some doubt the usefulness of this concept with some legitimate arguments (Norman & MacDonald, 2004), there can be no doubt that 3BL highlights areas that are of concern beyond straight forward finances.

A triple bottom line analysis is a useful start to try and measure costs beyond what can be counted in the dollars and cents on today's accounting ledgers. A 3BL analysis benefits because it may help to persuade policy maker that a rehabilitation programme is worth funding, particularly if the traditional cost benefit analysis shows neither programme to be better than the other. In addition, a 3BL analysis may also highlight the social and environmental issues extracted from the analysis.

I0: Recommendations & Possible Future Directions

The bulk of this report has focussed on what is currently happening (or not) with regard to the effectiveness of rehabilitation programmes delivered in Fiji. Whilst there are encouraging sets of data to suggest that rehabilitation is not just theoretically possible, but has been practically shown to work, it is also clear that there is much opportunity to improve. This section makes a list of suggestions as to what might occur as a logical progression from this research, in order to solidify the gains already made, and introduce them to the rest of Fiji. This list does not pretend to be exhaustive.

I0.1: Programme Recommendations

What is readily apparent from the four main programmes reviewed is that there has not been much emphasis on well constructed processes that guide the different programmes. What this means is that often the programmes are reliant on the personalities to drive the programme forward. Undoubtedly this is overall a good thing in the initial phases of any pilot programme because it brings personal dedication and commitment to ensure that they have the best opportunity to succeed. However, this may present a major obstacle that ultimately means the programme will not become sustainable. Effectively having a key champion personality to drive the programme through means that they are indispensable. Should they leave for whatever reason then the programme will likely come to a halt. If it is to be restarted again, the processes will have to be devised again.

Care should be taken that in this 'process-isation' does not take away the 'human face' that many of the clients and community members stated was a central feature and significantly contributed to the acceptance of the respective programmes by the communities. Normally processes that are in place are not to be slavishly followed with a robotic countenance, but are guidelines to ensure that best practices are followed at all times. Processes are not infallible and cannot cater for every single individual case, so there still needs to be a flexible approach that allows for '*good common sense*' to prevail when it is clearly more applicable. However, the current situation without clearly articulated processes in place is not a sustainable long term solution and should be rectified as soon as possible.

I0.1.1: Ba community corrections recommendations

It is understood that Magistrate has been appointed who has indicated that he is supportive of the community corrections initiative. The Magistrate should be given as much support to continue to build on the original 'pilot' work and take it to the next level of being a solid process.

The second recommendation with regard to Community Corrections is to acknowledge that statutory responsibility for Community Corrections lies with the Department of Social Welfare (DSW), see section 9.9.

The third recommendation is that there probably should be a greater emphasis on follow on programmes after the community corrections. In other words it is not enough to merely keep first time offenders out of prison, but there must be a recognition of trying to assess the cause of the behaviour that sent the offender to be sentenced in the first place. To expect that young men, many with broken homes or little social support, to figure out how to live outside of crime with no support, is unrealistic. In this regard the Probation Work order provides more latitude to provide training components which would be carried out during an offenders sentence. In addition, if they complete the probation order satisfactorily, their criminal record is wiped clean. The Ba Pilot had many more Community Corrections orders given as sentences but this was done in part because there was an acknowledgement by Magistrate Salote Kaimacuata that there were not enough

governmental or community resources to provide adequate training opportunities. In short, probation orders with remedial training opportunities is preferable to a community work order. A Community Corrections Work order is still preferable to a prison sentence for first time and minor offenders.

Community corrections is still a conviction and the offender should still come under a case management system which would include planning not only the kind of work they should carry out that best suits their needs, but also includes an defined exit point when they're released from the order.

10.1.2: Pacific Counselling & Social Services recommendations

A number of recommendations came out of the consultations with PC&SS. The first of which is to provide more ongoing training for the counsellors. Although counsellors were trained to an acceptable standard for the programme that they are undertaking, there was a feeling from the counsellors that they needed further on-going training, particularly for existing and future clients with significant complex issues. Some of the counsellors felt that they had not been adequately exposed to different counselling contexts.

Secondly the content of the programme that they currently offer the whole group for the nine month duration, might need to be revised and looked at. Although it was clear from the comments of the Programme's clients that the course contents provided remembered lessons, particularly through the use of vivid imagery (such as the *Addiction Tree*), there remains a feeling that the Programme itself needs to be considered now that it has run for over a year. However, currently this cannot be done because of the work schedule of the Programme. In reality this is probably an area in which a qualified technical expert needs to be assigned to work with PC&SS to revise and update the programme. One area in particular could do with revision is the use of the graphics presented in the notes and slides used. 'Stick men' were used in conjunction with very simple vector graphics (circles and squares).

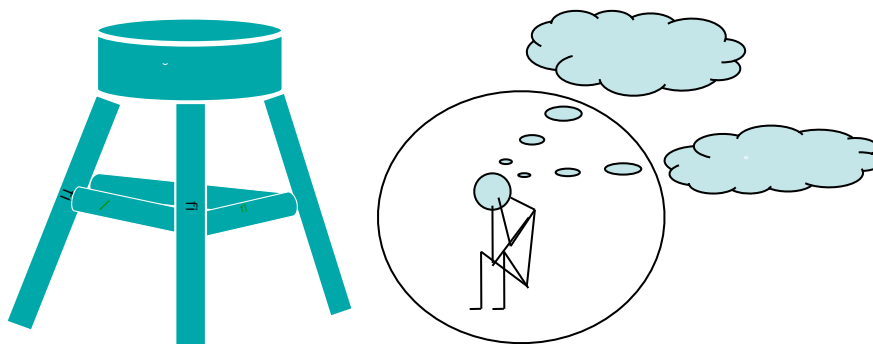


Figure 2: Relatively simply diagrams used to illustrate modules. This stool comes from the module on 'Forgiveness'. The stick man comes from a module on internal pain felt by the client.

Local artists (which could even be inmates) could be employed to make more engaging and contextually relevant graphics, given that there was an acknowledgement that the Programme's clientele were more engaged with images rather than text. AFCJP has in fact bought a cognitive behavioural programme from James McGuire of Liverpool University, for PC&SS to use in their prison programme. Currently the prison team is trying to incorporate this material into a viable contextualised manner to deploy for next year's programme.

Thirdly, it seemed very obvious that the follow up visits for clients of the Programme is an integral component of keeping the client connected to the aims of the Programme (essentially keeping them from re-offending). Provision for follow up visitations should be made a core component of the Programme and not a 'desired-but-perhaps-not-necessary' component.

Fourthly, like the Ba Community Corrections Programme, there appears to be a need to engage in more thinking about income generation projects for when clients actually leave their prison programme. This recommendation is **not** suggesting that PC&SS become specialised in creating and running income generating projects, as there is already an organisation doing this covered in the next section (see also 9.5 & 9.5.1). The most efficient way to incorporate an income generating component into the programme is to work closely with this organisation. At the very least they could share information to affect a better joint case management system.

10.1.3: FRIEND REAL Recommendations

A number of recommendations immediately suggest themselves for the FRIEND REAL programme, however, this is contingent on its continuation. As suggested in section 9.5.1 there is currently some thinking within the senior management of FRIEND as to if and how their REAL programme might continue in the future. The following suggestions are made on the assumption that it will continue.

The first is that the Programme staff need to be time-tabled in a way to avoid work 'burnout'. Six working days a week with long hours particularly for the follow up visits is a recipe otherwise for staff to become severely burnt out. Facilitators will either start to fall sick quite often, or they will not do their job adequately, or they will simply leave the organisation. If nothing else an immediate suggestion is to provide time off *in lieu* for when the Programme staff have to work overtime in order to complete their follow up visits.

The second recommendation is to support and enhance the income generation component of their programme. One concrete suggestion is to garner support from entrepreneurs and business people with 'street smarts' to help devise these programmes. What licenses do they need, and how do they get them, even down to which forms they pick up? How does one devise and allocate simple budgets ('profit' is not the money that is pressed into your hand after a transaction if the capital costs are not included too)? How does one make connections in the business communities and how can one set up a business that does not allow oneself to be taken advantage of? How does one apply for a job, dress appropriately for the interview and possibly write up and have typed up a *curriculum vitae*? These are the very real business skills that the Programme's clients require in order to set up a successful and viable micro-enterprise, or apply successfully for a job. This contrasts with a business programme with a strong academic treatment that tends to deal in intellectual ideals rather than the practicalities of setting up and doing business or being employed in a business.

Other stake-holders may also provide additional entrepreneurial skill sets such as the *National Centre for Small and Micro-Enterprise Development* (NCSMED), or various Ministries such as Agriculture, Forestry & Fisheries, or the Ministry of Youth & Sport, all of whom have had expertise in delivering at least some micro-enterprise skills. This is the approach that the Labasa *case management team* employed by bringing in the Ministry of Agriculture and the Ministry of Youth & Sports as partners in the rehabilitation process with the specific aim of income generation.

Related to this point is a recognition that income generating action plans need to have a focus on almost immediate income generation. A plan that involves waiting for several months before the first income comes in (such as planting a root crop that takes 7 months to harvest), is inadequate without a plan that discusses how the client is going to survive from the time between sowing and selling produce. Discussions with the Labasa *case management team* could prove very fruitful here, as this is what the Labasa team has managed to hone in on.

A third recommendation is to provide facilitators with a very basic counselling skills programme (probably a two day intensive programme). This is **not** to turn them into counsellors, but rather to give them enough tools to know when they are moving into arenas in which counselling is more appropriate so that they can make adequate referrals.

One of the areas where there appeared to be some consternation for FRIEND's management, was in the selection of inmates to be clients of the programme. A clearer understanding between FRIEND and Labasa prison management staff could help sort this problem out. The very first suggestion of which is that participation in the programme should be voluntary even if one does fit the ideal profile to be a participant of their programme. There also needs to be a recognition that the inclusion criteria should be seen as guidelines with individual cases maybe being jointly discussed. Perhaps a forum for such discussions might take place in joint case management meetings such as those starting to take place between PC&SS and Lautoka Prison.

FRIEND REAL facilitators and the programme manager said that many of their clients who come mostly from the Nadroga district, were mostly imprisoned for marijuana related offences, mostly cultivation and distribution. Whilst it is clear that these clients are breaking the law, it is not clear that the FRIEND REAL programme can have any lasting impact on their behaviour because the economic disparity between growing legal and illegal produce is so large. Whilst FRIEND REAL's resources are small and their potential client base is large, it may be better for the programme to focus on potential clients who would gain the most from the programme.

FRIEND senior management may need to revisit their policies on providing a nurturing and supportive environment in which the REAL facilitators work in order to maintain their morale and retain them in the programme. Management may need to work with staff to help re-orientate themselves in terms of at least internally offering a stronger support structure that acknowledges that 'on the ground' facilitators are placed in difficult situations in which there is no clear directive as to what to do; for instance when clients ask for help 'outside of normal office hours' or outside the context of the REAL programme.

FRIEND REAL should also explicate a formal exit strategy when clients no longer remain on their programme and have considered to be not at risk and fully rehabilitated.

Finally, as mentioned in the PC&SS section (10.1.2), if FRIEND REAL remains a viable programme, they should engage in more active collaboration between themselves and the PC&SS prison programme (see sections 9.5 and 9.5.1).

10.1.4: Labasa 'Case Management' Programme Recommendations

The first recommendation would be to go about bringing in expertise to help them set up a more traditionally accepted prison case management programme. One would hope that this would be a directive of FP&CS in general and who might use the Labasa project as a springboard to develop a more fully fledged case management system. In the absence of any suitable direction from FP&CS headquarters there should be no reason why Labasa Prison could not apply themselves to and forge ahead in bringing about a more complete version²³.

The second recommendation is that adequate resources should be provided to conduct their programme properly. Currently (and correctly in my opinion) they have coped with the lack of resources by limiting the number of inmates that they can accept into their programme. Specifically they have no computer and printer to type up the specific cases of their clients; they have no photocopier to share the information with the rest of the *case management team* when they meet; there is no secure filing cabinet to keep the relevant files of the clients from the programme stored securely. There is no significant fuel budget to do appropriate pre-, release, and post-release

23. A small (i.e. not mission critical) recommendation would be to re-title their current programme as a 'post release income generating programme', or something that does not present itself to be a more traditionally accepted version of what is considered a 'case management' programme, even if there are elements within their current programme that appear to be part of a more traditional case management system. In particular Labasa staff need to recognise that they are providing (an albeit excellent) programme but as a case management team there should be a greater focus on being a 'broker' of effectively matching good programmes to the needs of the inmate.

monitoring follow up visits, particularly to the more remote areas of Vanua Levu (transport vehicles is apparently not a problem); and there is no budget to purchase the necessary materials to do a traditional 'soro' or formal apology to the community such as a *sevusevu* and possibly purchasing a *tabua* if the inmates crime was severe enough²⁴.

Labasa prison needs to recognise that they are in a vulnerable position if they are relying on the particular expertise of one prison officer who appears indispensable to the effective running of the programme. The third recommendation is that FP&CS should take steps to bring about an education programme that can have other officers do his job should he leave (as in to go on leave, or to actually leave Labasa prison or even leave FP&CS itself). More importantly, they should do this in order to learn from Labasa prison.

Finally, the programme needs to consider a defined exit strategy when their released prisoners are no longer formally part of their programme.

10.2: Fiji Prisons & Correctional Services Recommendations

Despite the impressive recent change from a containment to a rehabilitation ethos, there remains an impression that there is no long term sustained planning behind the rehabilitation programmes. This has been recognised by FP&CS and who have helped to draw up the *terms of reference* for this evaluation report to help in planning a programme. The sheer scope of this task however, is too large to make categorical recommendations for FP&CS to implement in a 'tick box' fashion. If nothing else this research should show that effective rehabilitation programmes take months if not years to implement with constant monitoring of the progress on the way. The first recommendations therefore are on increasing the monitoring abilities of FP&CS in order to track the success of the rehabilitation programmes. The successive recommendations talk about actual the actual rehabilitation programmes. These recommendations follow on from section 9.6 in the Discussion section.

10.2.1: Effective Research Capabilities

There is no doubt that there are different ways in which a person who has offended, can be rehabilitated. In addition, the unique multi-cultural population in Fiji suggests that straight 'transplants' of rehabilitation programmes may or may not take root. FP&CS should have in-house expertise that has basic understanding of social research initiatives to construct, carry out and evaluate basic research questions such as 'does this rehabilitation programme work well?'. Outside expertise might be brought in for setting up more complex monitoring programmes and evaluation reports.

The value of good data is critical in order to be able to effectively monitor the deployment of the different rehabilitation programmes. To do this some expertise is required in terms of measuring the correct indices which can be easily extracted. This suggests a major review of the current gathering and compilation of data. It needs to be revised in a way that is easy to implement and then subsequently analyse.

A concrete suggestion is to move away from a spreadsheet format of recording and storing data and move towards having a competent database built which would include:

1. a clean 'client' interface where a person entering the data is easily guided in a consistent and reliable way;
2. data error correction, so that categorical data is input in a consistent way;
3. an easily configurable enquiry form that can answer reasonable analyses that the effective management of FP&CS currently requires (such as the daily movement

24. Although these traditional apologies have a focus on indigenous Fijian communities, which is probably correct because the vast majority of the crimes are still committed by indigenous Fijians, that is not to say that Indo-Fijian communities would not benefit from similar or even the same ceremonial apologies which require a formal tribute.

of prisoners in, between and out of the different prisons), but also with an emphasis on being able to easily calculate recidivism rates broken down by different profiles (e.g. demographics, rehabilitation programmes, geographical divisions);

4. a format that can be easily exported to perhaps be incorporated into future updated and integrated databases;
5. a secure ICT environment in which records are inaccessible to all but the relevant qualified personnel.

A database can be easily configured to output the data in a variety of different ways depending on which analysis is wanted. There are plenty of modern databases which are easy to implement and for which large sums of money do not need to be spent. An initial working database could be constructed fulfilling the above criteria by recent graduates of a USP doing a computer degree. However, the technical specifications need to be highly detailed for which FP&CS might require some technical expertise.

10.2.2: A well constructed case management system

Modern prisons in developed countries have implemented case management systems which try to service the needs of an inmate both within the prison and during the transition period when they leave prison and return to society. Its purpose is ultimately to reduce the likelihood of an inmate returning to prison.

In order for a case management programme to be minimally implemented the following key elements are required:

1. Expertise is required to interview properly (someone with social worker, or psychology training) who is versed in the ethno-cultural traditions of Fiji (such as speaking vernacular).
2. Appropriate assessment tools are required which are ethno-culturally appropriate that make accurate assessments as to the criminogenic factors that brought the inmate to commit a crime.
3. A vetted list of appropriate resources that can employed as viable programmes to suit the inmate's needs.
4. An appropriate set of processes and procedures that the case management programme would employ that guarantees the best possible sentence plan under the available resources.

10.2.3: Purchase & adaptation of assessment tools

Case management cannot proceed effectively if the risk, needs and responsivity of an inmate is not accurately assessed. This requires accurate assessment tools which current do not exist for the cultural context of Fiji. The best that one could do would be to acquire assessment tools that best fit the Fiji context and then adapt it. Three potential places might be useful in acquiring initial assessment tools, the first would be from New Zealand Department of Corrections which has extensive experience not only with Maori populations but also with Pacific Islander populations²⁵. The second would be for correction services in Australia where there are high concentrations of Pacific Islanders (mostly centred around Brisbane, Sydney and Melbourne). The third and final place would be in on the West Coast of America, particularly in Los Angeles and the Bay Area of San Francisco where there are significant Pacific Islander populations (mainly Tongan and Samoan).

10.2.4: Acquire or Develop Specialised Rehabilitation Programmes

FP&CS should acquire or develop more specialised rehabilitation programmes that attend to the needs of inmates particularly with a focus on how they ended up in prison. These would include:

- Anger Management

25. Please see: <http://www.corrections.govt.nz/research/risk-of-reconviction.html> for a risk based assessment tool and <http://www.corrections.govt.nz/research/cni.html>, for a needs based assessment suite of tools.

- Substance Abuse
- Problem solving
- Resisting Peer Pressure
- Sexual offending

There is no indication that there is enough expertise within FP&CS to develop, train and implement well constructed programmes. However, at least some of parts of these programmes can be offered with the technical help and expertise of prison programmes run by the NGOs FRIEND REAL, and PC&SS. They have, in my opinion, done an extraordinary job of adapting westernised components of generic life skills programme, restorative education and the underlying components of a basic counselling programme and placed this in the ethno-cultural context of Fiji. In other words FP&CS have much to gain from working with and learning from the facilitators of these respective programmes. They would be valuable partners in helping to devise appropriate programmes, or develop them.

Programmes and expertise outside the technical expertise of FRIEND REAL and PC&SS or other local stake-holder organisations should be sought from abroad but with a mind towards the cultural context of Fiji, and with a plan to subsequently adapt them (for instance a sexual offender programme).

10.2.5: Prison officers to take appropriate degrees in social sciences

Much of the above initiatives however, will not succeed unless there are prison officers who are capable of implementing case management systems, applying the appropriate assessment tools and helping to develop and possibly deliver relevant rehabilitation programmes that are needed by the inmate. FP&CS has two choices: they can either recruit appropriate personnel into the service, or they can train up existing prison officers. Most likely they need to do both. Certainly the certificate in counselling that USP was offering in the mid 1990s, or it's current equivalent is an excellent foundation from which to start. There is no forensic focus (or expertise) currently within USP to offer appropriate advanced degree programmes that cater specifically to forensic social work or forensic psychology. Nevertheless a basic psychology degree (or double major with sociology) would be better than nothing. Consultations with universities from Australia or New Zealand might yield appropriate courses or units that could be taken (perhaps in flexible delivery mode) that has a stronger forensic focus.

The main recommendation however, is that FP&CS must start to acquire appropriately trained prison officer staff to start to build their internal capacity to implement the points mentioned earlier.

10.2.6: Continued effort to achieve 'buy-in' from the community

The current initiatives are all, in this author's opinion, excellent and should continue. However, there is a danger that this may remain an uncoordinated avenue that takes a 'blunderbuss' approach²⁶. What is required then is a annual plan that can plan and co-ordinate the interaction with the community.

The Yellow Ribbon Project in Singapore appears to have been set up for the sole purpose of planning an overall co-ordinated approach in Singapore. Fiji's Yellow Ribbon Programme (YRP) appears to be an ideal format to also take on this role. As a well conceived programme that has made an initial transplant from Singapore to Fiji, it's focus is on helping the community to understand that it is ultimately the community that benefits from having successfully rehabilitated offenders return to the community.

26. A blunderbuss is a gun that fires everywhere and almost anywhere in the hope of hitting something

FP&CS might consider whether they might broaden their YRP Co-ordinating body to include others outside FP&CS staff as has been done in Singapore's YRP. The advantage is that FP&CS may have a greater penetration into the community rather than working on the personal contacts from within FP&CS staff alone. The disadvantage might be a loss of tight control over all of YRP, particularly when it is still so new and evolving. The compromise might be to work with community members who have demonstrated their capabilities of working constructively with FP&CS in the YRP of 2008.

10.2.7: Business House Consultation

Having an employment agency hosted by FP&CS appears on the surface to be a good thing but it remains to be seen whether this will ultimately turn out to be successful. An alternative approach is to consider joint talks with medium to large sized commercial businesses who have an emphasis on skilled labour. They could jointly devise a training programme that is specifically tailored to the commercial businesses. Inmates undergoing the training within prison could leave with training that is adapted to the commercial business who would employ them at reasonable rates for a minimum time period. Companies with skilled labour employees are apparently losing their best employees to migration abroad. Released inmates are unlikely to leave Fiji due to migration because of their criminal record, so the chances of retaining skilled staff is higher.

At least two commercial business have indicated they would like to engage in further talks if this were to become a reality.

10.2.8: Community Corrections Nation-wide

Fortunately, there is some local expertise as to how a Parole Board might eventuate because of the experience with the community corrections programme which uses the same underlying principles of having a person serving a sentence in the community. However what this does mean is that the community corrections initiative should be implemented nation-wide prior to trying to initiate the Parole Board, as this serves as the testing bed for potential hiccups in the system.

10.2.9: Parole Board Working Party Re-instigated

Under the AFLJSP's initiative there was to be a Parole Board initiated that would stem out from the community corrections programme. A working inter-agency party was to be set up that included representatives from FP&CS, DSW, Justice, Fijian Affairs and the Ministry of Youth. This initiative should be reactivated in order to start formulating regulations and policies as to how this might be initiated in the medium to long term. Particular care must be given to do this right and it undoubtedly requires overseas technical advice, however the advisors should be aware of the ethno-cultural environment so that they do not simply advise doing a straight forward transplant.

10.2.10: Oversight of Who Can Provide Rehabilitation Oversight

Currently FP&CS is at a disadvantage because they do not have the capacity or capability to vet outside organisations that wish to offer rehabilitation programmes. Whilst the intentions of any organisation may be considered honourable, the methods or processes by which they do may have to be questioned. Outside programmes should fit in with an overall FP&CS approach. In this evaluation, there was no clear instances of organisations that were clearly engaging in dubious practices under the guise of 'rehabilitation'. However, it remains a worry that there is no current capacity within FP&CS to make such an evaluation. Possibly the largest group of organisations that may consist of a potential unintended abuse, would be religious organisations who come to offer spiritual guidance and mentoring. The danger may be that such an organisation uses the opportunity in prison to 'convert' and 'win souls' rather than attend to the genuine needs of the offender. Another disingenuous scenario might be an NGO that offers a rehabilitation programme, but their main motive is actually to get official recognition from FP&CS as a way of strengthening a funding proposal from an aid agency. Their intention is to focus a successful grant application's money for another focus rather than a genuine rehabilitation programme.

The solution would be to set up an internal task force along with relevant outside expertise, to draw up guidelines as to what overall format or strategy or guiding principle, rehabilitation programmes might look like in order to be considered eligible for deployment in within the prisons or alternative sentence, or post release programme. Care would need to be taken that this body is not an authoritarian 'gatekeeper', but rather a facilitative body that tries to offer as many guidelines as possible for organisations that are keen to work with FP&CS. When resources are as tight as they are in Fiji, no-one, or no organisations should have to jump through unnecessary bureaucratic hoops.

For instance, religious organisations working with prisoners should be there in a general sense to offer basic advice or counselling, although they may of course couch this in the context of their particular religion. Having said that, some basic counselling concepts should still apply such as:

- The capacity to listen objectively without overlaying their own personal judgements, and to demonstrate to the offender that they have done so.
- To be considerate of offering advice that is beyond their professional capabilities to do so.
- To always respect client confidentiality.

The task force that FP&CS should set up, might consider issues such as these as part of a minimum qualification that would entitle the organisation to offer their programmes. In the case above, religious organisations might be required to demonstrate that any of their counsellors working with offenders, have demonstrated to a satisfactory degree that they have indeed undergone such training.

10.3: Recommendations for Other Groups

10.3.1: The Department of Social Welfare

This review has not tried to in any way make any in depth analysis of the Department of Social Welfare (DSW). However, with community corrections being a core mandate of their statutory responsibilities it makes no sense to not have a comprehensive review of DSW. Since the last full review almost a decade ago, Fiji has undergone significant political upheavals in 2000 (attempted coup, and military mutiny) and 2006 (military take over of the acknowledged government of the day). This is quite aside from the fact that Fiji is still going through a rapid transition from traditional to modernity (Taylor, 2005). In other words the needs of Fiji's society and the role that DSW can play to fulfil some of those roles, is likely to be significantly different from 10 years ago.

If community work orders and probation orders are to be effective nation wide, DSW must be working efficiently and effectively. Whilst the success of Ba Community Corrections Pilot can be attributed to the dedication and commitment of a few dedicated individuals, this cannot be expected as a long term solution. A review of DSW must (amongst other aspects) concentrate on the internal capacity to construct and deliver good processes that contain the best of the current processes in play in Ba but make them easy to implement nation wide and on a consistent and reliable basis.

10.3.2: Fijian Affairs Involvement

Despite the a significant majority of crimes being committed are by indigenous Fijians, the Fijian Affairs Board is noticeable by it's absence in any serious discussions on reducing crime or reducing the re-offending rate. And yet this evaluation has highlighted the value of traditional indigenous ethno-cultural mechanisms as being a key component in the effective acceptance of released offenders back into their community.

Every effort should therefore be made to formally include the Fijian Affairs Board as a key stakeholder organisation in future rehabilitation programmes, particularly for the largest section of inmates which are the indigenous Fijian young men.

10.3.3: Acknowledging Women's Involvement

By no means least, women's roles in the rehabilitation process should be more explicitly acknowledged. This may not be so much to bring about a formal inclusion into rehabilitation programmes (although that could and should be explored) but at a bare minimum to not bring about policies or programmes that undermine the 'hidden' negotiations and support structures that women bring to enable rehabilitation programmes to be effective.

10.3.4: Commitment to an inter-agency approach

There should be a renewed commitment to government stake-holder organisations that emphasises an inter-agency approach as had started to happen under the AFLJSP's *Strategic Leadership Group* (SLG). The synergistic effects of agencies co-operating together in some of the reviewed programmes of this evaluation appears to be greater than the sum of their actions when acting alone.

10.3.5: Consideration of a single corrections entity

As a follow onto the above recommendation, the first task of such a group might be to consider whether all offenders should come under a single corrections entity with corresponding changes in legislation to streamline processes and prevent duplication of effort of different Ministries having different statutory responsibilities but all are nevertheless concerned with the issue of effective rehabilitation.

I I: Summary & Concluding Observations

The change from overall containment, to one of corrections for prisoners in Fiji has been shown to be viable in at least three endeavours in the western side of Viti Levu and once in the Northern Division, in significantly reducing the recidivism rate. All of them have received partial through to substantial funding from the *Australia Fiji Community Justice Programme* or the precursor to this the *Australia Fiji Law & Justice Sector Programme*.

As was stated in the beginning it is clear that Fiji has many strengths, perhaps unacknowledged, principally in the strength of the community and traditional ethno-cultural structures ('*social capital*'), which appears to make community based rehabilitation programmes viable. However, this is a shrinking window of opportunity. Clearly in the case of the *Ba Community Corrections Pilot Programme*, the *PC&SS prison programme*, the *FRIEND REAL* programme, and the *Labasa Case Management Programme*, this window is still wide open.

The Ba Community Corrections Pilot Programme, has provided a viable model from which to base future alternative sentencing programmes and initiatives. The key issue is to develop adequate and robust processes to ensure that best practices are employed.

Labasa Case Management Programme, PC&SS and FRIEND REAL have also provided potential models on which to provide rehabilitation models for existing inmates. Despite logistical and perhaps even organisational difficulties in running these programmes, the facilitators of all the programmes appear to be on a new *edge* with respect to providing contextually relevant support for their clients. They are actively trying to blend principles of so called 'westernised' counselling and restorative education, to that of Fiji contexts.

I I.1: A Possible Future for Fiji Prisons & Corrections Service

Fiji has the capacity to be a regional if not international leader in corrections services. This is possible because of two main factors. The first is that (as yet) there is no organised crime syndicates, or none with enough influence to make a someone wanting to leave a criminal lifestyle very difficult. The second is that the *social capital* or traditional sense of community and ethno-cultural practices are not just a philosophical wish, but a reality which appears to be a highly effective component in reducing crime rates. Despite this window of opportunity shrinking as the march of modernisation continues, it is clear that it has not completely closed. Despite Fiji's relative lack of financial and technical expertise, Fiji's strong *social capital* retains a distinct advantage to other more 'developed' countries, to implement successful rehabilitation programmes.

An alternative sentencing structure is already allowed in the existing legislation and there has been a demonstrable pilot that shows that these alternative sentencing structures do in fact 'work'. Financial, resource and technical investment to support a greater reliance on community based sentencing structure could substantially reduce the current prison population. Existing resources could be reallocated to give the remaining inmates superior care whilst incarcerated.

A reduction in prison numbers could justify the reduction of the number of prisons in Fiji. However, this would only make sense if the resulting remaining prisons were considerably improved in terms of infra-structure, security (containment) and basic living needs that adequately fulfils OHS requirements.

Prison officers could be trained not simply as 'active patrol dogs', but may concentrate more on providing an appropriate environment in which to maximise rehabilitation efforts, for instance by taking a very basic course in counselling. This is NOT to say that they become trained counsellors themselves but rather that they could learn to listen effectively without necessarily passing on personal judgements; they might also know when to highlight issues or concerns to an appropriate referral body.

FP&CS could have a competent *case management system*, which is activated right from the time that the new inmate is received in prison. This would fulfil the current legislative requirements not only in function but also in spirit. That is to start planning for the prisoner's needs both during prison and at his or her eventual release. Specialised forensic courses may occur during the prison sentence. Planning and training for their eventual release occurs to enable prisoners to reintegrate smoothly back into the community.

FP&CS would continue the trend started in 2008 as being perceived as an active part of the community. FP&CS may also be visible to the community particularly in doing outreach programmes that helps the community to understand and appreciate what the role of FP&CS is and hopefully be more sympathetic to released inmates in giving them a second chance, rather than automatically stigmatising them. One way to organise such events in a co-ordinated way would be to continue to run the *Yellow Ribbon Programme* on an annual basis. Additional methods might be to have Fiji Prison's rehabilitation programme have recurring meetings with relevant commercial and industry bodies to see what their employee training needs are, so that prisoners maybe offered appropriate training that enables them to virtually be guaranteed a paid job when they leave.

FP&CS would have an active research department which actively monitors all it's programmes and can recommend appropriate modifications or adaptations to programmes in the light of well timed evaluations of the monitored research data.

11.2: ... a ticking clock!

Based on the research carried out in this report, the scenarios mentioned above are not, in the opinion of this author, realms of fantasy but absolutely achievable goals.

However, there is a sense of urgency which is an almost palpable ticking clock that is winding down the point where these goals will no longer remain realistically achievable. Firstly, Fiji's *social capital* is in danger of being eroded because of the transition to a globalised culture. Secondly, Fiji is unlikely to remain immune from organised crime unless it remains too poor for it's citizens to be an attractive business opportunity. So whilst Fiji is desperately trying to accelerate it's development into becoming a developed country, it is also exposing itself to the very real possibility of organised crime cartels entering into Fiji specifically as a business opportunity within Fiji if it succeeds.

The task remains to find the right personnel who can continue the current developments and implement these future social objectives before this clock ticks past this point of no return.

I2: Summary Diagram

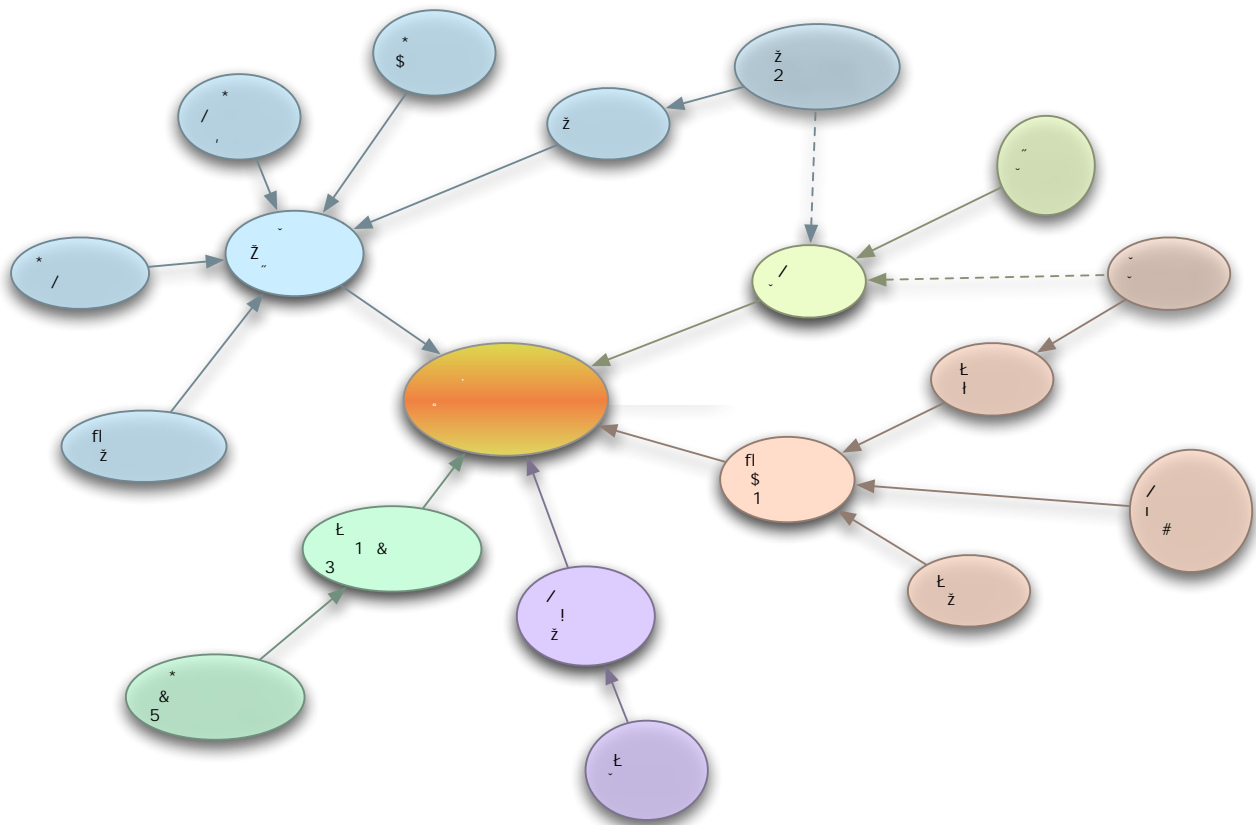


Figure 3: Summary of the main findings of this evaluation report.

I3: Acknowledgements

First and foremost to all the respondents who graciously allowed themselves to be interviewed. Fiji Prisons and Correction Service staff especially the senior management from the Commissioner downwards have facilitated free access to all aspects of operations of the service including access to staff that had to be pulled from their normal roster of duties in order to help. The staff employed at the *Australia Fiji Community Justice Programme* particularly those during the period between May-November of 2008 who welcomed a relative outsider and were so free with their support and advice to make this evaluation so valuable.

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