

Finding Causes for Increasing Offenders in Fiji Prisons

Oceanik Psi Ltd.¹



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I: Executive Summary

1. It was not possible to gauge whether there is a 'genuine' increase in robbery and robbery related cases in the general community from this research.
2. Prison offenders who conducted robbery & related offences seemed most times to have the break up of their family as a young child as a distal factor leading to a life of crime. This was particularly striking by the absence of a father figure, or positive father figure role model.
3. Although lack of financial resources was a contributing more immediate cause of offending it seemed that this did not seem to be as big a contributor as other more immediate causes such as peer pressure, and traditional ethno-cultural obligations (perceived or real).
4. Many times, it seemed that respondents who had committed robbery cases, simply wanted enough money to buy food or drink for general consumption by their friends.
5. This research found no strong evidence to suggest the research respondents were involved in organised crime.
6. The inferred explanation as to why there is an 80% increase in sexual offence reporting is that this is due to a higher reporting and prosecuting rate that occurred previously, rather than a 'real' increase.
7. An analysis done on prisoners involved in sexual offences had more diffuse themes. However, prevalent amongst these were:
 - a. Young sexual offenders do not seem to fit 'classic' Anglo-European sex offender (rape) profiles which includes power and domination as a central theme. There appears to be considerable concern as to whether the offenders were correctly charged.
 - b. There appears to be an increase in older sexual offenders. This is most likely due to an increase in reporting due to the change of society, rather than a 'real' increase.
8. The respondents in this research, frequently mentioned poor processes in play both in the police that apprehended them, and in the judiciary that tried and sentenced them.
9. Specific recommendations come from 'principles' that are established both in the existing forensic literature, and from the results and interpretations of this research. These include:
 - a. an emphasis on crime prevention
 - b. the use of alternative sentencing and disposals
 - c. stronger adoption of rehabilitation programmes in prison
 - d. a much stronger emphasis on community disposals and support for them discharging this duty.
 - e. The strong emphasis on effective monitoring of the programme.
 - f. The establishment of an independent 'process' auditing team to give quality assurances that prison facilities in Fiji are effectively doing what they set out to do.
 - g. To conduct a *triple bottom line* analysis on current prison spending.
10. There are numerous detailed appendices that outline the methodology of the research and the background literature that helps support the recommendations presented.
11. Oceanik Psi contends that there is a genuine window of opportunity to 'get it right', however this window is shrinking, so the impetus should be to apply the reforms as soon as possible.

2: Acknowledgements

Oceanik Psi and associates could not have conducted this research without the very real help and contributions from relevant stake-holders consulted during the research.

From Fiji Prisons, we wish to acknowledge, Commissioner of Prisons, Supervisor of Prisons Lino Matakiloto, OC Oliver Fisher, Chief of Operations Waisake Qoli, Chief of Administration Jovesa Vatuwaliwali. The assistance provided made it as easy as it was possible to conduct the research in a way that ensured the information had as much validity as possible. The willingness to engage in this kind of research shows commitment to deeper understanding of the issues and ultimately to institutional change.

To the Fiji Prison officer staff with whom we interacted directly and who are 'at the coal face' with the inmates. It seems to us that these civil servants go well beyond the call of duty in professional execution of your difficult and demanding jobs.

To the staff at the Australia Fiji Law & Justice Sector Programme who totally supported this line of research and provided valued technical support, but perhaps more importantly have genuine commitment to this project and how it fits in with the rest of the programme.

Bruce Southwick of ZoomFiji Ltd. for providing inspired photography.

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From Youth Community Groups: Participants from Nadera, Kinoya, Makoi & Raiwai. We promised your anonymity but we acknowledge your valued contributions to this research which made a significant impact on how we conducted analysed and interpreted this research.

And lastly to each of the prisoners whom we interviewed for the project. We appreciate the courage to talk about your case histories and share with us your personal lives. We hope this report has earned your trust and will make a genuine difference.

3: Forward

As a precursor to the actual results of this report, we would like to make a definitive statement up front that Fiji is in many ways an exciting opportunity to 'get it right'. Fiji differs currently from many places in terms of the offenders and offences committed. As a developing country but without developed natural resources, and not being on a major supply route to 'richer' nations; Fiji does not suffer from an organised criminal element that might have a vested interest in promoting criminal activity. The largest 'drug' problem is marijuana which does not equate to the societal problems of 'ice' or 'crack' (say) being pushed on the school populations of developed nations. Although traditional ethnic culture is changing in the process of modernisation, it is still strong enough that a sense of community can occur even when people from different provinces live together in a suburb of a major city. Our research suggests that although there are individuals with what one might term a 'criminal mindset', we believe that many 'ordinary boys' are brought to a life of crime by external factors. If these were correctly identified, we feel that these 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. In this sense, Fiji's relative poverty and its geographical isolation are currently a protective factor.

However, this cannot and should not be taken as a guarantee in perpetuity. For instance, unsubstantiated anecdotal evidence suggests that more recreational drugs of a more serious physiological addictive nature are being used in Fiji; albeit only by the disposable income professional jobs that surround the tourism industry in the west of Viti Levu. The decreasing costs of travel, means that Fiji cannot be considered to be as geographically isolated as it once was. A joint police operation between the Fiji Australian and New Zealand forces in 2004, found the largest meth-amphetamine ('ice') processing laboratory to that date in the southern hemisphere, with a street value of €44 million; shows that Fiji is no longer immune to attention international crime syndicates. There can be no doubt however, that with a large younger age cohort profile for Fiji, and considerably more youths leaving school with aspirations to live a western lifestyle that cannot find jobs, that this cannot bode well for the medium and long term societal well being.

With an emphasis on rehabilitation and on reform in the whole of the justice and law sector, we feel that our research adds to the evidence that there are still currently strong potential protective factors that could significantly reduce the prison population and reduce the rates of recidivism because of Fiji's situation.

However, there is an imperative to 'act now' to 'get it right' as these factors are not permanent. This 'window of opportunity' is shrinking, and a delay in embracing innovative reform practices increases the chances that the homogenising effects of 'globalisation' will mean that the unemployed youths of Suva face the same bleak outlook as their counterparts in the previously mentioned cities of Washington DC or Mexico City.

3.1: Report Overview

To orientate the reader, the report has been formatted to get a quickly to the results and recommendations of the report.

The key results and interpretations are presented in the next section (4). The underlying ethos behind future steps are presented as *Recommending Principles* (section 5), which forms the basis for the actual immediate and intermediate recommendations that follow (section 6).

More complete details, methods and results are referred to in one of the eight appendices. The first three describe the method used to gather the data. Appendix IV presents an overview of the '*What Works*' literature, which forms the theoretical underpinning of many of the recommending principles proposed in section 5. Strictly not part of the original remit, but this research did also conduct a focus group interview with the prison officers that work directly with the prisoners. These important results do not easily sit in the main body of the report; they are however presented in Appendix VII. There are a number of other *recommendations* that also do not fit easily into the main body of the report but are concerned with making an impact on the criminal justice system and society on the whole. They are presented in Appendix VIII.

4: Introduction

A statistical analysis by David Evans, a member of the Australia Fiji Law and Justice Sector Reform programme (AFLJSP) revealed the numbers of offenders being received into the Fiji Prison Service has increased by over 20% overall.

Some of the increases were larger for some offences than for others.

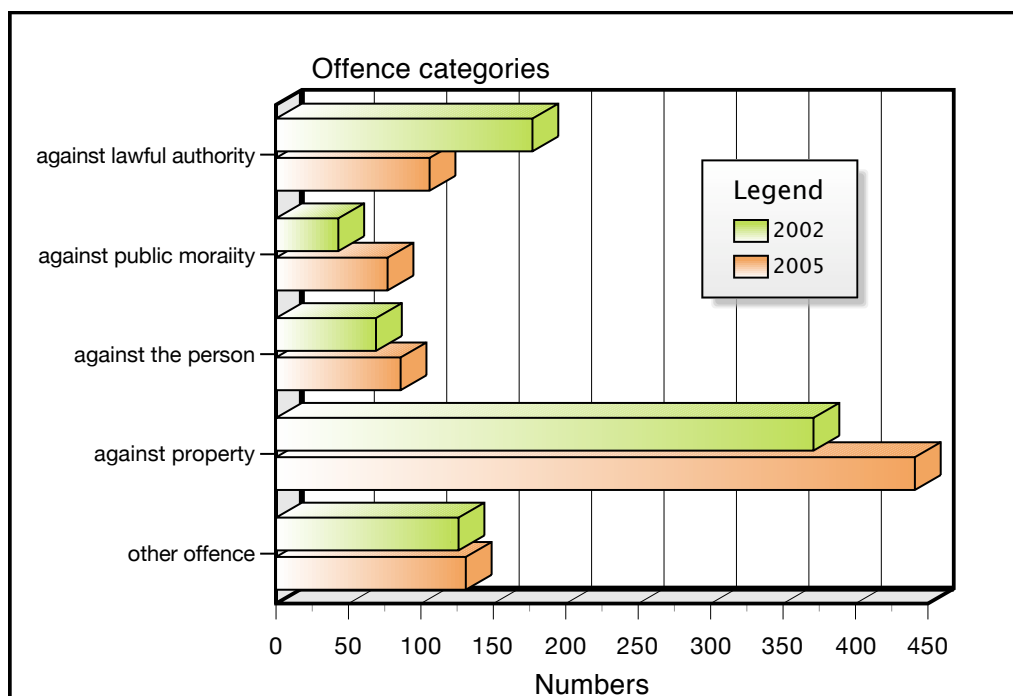


Chart 1: Differences between 2002 & 2005 in Prisoner Offences

This chart shows an overview of the changes in offences committed by offenders. The Two significant changes to note are 'Against Public Morality' which means rape or indecent assault; this is an 80% increase in three years. "Against property" which translates into robbery either from people, institutions, or homes, whilst not as dramatic in percentage terms (19%), is nevertheless dramatic because it dwarfs the other offences - it accounts for 52% of the inmates .

However, what is not clear is what is driving this increase. Evans offers a number of different scenarios other than 'real' increases in the crimes occurring in the community. They are:

1. Increase in Police efficiency
2. Changes to sentencing practices
3. Demographic changes

The purpose of this document is to try and flesh out in a qualitative manner what the probable reasons are that may explain these increases. This information is required in order to make effective recommendations as to what programmes need to be implemented both within the prison system and beyond in the community.

This report cannot be considered as a free standing report without understanding the descriptive statistical report by Evans.

4.1: Aims of this Report

The research was initially conducted to answer three principle questions:

1. Why are there so many youth coming into prisons (& why have they not been seen in the formal process prior to their entry)?
2. Why are indigenous Fijians over represented in offending?
3. What is driving the significant increase in sex offences?

The focus would be on crimes against property because of the disproportionate numbers, and in crimes against public morality, specifically rape cases, because of the large relative increase in numbers. In addition there were secondary questions posed:

- How is information gathered for the Prison service
- Are there any ethnic profile differences in prison offenders.

It was proposed that one way of accessing this information was to conduct in depth interviews with a number of prisoners from a target profile of Fijian male youths who were in prison for either robbery (and related cases) or rape, because these are two areas that appear to be of particular concern, either as a relative increase, or because of the absolute numbers of offences.

In addition focus groups would be conducted from three Suva suburbs from which young prisoners often come from, Kinoya, Tovata and Nadera. Discussions would also take place with relevant stake-holders concerned with the prison population.

Strictly speaking, this research cannot answer these questions directly. To establish firm relationships between possible causes and subsequent prison sentencing, would require a longitudinal study (conducted over time) with a stratified nation wide sample or something like 1,500 families that fit the most modern census data in order to provide correlations that have a margin of error of about $\pm 3\%$, using questionnaire instruments in three different languages that have proven psychometric construct validity in Fiji's ethno-cultural context.

This still would not establish firm 'causal' relationships but given that considerable codes of ethics would be broken to conduct scientifically correct 'experiments', this would be as far as it could go. The expense to conduct such a study would be 'considerable'.

This research on the other hand, provides initial *pointers* to possible causes. It does this by taking the principle views from two different angles within the community and a number of subsidiary views from other stake-holders within the community.

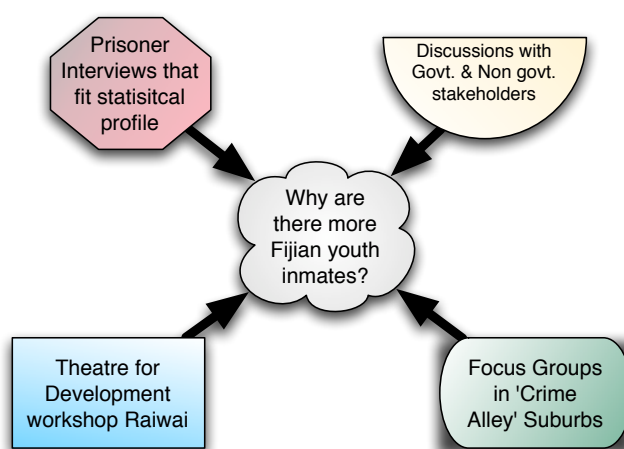


Figure 1: Convergant views contributing to the understanding of the research questions.

5: Results

Very briefly, what follows is the result of three different types of data gathering processes. Detailed descriptions about how each was conducted is presented in the relevant appendices.

1. A semi-structured interview with prisoners (Appendix I & VI).
2. Focus groups: with youths in areas of high crime & with prison officer staff (Appendix II).
3. A workshop in a high crime rate area which used *Theatre for Development* techniques to learn of issues confronting youths and possible causes to crime from the community in a non-threatening way (Appendix III).

5.1: Distal vs. Proximate Causes

There needs to be a distinction between what has been described in psychology as '*distal vs. proximate*' causes for behaviour. '*Distal*' causes are those that can be thought of as the a 'foundation' for causing behaviour. In other words they are often at a 'deep' level and can be thought of as probably occurring a way back in the development of a respondent's life. '*Proximate*' causes are normally triggers that occur close to the offence in time and/or location. One might think of '*proximate*' causes not being enough for someone to commit an offence unless they had a '*distal*' cause earlier.

5.2: The Prisoner Interview Process

For a more detailed description of how the interview process was conducted please see Appendix I. None of the respondents stopped the interview prematurely. None of the respondents, bar one, refused to answer a question. The single respondent did not refuse but asked us whether our questioning was not becoming too personal and he started to state that he felt uncomfortable answering this line of questioning. We immediately told him that it was his right to refuse to answer the question. We explained in more detail why we were going down this line of questioning, and he seemed satisfied enough to give us permission to continue.

For many prisoners, it seems that they had never really spoken about their lives from this particular perspective before. In particular they had never really been asked to reflect on their life's development and during the process of the interviews, it was clear that for many it had started a whole line of thinking about their situation that they had not considered before. Many respondents told one of us (the seconded Prison Officer liaison) as they were being escorted back to prison from the interview location, that they felt a significant sense of 'relief', or it was as if a 'weight has been lifted off my shoulders'.

We took this to mean that the care and detail that we took in setting up the right environment to conduct the interviews was in fact successful. The procedures that we took are outlined in Appendix I.

5.3: Prisoner Interview Results

21 interviews were conducted. 14 were in prison for robbery related cases. The remaining 7 were in prison for rape cases. Of these 19 were indigenous Fijian and three were Indo-Fijian. The break down is shown in the following table.

	Robbery	Rape
Indigenous Fijian	12	6
Indo Fijian	2	1
Total	14	7

Table 1: Prisoner ethnic & offense profile breakdown.

5.3.1: Family Breakdown

By far the biggest issue repeated by virtually every respondent was the break down, or at least significant disruption of the family unit. Most especially the absence of the father.

Family breakdown and absence of a positive father figure should be considered a *distal* cause of an offence. However, one must caution that the chain of causal events is not easily understood. In the forensic literature, the break down of the family is not a strong predictor of future criminal offences. One of the ways that this might be explained is that the breakdown of the family means that what are termed 'protective' factors are not in play to counter more direct causal effects, such as peer pressure or economic poverty.

Fathers were absent because they worked abroad, or they separated, divorced, were sent to prison or died. Respondents were often brought up by other family members such as the grandparents, or uncles.

Respondents who were brought up by their grandparents generally thought that they were loved and appreciated. Most of the other respondents who were brought up by uncles, generally did not feel that they had a happy childhood. Particularly if the uncle had existing children, there appeared to be clear favouritism to his biological children and not to his nephew.

About half the respondents whose mother married again, had a good relationship with their step-father, other half did not.

5.3.2: Prisoners Committing Robbery

5.3.2.1: Peer Affiliation

It seemed that many respondents as a consequence, felt that they could achieve some sense of being appreciated and 'belonging' to a group from peers. Either those that they simply hang around with, or those that they end up with as homeless 'street kids'. However, the sense of just being 'part of the gang' seems very strong.



There were a number of respondents who stated that they operated robberies mostly alone, but that did not appear to suggest that their involvement with peer groups was any less than those who committed burglaries as part of a larger group.

5.3.2.2: 'Poverty' in funding social events

As a follow onto this, it appears as if much of the impetus to conduct crime is really to contribute to the 'gang', normally by bringing a quantities of yaqona², beer or food to the group. Questions are not deemed necessary from where a homeless unemployed youth acquires the money to purchase these items (if indeed they were purchased). None of the robbery respondents stated that they were involved in crime ring, or syndicate.

2. This is Fijian word for kava, the mild sedative effects from the pounded roots of the plant *Piper methysticum*.

5.3.2.3: Buying food, clothes and accommodation

The other 'need' to steal appears to be simply to buy food, clothing and occasional nights in a motel/hotel or other paying accommodation. Particularly for younger 'street kids' who therefore start off as pick pockets and 'snatch & grabbers' of women's bags, to be able to buy a few nights in a motel where they could get showered and have a decent nights sleep. The mind set of these youths though seems to be very much one of living from hand-to-mouth, day-to-day.

5.3.2.4: The role of the police in 'solving crime'

All the prisoners interviewed stated that they had been subjected to actual physical beatings (90%) or threatened violence (10%). The overriding theme that came out of the interviews was that police tended to use this as a method to extract a signed statement confessing to the crime. We understand that the prisoners understand that the police are under pressure to 'solve the crime'. They also seemed to understand that a crime is 'solved' once someone goes into prison for the crime - regardless of whether they actually committed the crime or not. About half the robbery interviews stated that they were indeed guilty of doing the crime for which they were being beaten to sign a statement admitting the guilt. However the other half of the prisoners stated that they were signing a statement that admitted their guilt when in fact they told us that they had not done the crime for which they were charged. These prisoners (who did not admit to the crime they were being beaten to sign) did admit that they were responsible for other crimes. In other words crimes may be 'solved' but one has to consider if 'justice' is being served. Particularly when a life of crime may in fact start by being wrongfully arrested and subsequently placed in prison with all of the stigma that this brings to an prisoner when they are released. The issue of poor police processes seems to be a consistent theme with our respondents and may in fact contribute to the creation of future criminals.

Poor police processes as described to us should probably be considered a proximal cause.

5.3.2.5: The role of the judiciary

Not one prisoner received any kind of legal advice on their first few encounters with the police and legal system.

Many expressed confusion as to how the legal process actually worked. It is established now that there are a number of recidivists who have learned by trial and error as to how the system works and many of these more experienced inmates are successful in lodging appeals for other prisoners.

Another participant was unaware of the actual procedures during the court processes. He was surprised to learn after an initial hearing that he was required for further attendences at court when in fact he believed the whole issue had been cleared away.

One respondent spoke of his case where he (along with accomplices) repeatedly tried to attend their case which took place in a court house that required some considerable time and expense to get to. This was in fact a retrial and they had been persuaded to hire a lawyer to defend them all. However, they apparently continued to appear in court only to be told that their case had been adjourned to another date. This continual adjournment (without them being informed) meant that they simply ran out of money to transport themselves there. The ended up pleading 'guilty' to avoid the considerable hassle as well as trying to cut down on the financial burden it cost these men in terms of transport and loss of revenue away from work.

Legal Aid is theoretically possible for prisoners, but our respondents told us that i) for many they were unaware that they were entitled to legal aid, and ii) those that applied would often be turned down by Legal Aid. Our respondents thought that Legal Aid chose only those cases which they felt reasonably confident they would win. Private practitioners doing *pro bono* work were even more at a liberty to 'pick-&-chose' the more interesting cases.

Like the poor police processes described in the previous sub-section, poor processes within the judiciary should be considered proximal causes.

5.3.2.6: The role of ethnic-culture

Sometimes the role of ethnic-culture seemed to be direct 'proximal' cause. One respondent talked about stealing as a way to finance his family's traditional village *solu*. What was interesting though was the fact that the request was made by his mother's brothers who tried to ask his mother indirectly through the respondent. The reason they asked via the son is because traditionally brother cannot ask directly to their sisters. The solution was to ask the son. The son (our respondent) wanted to not lay an extra burden on his mother whom was struggling enough to not be able to send her son to finish his schooling.

Yet another respondent was the youngest of the siblings that dropped out of school and stayed in the village to earn money on a small farm and some cattle he had. His older brothers however, in the space of year had asked him to give them his cattle as part of their obligations for a tradition called *bulubulu*. This is a gift to the family of a girl with whom a man has eloped without following protocol. Each of his brothers had eloped with their female partners and needed their brother's cattle to present as a *bulubulu*, with the promise that they would look after him and his welfare. Unquestioningly he gave away the only source of income that he and his mother had to survive. His brother had reneged (or more charitably 'delayed') their offers of help and it was this that brought him into town to seek a job.

There is another way to consider ethnic-culture and that is to focus on the differences between indigenous Fijians and Indo-Fijian offences. Almost 80% of the offenders in prison are indigenous Fijians, where as the population percentage is almost the same for both ethnic groups. It seemed to the principle researcher, that there is a different 'morality' concerning the act of robbing. It seemed almost as if the respondents thought of a shop, taxi driver, or household that was robbed as simply a sort of 'ATM'. A paraphrase of our respondents might be "I need money so I'll go and withdraw some".



This sort of attitude fits in with the observations of anthropologist Monsell-Davis (1986) who points out that the traditional role of young men (youths) was to be 'resourceful' in the acquisition of goods, particularly from neighbouring villages. Young men as the defenders of the village, with the commitment to give their lives for their village and their chief, were also given considerable leeway to be slightly rowdy in nature. One might therefore wonder if there is not a significantly higher *laissez faire* attitude amongst indigenous Fijians towards the issue of robbery because of a vestige of this traditional ethno-cultural mindset.

The role of ethnic culture as a cause appears to be one that is diffuse in nature and may have both direct causal influence (obligation to pay for traditional fund raising), or indirect causal influence (avoidance of perceived shame as a reason to leave the rural area and come to the urban centres which then leads onto a peer group involved in crime; or a more relaxed moral view on the issue of theft). In other words ethnic culture appears to be a distal cause, but has potential proximal causes too.

5.3.2.7: The role of the church

Most of the prisoners suggested that they were 'Christian' but they did not necessarily attend church, or actively belong to a church community outside of prison. The reason why was most often couched in terms of a lack of trust in the Minister of the church who often preached on thing and then did another.

However, many prisoners did state that they had rekindled their faith within prison. This in part, is because of the very active denominational counselling component that appears to be part of prison life. On leaving prison however, the prisoners found that they could not find ministers with the same 'integrity' as those that came to counsel within prison.

This notion of 'integrity' of priests and ministers needs to be considered with some caution. It is possible that the ministers they meet within the prison in fact do not lead a more pious life than their counterparts within the community. It only appears so because prisoners only get to meet these ministers for short periods of time when they come to visit. A priest in settlement or in a village on the other hand is under more constant scrutiny being embedded within the community, thus affording more opportunities to be seen to 'slip'.

In this sense, we are not suggesting that the Church plays an active part in promoting, or 'causing' crime. Instead, we are suggesting that the Church is not acting as a 'protective' factor when its representatives act without integrity. This is a theme that we return to in the Focus Group research we conducted.

5.3.2.8: The role of prisons

There appears to be some contribution to a life of criminal activity from being in prison itself. A number of repeat offenders suggested that they were able to 'graduate' onto more serious jobs by interacting with older more experienced prisoners. Our respondents would often find themselves in prison for a relatively minor misdemeanour (pick-pocketing) and they would subsequently learn from these older prisoners how they were able to break and enter into houses to steal.



There was a suggestion too that being in prison was a right of passage from being simply a 'youth' to being a 'hard man', which appears to be particularly important in areas with low socio-economic status. Some of our respondents lied about their age in order to go to prison, rather than the Boys home for this reason. This ties in too with a previous piece of research the principal researcher did interviewing juveniles who suggested that they would not prefer to go to a Social Welfare programme for juveniles, but instead be treated as an 'adult' in a 'real' prison.

5.3.3: Prisoners Committing Rape

5.3.3.1: The Role of the Police

Similar to the prisoners talking about robbery cases, in 5 out of the 7 respondents had been physically assaulted, both it seems as an immediate way to 'punish' the defendants (such police officers having presumably tried and judged the defendants in their own heads already), and also as a way of getting defendants to sign a statement admitting their guilt.

It seemed from the stories that the police have gone from one extreme of not taking rape cases seriously, to another of a 'no-drop' policy where they feel that they must charge a man without necessarily considering evidence presented to them, even if it is the 'victim' claiming, subsequent to an initial allegation, that she has changed her mind and would like to drop the charges.

Indeed, one of our respondents gave a very strong account of account of (from his perspective) of the police 'tricking' him to plead guilty more or less as a 'pro-forma' with a subsequent promise that he would be let free. Instead he was held in custody overnight, charged and then sent to court where he was sentenced to prison on the strength of his signed statement. We were lucky to be able to corroborate some of his story because the day after he was interviewed by us, his parents came to visit, and the prison liaison officer asked if certain events where the mother was present was true. She confirmed this saying that she too was 'conned' by the police in persuading her son to plead guilty on the understanding that it was a forgone conclusion and the paper work just needed to be completed - the implication to her too was that her son would be released almost immediately.

As in the robbery cases, poor police processes must be considered a proximal cause of increase in offenders entering into prison.

5.3.3.2: Role of the Judiciary

It is unclear from merely a number of interviews with prisoners charged with rape that their experiences are i) typical or atypical in such dealings with the prisoners, and ii) that the legal proceedings occurred, or should occur the way they were described to us. There simply was not enough time to cross validate this information. However, it seemed that many times, the judiciary will often accept a signed statement of 'guilty' as the only evidence required to convict a man.

At least two of the prisoners were accused of 'rape' when we understand the charge should be more correctly 'defilement' as they had had sex with an underage girl with apparently both the defendant and the 'victim' claiming that the 'victim' was a willing partner. Neither of these two prisoners appreciated that there were differences between the charges having received no legal council.

There are other aspects of the judicial process which may give cause for concern. We heard from one participant for instance that proceedings took place in English, charges formally read out by an indigenous Fijian magistrate in English, is translated by an interpreter as simply "Do you plead guilty or not guilty?". He and his accomplices had (according to three respondents involved in the same case) been beaten by the police with the instruction to 'plead guilty' even though they were unaware of what they had been formally arrested and charged for; in other words these respondents in court was not aware of what they were being charged with, or what he was pleading 'guilty' to but in the back of their minds they were aware of the instruction to 'plead guilty' during their time in the police cells.

As previously, this seems to us to be proximal causes that may partly explain the reason why offenders enter prison.

5.3.3.3: Role of Family & Community

Taken at face value, some of our respondents seemed to suggest that a charge of 'rape' was a way of avoiding the social stigma associated with i) having an affair with another man and being found out, ii) having had an underage teenager under the care of an aunt, willingly engage with multiple sex partners in one setting, iii) having an underage teenage daughter run away from home to elope with her boyfriend. In other words, it seemed as if the charge of 'rape' was not initially made by the girl's own volition but rather was initiated by a family or community member who was trying to avoid some perceived sense of shame

5.3.3.4: Role of Ethnic-Culture

One cohort of rapist that has been noted as having a significant increase (although the absolute numbers are not as big as the 'youth group', is in the 40 years and older cohort of men. We interviewed a number of men that fit this profile (3). The impression from all these men is that they initiated sex with a young girl to satisfy sexual lust. In two of the cases it was as if they lost control of their bodies and could not help their subsequent behaviour - they admitted to forcing the girl to have sex with them. The third respondent claimed that the girl was actually a willing partner but changed her mind when the village found out that she was not only underage but had also had multiple partners one after the other.

For the two men who admitted the charge of rape, they both seemed to feel a sense of disgust at their thoughts. Neither of them thought that it was inappropriate that they were serving time and felt that they were able to spend time praying to God as a way to help them avoid such behaviour in the future. Both men also suggested that they felt there to be a 'witchcraft' component to their out-of-control-lustful behaviour. Taken at face value, both men might be perceived as being men of standing in their communities, but which may engage jealousies within the community. For an ethnic-society that values a group mindset or a consideration for the whole social group, individuals who have (for whatever reason) lots of land and/or influence, are considered 'the tall poppy that is cut', or 'the nail that sticks up and gets hammered down'. The suggestion therefore is that witchcraft is used to bring the individual into harms way, by for instance, committing rape - being caught - and being sent to prison. Even if this were true, this is not something that is easily evaluated using conventional 'westernised' scientific evidence.

Significantly more believable, would be an understanding that older men who lose their long term sexual partner (through death of the wife, of the wife losing interest in sexual intercourse as she matures) may nevertheless have strong sexual urges that they would like to satiate with a woman. One of our respondents gave us indications that in a village situation, access to willing older female sex partners is extremely limited, either because they are married and maintaining their monogamy or there are possibly incestuous relationships from the women that remain in a relatively small rural community. In other words it more plausible to most, that these offenders were simply frustrated in fulfilling their sexual appetites for lack of available suitable partners, and that this translated into a powerful sexual urge that seemed to our respondents as if they had lost control of their bodies. The perceived loss of control may be interpreted subsequently as 'witchcraft'.

Parsimony dictates that without further research we would accept this latter explanation³.

3. Two of this report's research team (principle researcher & prison liaison) feel that whilst the evidence is most likely that rape occurred due to frustrated 'lust', never the less, the stories of 'witchcraft' are too numerous to dismiss as 'merely superstitious mindsets'. There are aspects of two of the respondents stories which could confirm the 'lust' hypothesis by interviewing the victim. If they did not corroborate aspects of some parts of the story, then 'unfulfilled lust' is most likely. If they do corroborate aspects of our respondent's stories, then this does NOT confirm that 'witchcraft' is real' - nor does it however, disprove it. The rest of this report's research team either of the opinion that witchcraft is on all accounts not a serious hypothesis, or they have no opinion on it.

5.4: Youth Focus Groups

For a description of the methodology of how the focus groups were conducted, please see the relevant section in Appendix II.

Focus groups were conducted in Suva suburbs that are well known for many young men ending up on prison at some point in their lives. The areas were *Nadera*, *Kinoya*, *Raiwai* and *Makoi*. Two workshops were conducted in Nadera on two consecutive nights. Although we did not specifically aim to have an exclusive all male set of focus groups, only one of the focus groups had female youth present, but they offered no opinions.

One of the issues that seemed to come up in all four focus groups conducted was surprise that we were seeking the opinions of the youth. Not that it was not valued, but rather that it was being asked. Normally they understand that youth opinions are sought by 'older' people who represent youth at a centralised function. In this case though we were 'trying' to talk directly to the youth directly within the community and they stated that this as unusual (or never heard of before)⁴.

The Kinoya youth particularly were very surprised to hear that we were not there to 'dictate' or 'advise' youth as to how to conduct their lives, but rather simply to listen. We stressed that we were not the 'experts' in their own community - but our belief was that it was they who were. Despite the obviousness of such as statement, this remark was commented on by the group as being one of the first times outside people had said it.

5.4.1: Is Crime Increasing?

We asked the focus groups whether they were of the opinion that crime was significantly higher particularly in the area where they lived. There seemed to be agreement between all the focus groups that in fact crime had not increased. This seems at odds with the statistical evidence and when they were confronted with this fact, participants suggested that this was probably due to a stronger sense of the police catching people doing the crime.

5.4.2: The role of prison

The focus groups all told us that youths coming back from prison are looked up to and have considered to have 'graduated' into adulthood. They gain 'respect' for being a 'tough man' having spent time inside a prison. In other words it could be that exactly the opposite effect could occur

5.4.3: Who is involved in crime?

There seemed to be agreement in the focus groups that whilst many (male) youths might be involved in 'minor' crimes (pick-pocketing for instance) that the more serious crimes (that end up in prison) tend to be done by a small self selected group of individuals, or one is asked to join a group in doing a larger job such as a house break-in.

4. Oceanik Psi's research team were 'surprised' on meeting the youth groups but for a different reason. There was some trepidation by Oceanik Psi researchers at the thought of going to talk to the youth groups in these 'notorious' suburbs. In reality, we were always made to feel welcome and discussions were welcoming, cordial but relaxed.

5.4.4: Crime finances social activities

None of the respondents suggested or hinted at being part of a larger crime organisation. The robberies were planned, conducted and finalised by each individual; in other words there appear to be no organised middlemen. The overwhelming impression was that much of the robberies were there to finance their social participation as part of a youth group. This fits in very much with what most of our respondents in prison for robbery would tell us.

5.4.5: Lack of believable role models

Youths were asked about the role of either ethnic culture and/or the role of the church and/or the role of governmental organisations. With respect to ethnic culture, some explanation is required in that the areas in which the focus groups were conducted are settlements rather than traditional village areas. In that respect, community members of Nadera, Kinoya, Makoi or Raiwai, do not have daily or even frequent exposure to a traditional ethno-cultural environment within which community members such as 'elders'. Ask an indigenous Fijian born, bred and currently living in Makoi where they are from and they are more likely to reply 'Kadavu' (say) designating the province their father came from even if neither he nor the father have actually visited Kadavu.



None of the focus group participants stated that they were 'not-Christian'. Although no statistic were taken, most stated that they were Methodist. Most agreed the contents of the Bible and a more nebulous concept of the church were good things. However, it was with the individual members representing the church in their community that the focus group youth had issues. Essentially, these individuals would preach the good word on Sunday and do exactly the opposite themselves from Monday through to Saturday.

The sense we got from these interviews then was that our respondents realised that these community leaders were not good role models. However, they were 'role models' never the less in the manner of "well if they can break the law, then what is to stop us doing the same?"

5.4.6: Lack of Adequate Housing & Recreation Planning



This was almost always phrased in terms of being lack of sports facilities. Possibly this was a reflection of the predominantly male youths in the focus groups. However, respondents often talked about the willingness to engage in sports activities but the lack of significant playing grounds meant that this was not possible.

Focus groups in Nadera, Kinoya and Raiwai all suggested that the planning and spacing of the housing contributed to the crime problems in these areas. The most dramatic example being the four story housing flats in Raiwai and Raiwaqa. Principally living quarters were too closely spaced together with not enough room for recreation/sports activities to take place.

Substantial increases in rent for the 'low cost housing' has meant that overcrowding is the norm as families try to save money by sharing accommodation. The result is that a house built to house a family of four to six people will often have ten to twelve actually residing there.

5.4.7: Other issues

Some of the youth groups stated that crime did indeed occur as a 'start up' capital project. It was a way of 'getting out of' the social situation which often resulted in a life of crime. They suspected a number of people from their communities, had been successful in getting enough money to 'buy-out' of a poor community settlement, such as setting up a small farm or buying their house outright.

5.5: Youth Workshop in Raiwai

For a breakdown of what the workshop consisted of and how it was run, please see Appendix III. This workshop was conducted to validate the information that we received from the youth groups. Raiwai, Raiwaqa and Raiwasa are areas that hang off Grantham Road on the south eastern tip of the Suva peninsula. Originally they were squatter settlements in Suva's suburbs but they were turned into low cost housing areas with the intention of providing adequate housing and associated infrastructure for people with low incomes. Particularly in the 1980s Raiwai and Raiwaqa were renown as '*crime alleys*' in the Suva area, with criminals residing in these areas, and with violent 'gang' encounters that made these dangerous places to live without having significant 'street smarts'. The gang violence does not appear to be as strong as it was before. However, significant members of these communities still end up in Prison. Raiwai, is perhaps considered to be an older and more 'mature' version of a settlement such as Nadera, Kinoya, Makoi and Tovata are today, all of them considerably outside the main Suva area.

Nevertheless, Raiwai and Raiwaqa have received special infra-structural development projects over the years by both government and non-government organisations. Raiwai for instance has considerable assistance from a Canadian organisation that built an indoor gymnasium that contains an basketball court, a small stage and several rooms for other activities. It was in this gymnasium that the workshop was held.

Currently there is a pilot community police programme being implemented in Raiwai as part of the Australia/Fiji Law and Justice Sector Programme.

5.5.1: Who commits crime in Raiwai

Workshop participants suggested that Raiwai had historically had crime associated with it. This was (according to some of the participants) because the Salvation Army had a half way house that was used to release prisoners to after they finished their time in prison. Rather than stay 'reformed' our older participants who lived through this time, stated that the prisoners often went out and committed robberies, which made Raiwai stand out as an especially crime prone area.

When challenged that today's prisoner still came from Raiwai, participants suggested that this was probably true, but was more due to newly arrived inhabitants who have migrated from the outer suburbs to be closer to the city centre.

5.5.2: Crime to support social activities

Again workshop participants stated that most crime was done to support relatively small costing social activities such as drinking and smoking, rather than because there was extreme poverty forcing a life of crime to put food on the table, or to be able to pay the rent. Lack of things to do suggested that youths had nothing really 'constructive to do' and so resorted to simply 'hanging around' with their friends, which would often require drinking and smoking which would have to be financed.

5.5.3: No outside help to manage community

Workshop participants did talk previously about various NGOs that used to operate in Raiwai who would help the community manage their affairs. As previously mentioned the Salvation Army set up to help to reintegrate prisoners into the community but they also ran numerous vocational programmes that gave Raiwai youths skills such as fishing and carpentry.

5.5.4: Feeling Let Down by Corrupt Government Officials

Workshop participants were vocal about how government would appoint a 'manager' to manage the affairs of the hall and community employment but this person had no real commitment to the community. One workshop participant told of the time that the community had gardening equipment which they used as a small business to cut the grounds of the USP (University of the South Pacific), but often would be paid late, underpaid or not at all. At some points some of the men became disillusioned and sold the gardening equipment to pay for their work. Which of course meant that subsequently they could not be employed in future work.

5.5.5: The Role of the Police

Perhaps not surprisingly, participants did not feel good about the police. We picked up that this was in part mostly because of the way that they operated. Nothing we heard, was dissimilar to the case studies we heard from our prisoners. Although not strictly part of the 'community police programme' there was still resentment towards the police for building a currently abandoned police post on the land that was designated Raiwai youth land.

5.5.6: The special role of the 'Raiwai Community Police' project

One of the projects that has been instigated in Raiwai is a Community Police Youth programme. Previous discussions with Raiwai youth suggested that this was an avenue to explore. The workshop generated discussions that generally gave the strong impression that the Community Police Programme was generally not appreciated within the community. In particular it was:

1. Far from being collaborative, participants felt that the Community Police programme was hierarchical with the Community Police Officers dictating to the youth how the programme was going to be run.
2. There was a strong suspicion that the programmes purpose was to try to get the Police officers closer to the community to find out who was committing crime - by that they meant that they were not interested so much in working within the community but thought that this was just another way to conduct 'business as usual'.
3. The actions of police officers did not seem to be genuine. They thought that Community Police were acting as 'community police' officers simply because they were told to do this job, not because there was any genuine desire to be an integral part of the community.

5.6: Issues from Prison Officer Focus Group

Strictly this is not part of the remit for this report. One cannot answer questions related to why there is an increase in the prison numbers by listening to Prison officers except that of course they deal with the prisoners on a daily basis and therefore have unparalleled insights that we would not necessarily see. However, there are other issues which do contribute to the ability to properly care for the prisoners within prison that have to do with the working conditions that the prison officers find themselves in, but which do not directly help to understand why there is an increase in offenders coming into prison. We have moved the results of these issues that arose out of the focus group into Appendix VII. This in no way is supposed to represent a lessening of the importance of this information, but simply an acknowledgement that this does not directly help us to fulfil the research remit of this report.

5.6.1: Prison Officer Relationships with Prisoners

Both the principal researcher and the forensic psychologist of Oceanik Psi felt that there was a positive interaction between prisoners and prison officers. One of us (forensic psychologist) was able to spend considerable time within Suva prison with an observer status looking at how a day's lock up occurs and how the day begins again the following day including looking at a work party working in the Suva graveyard where prisoners dig the graves. This gave him the opportunity to see first hand the interaction between the officers and the prisoners.

Some of this may be explained away because of the individualistic characteristics particularly of the ethnic culture of indigenous Fijians. Indigenous Fijians have traditional ties either to people from their own province ('*kai*'), or from other provinces where an alliance but also teasing relationship exists ('*tau vu*') which usually brings about an automatic bond and understanding that can transcend immediate and overt power relationships.

The description so far may sound idealistic and as if viewed through 'rose coloured spectacles' which it is not meant to be. Clearly the opportunity for individuals to abuse their positions of power (prison officer vs. a prisoner) can be present regardless of the country. However, it is the firm opinion of Oceanik Psi, that there are opportunities that can be used in rehabilitation efforts which are not available in prison contexts where the barriers between prison officers and prisoners is far stronger.

5.6.1.1: Poor Physical Infrastructure & Relationships

There is a follow on from this which is that prison officers felt resentful that they were placed into positions of having to destroy that relationship when it came to containing or detaining prisoners who, for whatever reason, had decided to try and escape. The prison officers stated that most of them had tried on the first few attempted escapes to be reasonable with the prisoners. But as it was described by the officers, when a prisoner has decided that he wants to escape, his previous friendliness to the officers disappears simply because the end goal is simply to escape and he will be physically quite desperate. Prison officers after a few bruised attempts realise that for their own physical safety, should a prisoner try to escape, the fail safe treatment is to be very strong, very quick and quite 'harsh' to quell any further attempt at trying to escape. The prison officers noted though that this often meant that subsequently the relationship between an officer and prisoner would take some time to get back to a more relaxed manner that they had prior to an attempted escape.

5.7: Results Not Obtained

There are some results that we did not (or could not) obtain.

5.7.1: Ethnic Differences in Offences

We found for instance that the statistical evidence suggests that there is a qualitative difference between the crimes that indigenous Fijians and Indo-Fijians commit. Broadly speaking Indo-Fijians appear to be involved in white collar crime. Indigenous Fijians appear to be involved in crime that involves physical intervention. Murder cases in Indo-Fijians seems to involve more meditated actions rather than indigenous Fijians which might suggest that murder is more of a reaction to robbery with violence cases that go wrong. However, there simply was not enough time to explore these differences properly. That remains to be part of a future study.

5.7.2: Increase in Violence Against the Person

The statistical data shows that there's an appreciable relative change in violence against the person (25%) but the absolute numbers (17 extra prisoners compared to 2002) meant that we did not try to access this information. This too requires a more complete in depth study.

5.8: Summary Diagram

We provide a diagram of the possible forces that our interviews, focus groups and workshop seem to suggest are factors involved in a Fijian youth ending up in prison. Factors furthest away from 'Being in Prison' are the factors furthest away in time, or they are very diffuse and in fact only operate because of a person's familiarity of the process over a long time, such as 'culture'.

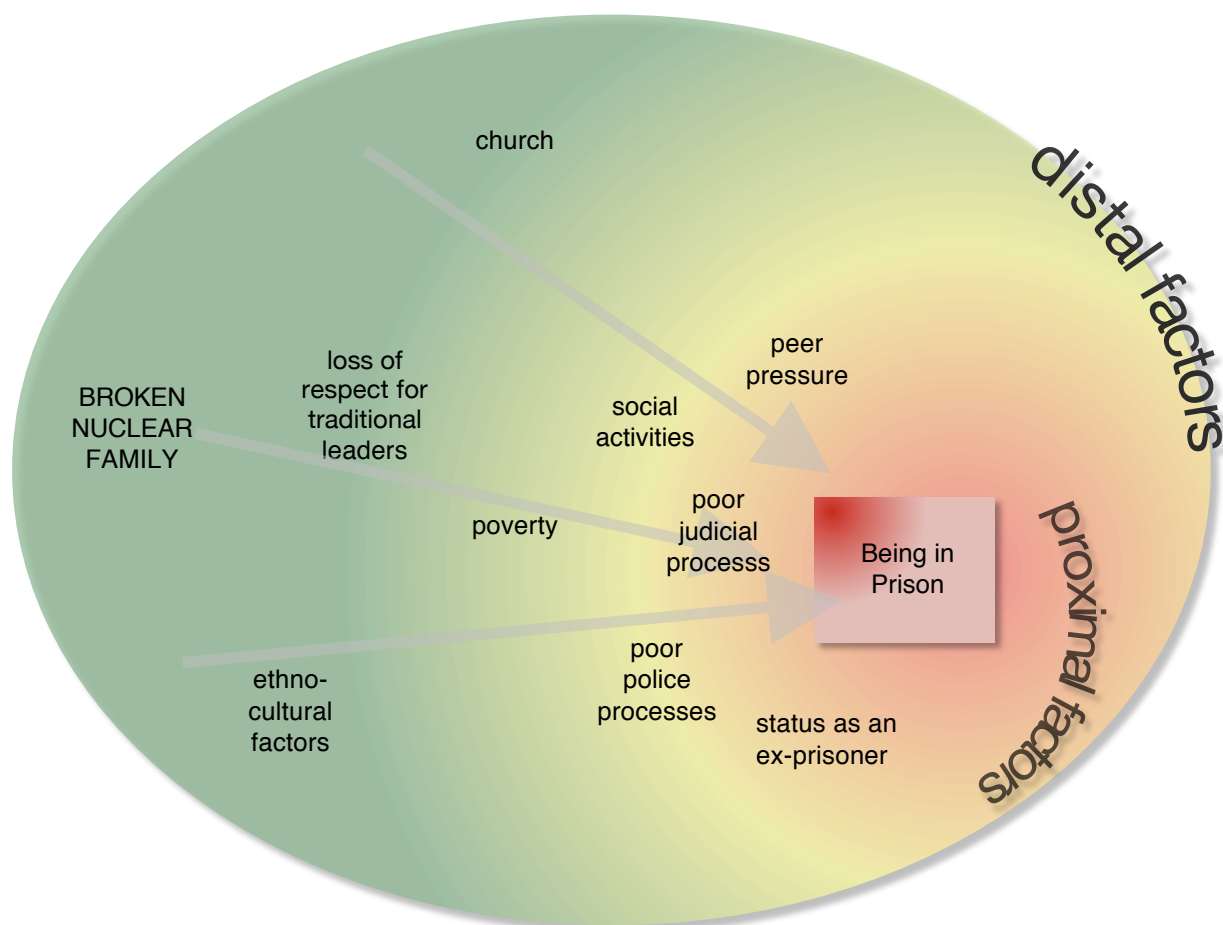


Figure 2: Distal & proximal factors in offenders ending up in prison.

6: Recommending Principles

We talk here about the ‘principles’ behind the recommendations rather than an outright ‘recommendation’ because we feel it is important to understand the ethos behind the actual recommendation.

The major section after this one talks about specific recommendations. We are aware that considerable effort has already gone into the creation of some of specific recommending principles that we are suggesting. We feel the important point to make is that we are providing third party independent support for the action rather than trying to suggest that our contribution is highly original.

The previous section provides a comprehensive set of factors identified by our research respondents which are ‘suggestive’ of a number of different recommendations that lend themselves as a logical consequence of these findings. However, not all the recommending principles made here are derived strictly from the results of the research, but rather come from the forensic expertise of the Oceanik Psi research team which, in conjunction with no counter-evidence from the research, would be highly suggestive of recommending principles that should be explored.

Oceanik Psi team's expertise has also let us to explore other recommendations that do not fit in necessarily with the direct remit of this report but we include them in Appendix IX.

It is worth making the point that the recommending principles are supported by strong forensic psychological research. The pertinent points of this research are presented in Appendix IV.

When generating the recommending principles the research group authoring the report were of the opinion that:

- ☐ Prison should not be considered a solution to the problem of crime;
- ☐ Prison is an appropriate and necessary disposal for some people;
- ☐ A rehabilitative approach, within both prisons and the community, is most likely to impact upon future offending rates, and;
- ☐ Any recommending principles must be aware of budgetary restraints.

Many of these recommending principles may be couched in the language of expensive forensic programmes but we have tried to outline what that could mean in practice in the socio-environmental context of Fiji.

There are 15 recommending principles that broadly fall into 7 categories:

1. Crime Prevention
2. Sentencing & Disposals
3. Prison
4. Community
5. Monitoring
6. Multi-disciplinary approach to dealing with crime.
7. Economics of Investment in Alternative Sentences & Disposals

Furthermore, in this section we would like to offer the metaphor of an offender's passage through the penal code as that of a canoe ‘journey’. An offender begins with (i) the offence (they cast off from safe shores); (ii) to being apprehended by the police (they get dragged across the coral break); (iii) where they are charged and sentenced (they sail through a hard storm); (iii) they are sent to prison (enter into the doldrums); (iv) and finally they leave prison but with the social stigma that goes with being an ‘ex-

prisoner' (they pull into shore, possibly one that is unfamiliar). Decisions made during these relatively well defined stages significantly impact upon the journey that an individual will take. A successful journey for a prisoner, assuming that guilt is established, would be a significant transformative process that halts further re-offending.

6.1: Crime Prevention

In most countries a significant amount of money is spent every year on the problem of crime. Consider the yearly budgets provided to those agencies typically responsible for crime detection and control: police, courts, social welfare and the prison service. In Fiji, this is no different. However, some crime is inevitable, and as such there will always be a need to invest in these services. As well as dealing with crime once it has happened, another approach is that of crime prevention, where strategies target potentially vulnerable young people. Early interventions could effectively divert these youth from what may have become a life of crime.

Principle 1: Investment should be made towards the development and implementation of strategies and interventions that focus on crime prevention

Typically, the commission of a crime is the result of a complex interaction of social, economic, cultural and individual factors. It is practically impossible to attribute offending to any one cause, e.g. someone's parents separating when he was a child. However, we do know that there are a number of risk factors that can influence an individual's likelihood of offending, e.g.

1. Inadequate living conditions, e.g. poor housing, a lack of basic amenities;
2. Family factors, such as poverty, poor or inadequate parenting, parental criminality;
3. School-related factors, such as poor educational achievement and truancy, as well as deficient school environments;
4. Peer association, such as relationships with friends who follow a lifestyle of criminal acts;
5. A lack of relevant training and employment opportunities;
6. Individual personality and behavioural factors, such as cognitive deficits, including a lack of problem-solving skills, self-control, failure to consider the consequences of behaviour, as well as the early onset of aggressive/anti-social behaviour.

We specifically heard our respondents talk of the first five risk factors as being pertinent to their current or previous time spent in prison. We would be surprised if the items in number 6 were not also relevant, as the psychological literature suggests these are universal behavioural traits and not 'emics' only relevant to prisoners outside of Fiji. Having a better knowledge of these risk factors allows action to be taken to address them before they become entrenched within Fiji's youth. So, what needs to happen to take this forward?

1. The operationalisation of crime prevention strategies requires a multi-disciplinary approach to addressing the range of factors that are known to contribute to potential future offending. Housing, education, health, police, the judiciary, and social services must work together to assist those most 'at-risk'.
2. The identification of appropriate strategies. Examples include: pre-school, and primary school training; parenting support and training to the parents of young, 'at-risk' children; and the development of pro-social skills.

It is also relevant here to consider how aspects of Fijian culture may be utilised, e.g. the use of community elders to teach their values and tradition to young people, or the provision of culturally appropriate opportunities for recreation and cultural expression.

For instance, a traditional ethnic identity that was ascribed to Fijian men who used to grow up as a warrior (*bati*), fisherman (*gonedau*), craftsman/carpenter (*mataisau*) installers of chiefs (*sau turaga*) herald/spokesman (*matanivanua*), priest (*bete*). Coming from different villages identifies one in such a role. Training under such a traditional construct may give opportunities to tap into a set of routines that can foster responsibility to society: protecting society (*bati*), or providing food for it (*gonedau*), build for the community (*mataisau*).

3. Collaboration with, and the involvement of, local communities is also likely to be assist the introduction of any new strategies.
4. Target high-risk areas. In Fiji the areas most susceptible to the risk factors mentioned above are well known, and as such efforts could be made to implement crime prevention strategies in those areas, e.g. Raiwai, Nadera, Makoi, Tovata and Kinoya (the sites identified by and for the most part worked in by our research).

6.2: Sentencing and Disposals

In an offenders journey this is the equivalent section of the canoe that heads into a violent storm.

Principle 2: Decisions to send people to prison should be based on an individuals' level of risk.

There are some offenders for whom a prison disposal is the right course of action. It is right because of the frequency and/or severity of their offending, and the subsequent risk they pose to the public. However, in 2005, 358 people (28% of Fiji's prison population) were sentenced to less than 3 months. If one takes into account the possibility of remission for good behaviour (1/3 of the total sentence) the average length of time served among this group was nearer 6-8 weeks. This begs the question of exactly what purpose prison served. In other words what is the rationale behind sending someone to prison for 2 months? Certainly it is not a long enough time to allow any rehabilitative efforts to be made, but it is long enough for first-time prisoners to be labelled 'criminal'. Given the situation within Fiji, of an escalating prison population, it is worth considering whether the 'right' people are being sent to prison. Defining who the 'right' people are is a difficult task.

It is suggested that the most appropriate people to imprison are those that present as a risk of (i) re-offending and/or (ii) harm (to others). It has become commonplace in many judicial systems to consider an individual's level of risk as Low, Medium or High. Whilst this categorisation is fairly crude - risk is a dynamic factor and therefore can change over time and situations - developing a system of categorisation that considers the risk an individual presents, and makes decisions on that basis, is likely to ensure that it is the higher risk offenders that are more appropriately sentenced to prison. There are significant benefits to engaging in 'smarter' sentencing:

1. Cost. Large numbers in Fijian prisons is a costly business. On average, the annual cost per prisoner place is approximately \$11,000.
2. Reducing overcrowding. There are a number of problems that arise as a consequence of overcrowded prisons. These include:
 - i. staff morale. The more prisoners there are in prison - above the accepted capacity - the harder the job of the prison officer. In addition, the perception of staff is often that senior management are disinterested in the impact overcrowding is having on them and there can follow a sense of disillusionment in the service.
 - ii. staff stress. An extension of (i) is the level of stress that staff are under, especially as their numbers on shift remain the same regardless of the numbers of prisoners.
 - iii. prisoner unrest. The more prisoners there are the more cramped the conditions. The potential consequence of this may be prisoner on staff, and

prisoner on prisoner, assaults.

iv. limited, if any time to spend time on rehabilitation efforts.

3. Giving people a chance. There are consequences to being sent to prison. Upon eventual release there is a stigma attached to being an ex-prisoner that can impact upon someone's ability to gain legitimate employment. It may be the case that accommodation is no longer available, or that he is not accepted back into the family (a consequence of which is fewer social supports available to him).

Principle 3: There should be a more consultative approach taken to sentencing, especially for any individual for whom a prison sentence is a possibility

This recommending principle should not be interpreted as an attempt to dilute power from those passing sentence and determining what disposal to make. Rather, it suggests that before those decisions are made there is some discussion of available options that may, for some people, circumvent the need for a prison sentence to be given. Two suggestions as to how this could function are:

1. A pre-sentencing court report could be available that clearly offers an opinion on the most suitable option for the individual concerned.
2. Some form of meeting could be held to discuss what options are available for disposal. Membership of this meeting would include (at least) the trial judge, the offender, someone from social welfare, and perhaps the prosecuting and defending lawyers. Additional members could be invited as required, e.g. community member(s) from the area the offender comes from (to promote the idea of community involvement).

One potentially excellent example of this is the *Problem Solving Court*, that will soon be piloted in Fiji. This court comes into being after someone has been found guilty of a crime, but before sentence has been passed. The aim of the court is to identify and subsequently address problems that seemed to contribute to the commission of the offence.

Clearly the sentencer will have the final 'say' in the matter but, as much as possible, this would be a fully informed decision, ideally based on (i) risk and (ii) available options.

Principle 4: Increase the range and availability of community disposals, i.e. i.e. alternatives to custody

For any of the recommendations in this section to be taken up sentencers must have viable alternatives to imprisonment before they are likely to use them. Probation, community service, community supervision are all possible options, each coming with an assurance that the individual will in some way be monitored or followed up whilst he is in the community.

If a community disposal is deemed appropriate it is also suggested that a Case Management-type approach be taken to 'guide' exactly what will be undertaken within the community to meet the needs of both the individual and the community (see Principle 6).

6.3: Prison

Within our metaphor, this part of an offenders journey might be considered a time of being in the 'doldrums' or where significant progress on a journey of transformation can occur for offenders considered 'at risk'.

Within any judicial system it is necessary, from time to time, to challenge, review and, where required, change the accepted ways of dealing with those who break society's laws. Inherent within this is the need to consider the purpose and role of prisons, to question the belief that the experience (or threat) of imprisonment will significantly inhibit someone's likelihood of offending (or re-offending). In most Western countries the use of imprisonment as a means of punishment has existed for hundreds of years, yet offending persists, with prison populations in many nations continuing to rise. This trend is also true in

Fiji, where the prison population increased by more than 20% between 2002 and 2005. However, what research consistently tells us is that the experience of being in prison does not, in itself, reduce someone's future likelihood of re-offending. It is true that some people leave prison and do not offend again, however, recidivism rates highlight that many people are not deterred from re-offending by the experience.

Principle 5: There should be greater emphasis within Fijian prisons on rehabilitation, and the provision of appropriate programmes to aid this process.

Increasingly, a view on the function of prisons has emerged within which rehabilitation is the focus, i.e. working with prisoners to enhance the opportunities available to them upon release, e.g. employment, accommodation and, to reduce their risk of re-offending. However, making the shift to a focus on rehabilitation is not easy: prison as punishment simply requires sending someone to an establishment and keeping them there. The loss of freedom, of contact with family and friends is enough in itself as a punishment. Rehabilitation requires significantly more effort, not least in the early stages where suitable programmes need to be identified, developed and implemented.

A shift in focus, to one that emphasises the importance of rehabilitation, needs momentum, and to that end the recently approved Prisons and Corrections Act is a key piece of legislation. It specifically allows for the provision of greater opportunities for prisoners to address their offending. Examples of the types of areas that rehabilitation programmes could usefully focus on are:

1. The completion of basic secondary education and the potential to engage in tertiary educational programmes.
2. Vocational training, i.e. providing work-related training opportunities within prison that can be used upon release to assist prisoners in securing employment. Vocational training typically takes the form of teaching a trade and, where possible, there are potential benefits to ensuring the provision of industry-standard certificates of competence (such as TPAF or FIT): certificates bearing the name of the prison can be prohibitive to the chances afforded to ex-prisoners. If an approach to introduce vocational training is taken a useful strategy is the development of links with employers in the community. This allows targeted training (the provision of what they need to work more efficiently) whilst providing a better opportunity of employment upon release.
3. Employment. It is likely that vocational training opportunities will be limited. Regardless of this, prison can have additional benefits in terms of
 - (i) trying to provide purposeful work in prison, i.e. that teaches transferable skills and
 - (ii) creating a positive work ethic, where the individual is at least motivated to seek employment upon release.
4. Substance misuse.
5. Independent living skills.
6. Restorative justice. This is an approach to dealing with crime that includes the involvement of the victim. It brings together the offender and the victim in a controlled, safe environment and allows both parties to talk about the offence and how it has affected them. Often the offender will apologise and offer to try and repair the harm caused. If a face-to-face meeting is not something the victim wants to engage in, there are other ways of proceeding, e.g. the victim writing a letter, or explaining how they feel to relevant staff member, who can pass those details on. Restorative justice aims to:
 - (i) Directly address the harm caused by the offender, assisting the victim to come to terms with what has happened, hopefully reducing the fear they may have of potential future victimisation;

- (ii) Engage with the offender to
 - a) ensure that he is aware of the consequences of his behaviour,
 - b) begin to focus on alternatives to crime and
 - c) begin to consider his restoration back into the community;
- (iii) Increase public confidence in the criminal justice system.

It should be noted that restorative justice can be used within a number of contexts, not just for those sentenced to prison, e.g. it could form part of the decision making process regarding possible disposals. However, in restorative justice the focus must be on ensuring that victims are supported throughout what has the potential to be a traumatic experience.

7. Pre-release. Important here is the Prisons and Corrections Act, that makes provision for increased capacity for enhanced release preparation.
8. Offending behaviour. These types of programmes address the range of cognitive and behavioural difficulties that research shows many offenders exhibit, e.g. impulsivity, poor problem solving skills, anti-social attitudes, emotional control, perspective-taking and social skills. There has been a clear and consistent finding that such interventions can have a positive effect in reducing an individual's risk of re-offending (see Appendix IV).

The introduction of a range of rehabilitation programmes will take time, and it will also require

- (i) the identification of suitable programmes, potentially from other prison services, and/or;
- (ii) the development of programmes in-house, and;
- (iii) the provision of appropriate training opportunities for those staff who would be delivering these programmes.

Principle 6: A case management approach to how an offender is managed whilst in prison (and beyond) should be developed that (i) details each offenders' risk and needs and (ii) incorporates these into a detailed sentence plan

Before an individual can be allocated to a particular programme there must first be an identification of what will be of most relevance given his particular risks and needs. This ensures that the 'right' people undertake the 'right' programme(s) for them. Having detailed knowledge of a number of key areas would allow the creation of a sentence plan that details the particular programmes that are likely to be of value to him. The information within a case management file could be collated under the following broad headings:

1. General information
2. Offending history (perhaps including specific details on violent and/or sexual offences, i.e. those that constitute high-risk of harm behaviours)
3. Education
4. Employment
5. Welfare needs
6. Addictions
7. Specific offending needs
8. Sentence plan. This plan would detail what programmes are most appropriate for the individual, and also identify an appropriate person to be responsible for ensuring that the action points actually happen. This could be done, for example, through the creation of a Personal Officer scheme: when someone enters prison they are allocated a specific officer as a point of contact, who is there to advise/guide the individual as required whilst he is in prison.

Principle 7: A secure database should be developed to record the case management information. Ideally, this database would be accessible to all relevant criminal justice services.

The potential benefits of this are:

1. Securely stored information
2. Easier, quicker access to information
3. The potential of making the information accessible across all relevant criminal justice services.
4. More detailed information about the prisoner population, on an easily accessible system, will assist future research & monitoring.

We discuss this in more detail in our second report *“What Indices Should be Used in the Justice Sector?”*.

Principle 8: Early release programmes should be introduced

To this end the Prisons and Corrections Act allows for the introduction of a parole system where prisoners can be released after serving a portion of their sentence to be supervised and, if necessary, undertake programmes in the community. There are potential benefits:

1. As discussed previously, prison serves a number of functions. Sometimes it is possible to make a judgement that a prisoner has received everything that prison was supposed to have given him before the end of his sentence. In other words, if someone has been given a sentence of 7 years it is possible that he will have served a suitable punishment part, and undertaken relevant rehabilitative efforts, by the 4-year point in his sentence. The question then is whether there is anything further to be gained from spending more time in prison.
2. Offenders are supported back into the community. Imagine a situation where a prisoner is released with no money in his pocket, no home to go to and no skills to help him back into employment. What is he likely to do? Not everyone will re-offend but, under the circumstances mentioned, offending may be a very real option for these individuals. Early release systems, such as parole ensure that those leaving prison are provided with adequate support to
 - (i) help them adjust back into the community and
 - (ii) assist them with their attempts to gain employment.

Principle 9: Female prison officers should be afforded the opportunity to work, as officers, within male prisons

The interviews and focus groups highlighted the lack of positive role models in the lives of offending - or vulnerable - young men. One way of overcoming this in a prison setting is that those working in that environment consistently model pro-social behaviour. An advantage of having female staff working within the prison is a continuation of this idea. Prisoners witness positive male-female interactions, and have the opportunity to develop working relationships with both male and female staff. This balance is important, especially when eventually released back into the community. We understand that there are significant hurdles, both real and possibly imagined to make this occur. Concern for physical safety of female officers working with male prisoners, the logistics of where and when a female officer should be in relation to the compound, such as not being present at any time in the male prisoner's shower area. However, these 'difficulties' have been voiced previously in Anglo-European prisons and have shown to not be significantly high hurdles to overcome. We believe that the pro-social modelling far outweighs the initial 'teething' problems that could occur during an introductory transition phase.

Principle 10: For recommendations 5-9 to be effective there must be quality training opportunities given to prison staff who work directly with prisoners. 'Quality Training' for the moment cannot be provided by any of the existing tertiary institutions as there is no practical expertise in programme delivery.

6.4: Community

Prisons are not the only means of disposing with offenders, and a natural extension of any question about the role of prisons is consideration of the role that communities can play. Like the prison section above, 'Community' may be the place where significant 'transformative' parts of the 'journey' may occur.

Prisons, regardless of their proximity to city/town hubs, are part of the wider society: the vast majority of those housed there will eventually be released back to the communities they came from. Should local communities shun convicted felons, or is there a case to make for communities taking some responsibility for the re-integration of released prisoners⁵? Just as questions are being asked of prisons in terms of their potential role in rehabilitation, so too must we consider what role communities can play in this regard. Certainly, given the current situation in Fijian prisons, community involvement in the provision of alternatives to custody may have considerable benefits both in terms of reducing current levels of overcrowding, but also of preventing custodial sentences for those for whom prison may not be the most appropriate disposal, e.g. first-time offenders, those committing fairly minor offences.

This is still relevant to the Indo-Fijian community, but most especially for the indigenous Fijian community, who still make up the majority of the offenders in prison, the practices of 'community' and 'extended family' values are ethno-cultural elements which still exist in sufficient strength to tap into far more robust community programmes that would be possible in 'normal' Anglo-European communities. This makes community programmes especially attractive as an important factor in sentencing and disposal in the Fiji context.

Principle 11: Increase the range and availability of community programmes

Other than the point raised above about the significantly stronger sense of 'community', what are the benefits of introducing community programmes?

1. The more available community programmes are the more likely sentencers are to use them as viable alternatives to custody.
2. Participants are better able to maintain family and other social ties which might assist them in their attempt to lead law-abiding lives⁶.
3. Participants are more likely to spend more time interacting with non-offenders than they would do in prison.
4. Increased involvement in, and from, the community may assist with re-integration and acceptance.
5. Specific offending behaviour programmes run in the community affords people the opportunity to put into practice and rehearse in a real-life setting, skills that they have acquired during the programme

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5. In fact we argue that our research shows that some elements of these communities contribute to our respondents entering into prison in the first place.
 6. Similar to the note above, care must be made to see that the a 'family' is clearly identified and not only made to feel responsible but given constructive guidelines to make sure the offender is not allowed to 'slip through the cracks'.

When considering the type of programmes that could be introduced in the community, ideally these would be similar - as much as possible - to those that are run within prisons. It is important to avoid a situation where prison is actually a more attractive proposition because it offers opportunities that are not available elsewhere. It is recognised that it is unlikely to be possible to have exactly like-for-like programmes (e.g. there may be some programmes introduced specifically for high-risk offenders, who are unlikely to be given community disposals).

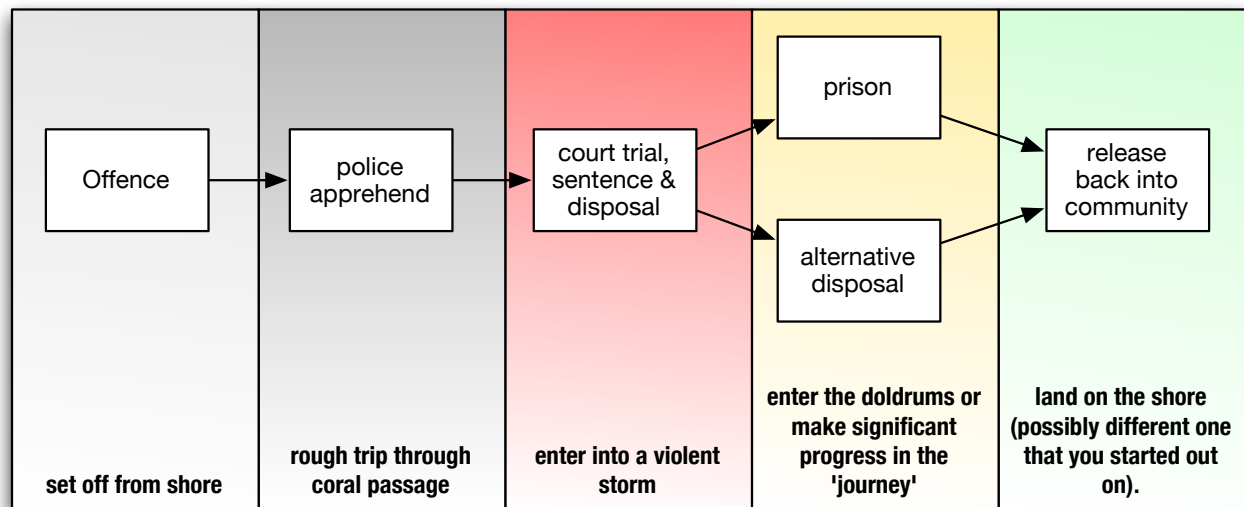


Figure 3: Summary of a prisoners potential 'journey'. The analogy made is that of a traditional canoe setting out from one shore and traversing the ocean to land again on (another) shore.

6.5: Monitoring

Principle 12: The introduction of any new programmes or processes should be closely monitored along with a clear plan of how they will be evaluated in terms of (i) effectiveness of delivery and (ii) whether they are achieving what they set out to achieve.

Monitoring in this way serves two purposes. The first is as a means of quality control. Programmes carried out poorly are unlikely to have the desired effect. The second is as a means of providing staff support and also of assisting them to develop the necessary skills to carry out their job. Training represents the first step in the process, but putting new skills into practice requires ongoing supervision (at least until the individual reaches the required standard).

We note with the benefit of hindsight that often new initiatives do not initially budget sufficiently for a strong valid monitoring research programme to help evaluate the efficacy of the system. Instead the concern is for 'training' and 'delivery' and then there is a temptation to 'cross-that bridge-when-we-get-there'. The result is often a weak evaluation because the monitoring indices were not thought out or implemented in time. 'Consultants' are drafted into 'correct' the problem and ultimately there is a missed opportunity to evaluate and possibly adjust the programme. Fiji Prison services should not feel it necessary to repeat this predictable negative development.

Principle 13: Thought should be given to the creation of an independent inspection agency

One way of ensuring that a service is doing what it is expected to do is to inspect it against the standards required (e.g. prison rules, legislation). The process also ensures the integrity and quality of the delivered 'product'. Other advantages are that it provides a way to 'cut out the culture of hierarchy' to 'cover up' deficiencies. Junior Prison officer staff (those that deal with the prisoners directly) and prisoners themselves would have a 'legitimate' avenue to voice concerns to this independent auditing body without fear of subsequent victimisation by either their superiors or the prison officer staff directly.

6.6: Multi-disciplinary approach to dealing with crime

The problem of crime is not the sole responsibility of any one agency. In fact, it is not the sole responsibility of the services that constitute criminal justice. To seriously address all facets of crime: prevention, detection, control and rehabilitation requires a truly multi-agency⁷ approach. There are several benefit to working in this way:

1. Participation builds commitment
2. Different perspectives contribute to better solutions
3. Involvement ensures accountability

Principle 14: Suitably skilled individuals, from within the listed agencies, should be identified to take the work highlighted in the recommending principles forward.

6.7: Economic Arguments on Investing in Prisons and Corrections

Not surprisingly, the recommendations stated in the previous section appear to suggest that there are significant expenditures to consider and this is likely to be met by both government and non-governmental organisations with a sense of resistance given the considerably stretched financial resources of a developing country like Fiji.

However, this is one area where both government and non-governmental organisations can take heart because of the statistical data that has become available through modern *meta-analyses*. This overall level of analysis allows *effect sizes* to be calculated with in turn can be used to calculate percentage financial savings in the longer term by looking at reducing recidivism rates. This is not the only way to save money but it is a starting point.

There is also increasingly an awareness that one needs to consider criteria other than straight forward financial costs incurred under a government ledger that has 'Prison Ministry' label attached to it, namely that the consequences of a prisoner being sentenced to prison as significant cuts into the social and environmental realms, which in turn have real world financial costs. For instance, the research literature tells us that a strong predictor of criminal activity is spending time in prison even for a relatively short period of time. Someone with a prison sentence has the stigma attached to being an 'ex-convict' regardless of whether they were there for 2 months, or 2 years. Our research in the previous section shows how such a stigma may indeed make subsequent life of more serious crime a more likely proposition. A young offender then is placed in prison for a first time offence for pick-pocketing. Two months later, he is back out from prison but now has an understanding of how to do 'bigger' stealing jobs. His social situation is if anything, worse than him going into prison, so he is more likely to continue stealing. The social consequence of this might be that in a few years time the same individual is involved in a robbery with violence which results in a death because the person being robbed resisted. If the victim

7. To include: the judiciary, parole/probation administrators, policymakers, public and private service providers, correctional institutional officials. Consider also, role of the police and, potentially victim groups.

who died is a father, brother, active church member etc., then his absence will have significant consequences for those he was involved in. The environmental consequence is that people in that community feel less safe, with the result that higher walls are installed, electric gates are installed and the community environment transforms into the gated communities of those that 'have' vs. those that 'have-not'. This is not an unrealistic scenario because many of our respondents gave us life stories that are similar to this one and did indeed result in someone dying.

Our understanding is that often economic analyses that compares keeping a participant in prison, versus having a well structured and delivered community programme, does not take into account the true social and environmental costs. There is increasingly a move within large corporations who want to calculate the 'true' medium to long term costs, to use what is called *triple bottom line* balances⁸.

Principle 15: Understand that there are significant economic arguments supporting alternative sentencing and disposals as a way of dealing with offenders. This is particularly relevant when one takes a *Triple Bottom Line* balance.

There is of course a non-economic argument that states for reasons of humanity and those taking a more enlightened path of spiritual forgiveness, we should not ignore those members of our society who end up in prison. Indeed as clichéd as it may sound, but it still remains true that "The degree of civilisation in a society can be judged by entering its prisons", something that Fyodor Dostoevsky wrote in *The House of the Dead*, the fictional account of a condemned prisoner which was based on his own experiences in a Siberian Prison under the old Soviet regime.

8. Sometimes referred to as '3BL' or 'People, Profit, Planet'.

7: Future Directions

This research completed and documented on this report provides 'pointers' and 'directions' rather than categorical causal relationships and equivocal programmes to reduce offending. This is not a failing of the research but rather the nature of a complex set of interwoven variables occurring simultaneously in overt and covert ways.

The task of reducing offending and crime within any society must therefore be seen as a continual and ongoing process. Further research is an integral part of that process. This section outlines what would seem to us to be the most fruitful immediate and intermediary programmes that should be pursued. Whereas in the previous section we wrote about 'Recommending Principles', this section suggests concrete strategies. We have listed them approximately in highest to lowest priority. As stated previously, we are aware that some of these issues are already occurring, our focus is simply to provide an external reference point.

7.1: Conduct a Triple Bottom Line Performance Analysis

To conduct a 'triple bottom line report' analysis on the costs and savings of investing in a good penal system and correctional services vs. maintaining the status quo in terms of investment in the system. We feel that it is important to acknowledge the very 'real' costs that are incurred from poor prison and/or correctional services, particularly the social costs of high levels of new offenders and re-offending. Once this is taken into account, there is a better understanding of how investing in crime prevention and good rehabilitation services actually saves money. Establishing these costs to society allow policy makers to realistically establish what financial resources they have potentially available: in other words what funds could be made available without seeking additional funding.

7.2: Issues around Prison Programmes

In the previous section on Recommending Principles, we wrote that there needs to be a focus on appropriate rehabilitation programmes. However the emphasis is primarily on appropriate programmes not straight forward transplants.

7.2.1: Integrated 'Follow Through' Case Management

Implement a case management system in place that allows for a structured, detailed approach to individual offender management. Such a system ensures a consistent approach to

- (i) what information is collected about each individual,
- (ii) how and where that information is collated,
- (iii) who is involved with the individual (for the duration of his disposal period) and
- (iv) the creation of a detailed sentence plan on the basis of information collected and the views of relevant others, e.g. the case manager, the offender.

This approach has the best opportunity to identify and match an existing or future programme(s) to the individual offender that is likely to reduce their re-admission into prison once they are released.

An integrated case management approach suggests that there is a common thread for the offender so that they do not feel like they are going through disparate (and perhaps at times conflicting in terms of their aims) institutions. One way to achieve that could be to have an assigned individual that the prisoner sees right throughout their passage from being apprehended by the police, through the court system, possible prison sentence (or alternative) and then as a support on their re-integration in the community. There are advantages to this approach that benefit not only the offender, but also all relevant stake-holders, namely the feedback that they can theoretically receive on the 'progress' of an offender particularly on release.

In terms of 'most bang for ones buck' it would seem to us that the integrated case management approach has the greatest potential to bring about immediate gains.

We also note that the prison officers appear to have good relationships between themselves and the prisoners. This might be explained because of the strong ethno-cultural traditions amongst indigenous Fijians. A case management approach that identified needs, and in addition saw the prison officers as a resource could be implemented without necessarily invoking high level training or the addition of extra staff.

7.2.2: Training Programmes

The issue that seem to lock many prisoners into a cycle of crime appears to be lack of qualifications to get a job in the increasingly competitive employee market. Particularly for the robbery cases, our participants appeared to suggest that they would prefer **not** to commit these offences if they could secure employment that gave them between \$80-200 a week.

There is some irony though in the idea that Prison could, and indeed should, provide top quality training when many offenders could not afford to go to this training as a law abiding citizen (with very low or no regular income). The concern then might be voiced that funding well run and relevant training programmes might be an incentive to commit a crime. In other words to get into prison in order to receive the training. One way to make the training available but not make it a lure into prison for that reason alone, would be to consider a bond. That is a prisoner is bonded to do skilled work (for an agreed commercial rate) for a certain amount of time depending on the amount of training they've received. Bonded skilled labourers could be sent to locations where there is a shortage of skills. The advantage to this scheme too would be that if the bonded work was completed successfully, then they would have a genuine work record to take to a future employer after their bond is completed. A follow up feedback group session with most of the prisoners we interviewed, seemed to think that this was probably not a bad idea. That is they understood that it probably would deter offending just for the sake of receiving training, but could amount to a 'fair trade' as long as they were not perceived as 'cheap' labour.

In addition, similar training opportunities need to exist in Community disposals in order that decisions to send an offender to complete a prison or community disposal are not dictated by access (or not) to training opportunities.

7.2.2.1: Vocational Training

Although this exists, it might be that better liaison with industries is required to:

1. understand far better what the job market is;
2. allowing targeted and tailor made training to be conducted which has been approved of by the employers themselves so that finally;
3. the same employing industries are able to employ offenders released from prison.

For instance, in the cabinet/furniture making industry, there appears to be, because of migration, a severe shortage of qualified, trained staff, particularly at the more skilled end of the market. Some of these furniture making companies are turning down jobs because of a lack of trained staff. The training it appears is something that they have to provide as most of their staff come to them as 'carpenters'. The prison programme therefore could liaise with some of these industries and try to tailor the training to be exactly in line with the skills required to be a cabinet or furniture maker.

7.2.2.2: Arts & Crafts Training

Covering the gamut from performing arts, to building crafted materials. Although there are employment opportunities selling craft materials, one might also consider the role that learning an art or craft brings for prisoners

7.2.2.3: Academic Training

Many prisoners seem to have not completed their formal school education, or do not have access to further 'academic' training.

7.2.3: Prison Infrastructure

If the numbers of prison officer staff are to be kept significantly lower than conventional penal systems advocate then it cannot be stressed enough that the physical infrastructure has to be of such quality that prison officer staff do not need to be constantly considering 'containment' issues. If this does occur then prison officers will take on a more stringent, or harder, or even more 'brutal' aspect of being an officer to ensure that prisoners are less likely to take opportunities by testing the boundaries. Given the lack of opportunities for prisoners to talk and be listened to, it would seem that prison officers are their most likely opportunity to talk with people who represent society's law and justice sector. This cannot occur though if the prison officers are constantly thinking about 'containment'.

7.2.4: Parenting

Given that most inmates will at some point become parents themselves - if it was found that their own example of what it would take to be a father is likely to be 'poor' - then it would seem valuable to implement a 'good parenting' programme in order to stop the repeat cycle.

7.2.5: Cognitive Behavioural Programmes

There is a place for appropriate 'Cognitive-Behavioural' programmes that deal with particularly 'high risk' offenders. However, it must be understood that these are expensive programmes to run because they require highly trained qualified staff to deliver such programmes. Just as importantly is the need to develop programmes that are suited to the ethno-cultural climate of Fiji.

Just to drive this point home, our research and that of Evans' statistical analysis, suggests that many offenders are **NOT** high risk. There are several categories of potentially 'high risk' categories that could benefit from a future cognitive-behavioural programme: high rates of repeat offending behaviour, violence against the person and sexual offences (crimes against public morality). The numbers of the latter two categories are (currently) small, so the issue of whether this is a high priority needs to be evaluated. It remains to be seen whether implementation of other suggestions (such as good quality training programmes), will reduce the recidivism rates. There is no doubt that in the future such programmes will be highly desirable. There might be an active monitoring programme that specifically flags these areas of offending behaviour to monitor the changes over time. There might also be some effort into identifying programmes that could work in a Fiji context; in other words do some preparatory work.

7.3: Issues Around the Judiciary

7.3.1: Construct Viable Instruments that Assess Risk

As previously mentioned there needs to be an assessment tool that can assess the degree of 'risk' that an offender poses. It is vital that this needs to be an instrument that is specifically designed for the cultural contexts found in Fiji. The 'worst' case scenario would be to simply 'transplant' an imported instrument as this may actually at one end of it being inappropriate, give the wrong kind of disposal programme to a convicted offender, and at the extreme negative end, give a disposal programme that actually increases the chances of re-offending.

7.3.2: Identify Alternative Sentencing & Disposal Relevant to the Fiji Context

Whilst there are a number of alternative sentencing & disposals possibilities practised the world over, the issue that needs to be identified is which of these are relevant or can be adapted to make them relevant and effective within the socio-cultural environment of Fiji. An assessment should be considered which expertise to assess the relevance of options to the Fiji environment.

7.4: Issues Around the Law & Justice Sector

These are recommendations that can cut across all the institutions that are involved in the Law & Justice sector. These recommendations are NOT prioritised, they are equally important and in many ways are underpinnings for the success of other programmes.

7.4.1: Establish Processes that Delivers Justice Throughout a Prisoner's Passage

The results of our research point distressingly towards serious problems with the way suspected offenders are handled and dealt with both by the police and also the judiciary. However, we accept that we only heard one side of the story and that this research is NOT able to establish the veridicality of these claims. However, the consistency with which these stories came out, makes one think that there cannot be any 'fire' with this much 'smoke'. This suggests that there ought to be a review of the processes that are put in place. The aim should be to establish a suite of processes right through a prisoner's potential 'journey' through the system which makes abuses of justice virtually impossible without impossibly large scale collusion by all relevant stake-holders (NGO's included).

7.4.2: Make Provision for and Establish Independent Process Auditor

The point above, suggests that not only do the processes need to be established, but they need to be monitored too. This recommendation is a direct follow on from this. This recommendation is to consider amending legislation and establishing the mechanisms for an independent auditor of processes in prison (at the very least). Given the previous recommendation, such a body might be tasked with a mandate that might cover all institutions through which an offender has to journey through.

7.4.3: Construct an Inter-Organisational Database

To construct a database that is easily accessible but stake-holders in terms of watching a prisoners progress through the system: his (or her) 'journey'. Some of the issues are covered in a second report called "*What Indices Should be Used in the Justice Sector?*". Preliminary discussions with Prisons, Police and Social Welfare, suggests that a database needs to have core indices and reports available to all, but there needs to be enough flexibility to allow each organisation to store their own institutional specific information that (probably) holds no interest to the others as they mostly concern themselves with the logistics. Nevertheless there needs to be some considerable thought put into securing the information regardless of whether the technology is electronic (most likely) or some other such as a paper trailed database.

7.4.4: Construct & Deploy Effective Monitoring Programme

This is also covered in the second report associated with this research "*What Indices Should be Used in the Justice Sector?*". Briefly stated it is the notion that regardless of the amount of preparatory work, one cannot over emphasise enough the importance of a monitoring programme that can effectively evaluate of the efficacy of

7.5: Issues Around Community Programmes

Issues around community issues have already been dealt with in the preceding sections that dealt with 'Issues Around the Judiciary' (7.3), and access to equivalent training opportunities in Community disposals (7.2.2). These are additional issues identified.

7.5.1: Research Initiative to Explore Positive Role Modelling

It seems as if Fiji is undergoing significant transitions in these times with respect to the role and presence or absence, of the father figure. Fathers particularly appear to be noticeable by their absence because of divorce/separation, the father working abroad, or even serving a prison sentence, or even death. Furthermore, the results of our focus groups suggest that there is a search for positive role models which our respondents were only too aware of their lack in the community.

However, what is not known is how a role model figure such as the father plays such a critical role in an indigenous Fijian ethno-cultural context.

An ethnographic research initiative is required to ascertain more fully what is actually required. Without this initial information, it is difficult to suggest what programmes ought to be implemented in the community.

7.5.2: Ethnic Differences



Differences in family parenting styles particularly between indigenous Fijian youths and Indo-Fijian youths would be of a significant importance to understand why the ethnic proportions in Fiji Prisons is disproportionately skewed to indigenous Fijians.

We equivocally state here that we believe that this is not some 'genetic' bias, but rather a function of the socio-ethno-cultural environment that the two groups find themselves in. Indeed our own research respondents who were Indo-Fijian appeared to us, for one reason or another, to have grown up under remarkably similar circumstances to indigenous Fijians. All of them spoke fluent Fijian and seemed to have a strong mixture of friends from different ethnicities.

An ethnographic study of indigenous Fijian and Indo-Fijian families and parenting styles from some of the suburbs which has high representation in today's prisons, would highlight differences. It is important to understand these differences in terms of trying to come to grips with suitable effective preventative community programmes.

7.5.3: Resilience & Social Capital

Another line of research that suggested itself during the research was to possibly focus the research onto protective factors that prevents many youths that live in 'crime' areas but who nevertheless do not end up in prison. We understand that from our focus group and workshop participants, there are significant proportions who do not end up in a life of crime. The question is 'why?' when much of the superficial social environment would seem to be the same. Such individuals are said to have *resilience* in the psychological literature.

Similarly there are communities in Fiji who ostensibly have many of the same social issues as say Raiwai, Nadera or Kinoya. What is it about these other areas that does not seem to result with many of these communities' youths spending time in prison. Sometimes the resilience within a community has been explained by the community having strong social practices in place that prevents their youths from offending. This kind of societal protective factor has been labelled *social capital*. However, this *social capital* does not exist in perpetuity and currently as the culture transits from traditional to modern society, there is a danger that the beneficial aspects of traditional indigenous Fijian society will be passed over. An example is the sense of 'belonginess' to an extended family.

7.5.4: The Role of Women in Crime & Crime Prevention

One arena that was not explored in this research with sufficient detail was the role of women and their potential role in providing solutions to the community. This is potentially a **very** important avenue to discuss for the future. It is important to note though that the strong ethno-cultural gender bias towards deference to men in indigenous Fijian society means that programmes with significant 'teeth' are likely to be cutting new ground and probably met (initially) with considerable resistance.

This is a project that needs to be considered with considerable sensitivity including deciding what future discussions should focus their energies and inputs on.

8: Summary & Concluding Remarks

This report started off with the intention of pointing towards answers to these questions:

1. Why are there so many youth coming into prisons (& why have they not been seen in the formal process prior to their entry)?
2. Why are indigenous Fijians over represented in offending?
3. What is driving the significant increase in sex offences?

Our research provides tentative answers with the proviso that there is an understanding that these are only 'pointers' and not definitive causal statements. Clearly future work needs to validate these. However, it is the professional judgement of the authors of this report that:

- i. The larger proportion of the increase in youths coming into prison is probably NOT the result of 'real' crime increasing overall in the Fiji. It is possible though that within Fiji the change of demographics as a result of urban drift and other social drivers of migration, may alter the crime rate within different pockets. Increasing in some areas and decreasing in others.
- ii. Our evidence suggests that Indigenous Fijians appear to be over represented in prison because of aspects of the 'gaps' that appear in the social fabric of a society still trying to adapt it's ethnic culture to the transition of modernity. This may be no surprise to many, but our research has shown pointers as to where to drill down in more detail to uncover what that means in reality.
- iii. Our report for the moment, suggests that a significant proportion of the 80% increase in sex offences is more likely due to increased reporting of the crime, rather than a genuine increase? There is not enough evidence though to suggest whether all of this 80% increase is due solely to the increased reporting, or whether there is additional 'real' increases in sexual offences.

We have provided a number of recommending principles and concrete recommendations that stem from these. We want to reiterate the message that we stated in the Forward of this report and that is that there does appear to be a genuine opportunity to 'get it right'. Haste is required though before the window of opportunity disappears under the march of 'globalisation' and 'modernisation'.

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Appendix I: Prisoner Interview Method

Prisoner Interviews

Prisoners were initially recruited to the study by having cases from the documentation section look for prisoner profiles that fit the category of being a Fijian male, within the age range of 18-26 and having been placed into custody for either robbery or rape charges.

In the end though significantly older recidivists for robbery cases were also recruited because they started their prison life at the same age range and it was thought instructive to try and conduct interviews on prisoners who started at the target range and then continued.

Also there is a significant increase in the number of older males being placed in prison for rape charges. We interviewed a number of these 'older' male cases to see if there was a possible pattern.

Setting the scene

The interviews were conducted in as relaxed an atmosphere as possible. To achieve this, we sat on mats, offered tea/coffee/juice and biscuits and tried to engage a '*talanoa*' session rather than an interview.



To help this process, we all sat on mats and cushions rather than around a formal table and chairs. We had three locations which were used. In Suva prison (Korovou prison) we had a relatively secluded room which had few people wandering through or past. Past experience has shown that prisoners tend to be very wary of speaking if they feel that others - particularly prison staff - are listening in. Just opposite this room was a more traditional *bure* which although was 'open', is situated in a way that few people can either see or hear what is going on inside, the *bure* unless one makes a point of going specifically there.

A number of prison officer staff began to hear of our research and requested that they be allowed to sit in. We respectfully declined on the basis that we thought it would intimidate the respondent from answering truthfully.

Oceanik Psi's seconded Prison officer was dressed in 'mufti' (smart casual with 'pocket-sulu) rather than uniform throughout all the interviews.

We had a schedule of questions that we asked but it was not followed in a rigid manner. It functioned as a guide as to the areas that needed to be covered. More often than not, after the respondent started to talk about themselves, they naturally moved on in their conversation to cover the topics that we wanted to cover. The interview schedule is contained in Appendix IV. A rough guide to the questions is as follows:

- ☐ questions about the respondent's family, school and growing up life
- ☐ questions around the offence for which they were in prison, before, during & after.
- ☐ questions that asked for possible forces that caused the offence.
- ☐ questions that might made the prisoner effectively 'stop' offending?
- ☐ what would be of most help to the offender during their prison sentence?
- ☐ what advice to could the prisoner give to their peers to avoid being in prison?

We explained at the start of the interview that:

- ❑ Everything was confidential. Apart from a transcriber, no-one would read the contents of the interview in a way that they could be identified. In this report they are identified by codes alone.
- ❑ They were at liberty to not answer any question with which they felt uncomfortable. They were encouraged that we would prefer this instead of being told something that they thought we wanted to hear (i.e. to tell a 'lie').
- ❑ They were told that they were at liberty to discontinue the interview at any point without any recrimination.
- ❑ They were told that because the interview was confidential, that **nothing** they told us could influence their case - either positively or negatively. We stated this to make try and once again give respondents the assurance to speak the truth, but also because we did not want them trying to paint their case history in the hope that they might engineer sympathy and possible action on our part on their behalf.
- ❑ They were told that they could use any language that they wanted, that is either Fijian, English or both mixed up. We stressed that there was no need to feel that their language had to be formal or 'correct'.
- ❑ They were told that this process was a collaborative process. The respondent was seen as just as equal a partner in this research collaboration as ourselves. In other words we tried to alleviate as much as possible the obvious power differential between ourselves (as non-inmates) vs. the respondents (as inmates).
- ❑ They were also told that although their participation would have no immediate effect on their individual cases, it was true that we believed that our research would make a significant impact on prison processes and as such their contribution in this endeavour was highly valued. We did this in order to (correctly) give the respondents a sense that their participation was valued.

Four initial interviews were conducted by the senior researcher and the prison officer seconded to Oceanik Psi. A further eleven interviews were conducted with the previous interviewers and an additional native Fijian speaker communications/researcher specialist. The final eight interviews were conducted by the first two interviewers. A critical component to this was having native Fijian speakers, either of which had a 'fine-feel' for good social skills specific to indigenous Fijian males, all of which one might describe as coming from poorer socio-economic backgrounds. Elements that are not easy to describe in this process for non-Fijians is the normal conversation by indigenous Fijians that tries to establish where the respective speakers are from. There exists traditional ties between different provinces and each and all of these relationships were employed to make the conversation 'lighter' in tone and less formal. There had to be some considerable latitude in the way questions were asked and/or rephrased. Even with two native Fijian speakers, it was often challenging to cope with an interviewee who had (i) a non '*Bauen*' accent and used a strong dialect instead & (ii) were often confronted with questions which they said they had never been asked before.

More often than not questions had to be rephrased using different imagery from that used in the original English question posed or suggested.

This organic way of conducting the interview along with conducting it in two languages, was however turned in a positive way, since it allowed us to cross check the internal consistency of the respondent's story by having different members of the team revisit areas to 'clarify' issues.

Appendix II: Methodology in Conducting Focus Groups

One of Oceanik Psi's research team set up focus groups for us to conduct our research. This team member (Eleazar O'Connor) lives in one of the target areas (Nadera) and is himself still considered a youth (being 21 at the time of the research).

Youth groups from the our target communities were invited to attend small 7-12 person focus groups. Yaqona was bought and some small contributions to have either tea and biscuits/lollies too. Three or four of us attended these focus groups: the Prison liaison officer, the focus group organiser, the communications specialist and the principle research designer. The latter was the only member who did not speak fluent Fijian. The others were all native speakers. A key contact set up the meeting to target specifically male Fijian youths from the area. We started off in Nadera where we had two focus groups on successive nights. Contacts within *Nadera* was used to 'snowball' to another key contact in *Kinoya* and then from there to a focus group in *Makoi*. We had originally meant to try and conduct an focus group in *Tovata* but this was changed to *Makoi* because of the contact that we used.

We also decided to conduct an extra focus group in Raiwai as a precursor to the workshop that was conducted there in late October.

We stressed that we were not interested in identifying anyone. We did not need to have any verification of people, but we asked only that any information that they were willing to share with us was 'true' and not made up to sound good. We explained what it was that we were doing and why we were doing it. We tried explaining that we considered their input vital in terms of understanding what the actual issues were.

For the most part, the focus groups were a way of trying to engineer what might more reasonably be called a *talanoa* session around a *tanoa*. However, drinking *yaqona* around a *tanoa* still engineers a certain suite of protocol steps to be adhered to. One of which was the seating arrangement which tends to be almost like an asymmetric torus in overhead detail.

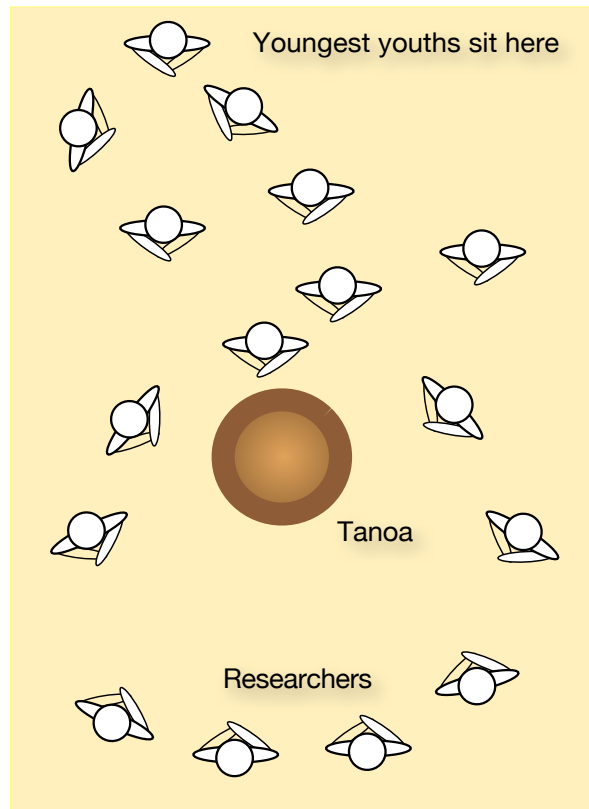


Figure 4: Showing on overhead view of a focus group set up around a Tanoa 'grog' bowl of yaqona. The youths we really wanted to speak to would often be furthest away from us.

The consequence of which was that the very youth with whom we wanted to speak would tend to sit furthest away from us. Information from these youths tended to be 'Chinese whispered' from the back to the front of the group. The youngest youths sitting there and roughly increasing in age as the seating arrangement came closer to the *tanoa*. Many times answer to an original question would be presented 'at the front' of the *tanoa* 20 minutes after it was originally asked. One cannot but imagine what censorship and distortions occur on this information being passed forward.

We also found that trying to simply get the youths in these focus groups to turn up, was quite an effort. Typically we would sit down between 5.30-6.00 pm with our key informant and we would start the discussion and it would seem that out of the corner of our eyes we could see youths milling around trying to decide whether to join the discussion or not. It was not uncommon to have say 3 youths at 6.30 pm but by the time we left at 9-ish, there could be 12 or 15 youths, many of which would have filtered in at around about that time. We understand that this was not due to 'poor timing', but rather a function of being observed within the community and being evaluated as being 'genuine' instead of (say) a spy for the police. This despite our key informant being a trusted member of the our target group.

Appendix III: Methodology in Workshop

Because of the difficulty in accessing the youth in focus group sessions, it was decided to try and hold a workshop format that uses *Theatre for Development* drama game techniques. These 'games' are fun to do and because they have adults moving around and 'acting' in a way that tends to make one feel a bit silly (but it is ok in the context of a 'workshop'), barriers across age gaps, employment levels and ethnicities, tend to be lessened or sometimes disappear all together.

Practitioners from the Pacific regions most accomplished *Theatre for Development* group⁹ were used as facilitators for a two day workshop. The highest participant numbers was just under 30 males. Not all of them were 'youths' but also those involved in youth issues within the Raiwai area. Some of the participants had been born and bred in Raiwai and grown up through the period when Raiwai and Raiwaqa were at the height of their criminal notoriety in the 1980s.

Despite a number of attempts to engage female youths (or any females) this was totally unsuccessful. We understand that this is because there is not significant gender mixing even in a suburb that is so close to the city centre. To place this into context, today one still sees many indigenous Fijian couples get on a bus together, but they will not sit together, the wife or female partner will sit at the back whilst the male sits at the front (or visa versa) even if both subsequently get off together. Most Methodist churches still sit their congregations into three separate sections: men on one side, women on the other and children at the front sitting on a mat.

The facilitators then started the workshop with a number of 'ice-breaker' games in the Raiwai youth hall. This is an indoor basketball court with a number of room splitting off from the hall. One of the tasks was to get into smaller groups of say 4-8 people (depending on the task) and to build a scene with 'living statues'. That is the group would put their bodies into positions of a 'picture' which depicted something, such as the jobs they would like to do; the things they did for a 'day in the life' and so on. This fundamental skill was used for many games, such as 'show three good things and three bad things about being unemployed in Raiwai?'



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9. *Wan Smolbag Theatre Company* are a drama based company that concern themselves with employing drama techniques to promote developmental issues. Based in Vanuatu, they do however present across the Pacific and have been visiting Fiji in this capacity for almost two decades. <http://www.wansmolbag.org>

Appendix IV: Background Remedial Programme Research

Dealing with those who offend

For as long as there have been criminal courts there have been disposals in place for those who break society's laws. Taking an historical perspective on what was done with convicted offenders, the predominant aim was that of punishment, of inflicting some form of penalty that would inhibit the individual from offending again.

In recent times the most obvious example of this is imprisonment. So what function do prisons have? Firstly, they do punish the offender: they take away his liberty - potentially for significant periods of time - and remove him from his family and friends. Secondly, they protect the public: whilst incarcerated, the offender cannot inflict further harm. The third function of prison was as a deterrent to further offending, the belief being that the experience of prison was so negative that people would be disinclined to offend again. It is this last function that has become increasingly under scrutiny. In many countries, crime rates are increasing, as are the numbers being held within prison. In addition, the recidivism rate - the rate at which those who have experienced negative consequences of offending continue to offend despite that - is also of concern. Prison does not seem to be having the over-arching effect of deterring offenders from committing future crime¹⁰. Indeed, McGuire (1995) concludes that "The notion that punishment can reduce the rate of crime in society is little more than an irrational and unfounded hope" (p14). This begs the question then, that if punishment does not work, what does?

Does rehabilitation work?

The idea of offender rehabilitation - in essence, reforming an offender so that he will not commit further criminal acts - is not new. Interventions of some form or other have been going on for many decades. However, offender rehabilitation and, more specifically questions about the effectiveness of programmes aimed at reducing an individual's likelihood of re-offending - came to the fore in the 1970s. During this time there was an ongoing debate regarding 'What Works' (if anything) in the realm of rehabilitation.

The debate began with the paper 'What works? Questions and answers about prison reform' (Martinson, 1974) that concluded 'with few isolated exceptions, the rehabilitative efforts that have been reported so far have had no appreciable effect on recidivism' (p. 25). Since then, researchers have challenged that assertion and, over time, a great deal of evidence has been gathered that demonstrates (i) that there were flaws in Martinson's research (Gottfredson, 1979; McGuire & Priestley, 1995). Indeed, Thornton (1987) concluded that the catalogue of studies reported by Martinson may properly be read as indicating that psychological intervention can have positive effects on recidivism, or that no final conclusion can yet be drawn. The one conclusion he reports cannot be reached is that 'nothing works'; and (ii) a consistent positive effect size of rehabilitation programmes, e.g. Palmer (1975), Gendreau & Ross (1987) asserted that some programmes, including many of those reviewed by Martinson were, in fact, very successful in addressing offending behaviour. Some interventions showed a reduction in recidivism of up to 80% in some cases. They found that effective programmes were conducted in a number of community, and to a lesser extent, institutional settings dealing with adolescent and young adult offenders as well as recidivistic adults. The poor quality of the methodology used in the original study was regarded as a principle reason

10. Although it is recognised that prison will deter some people from continuing a life of crime.

for the failure to distinguish such programmes from those that were less successful. Eventually, in the face of significant data to the contrary, Martinson accepted that the evidence suggesting that psychological intervention can have a positive effect on treatment outcome is 'too overwhelming to ignore' (Martinson 79).

Since then, and especially since the discovery of meta-analysis in the 1980s - a technique that enables findings from many different studies to be combined and analysed together - there has been significant evidence demonstrating an effect on recidivism of offending behaviour programmes (Izzo & Ross, 1990; Andrew et al., 1990) (Lipsey, 1992) (Lipsey, 1995)).

'What Works' in Offender Rehabilitation

The 'What Works' literature has led to a re-thinking of what intervention approaches should be employed, and to a body of research explaining precisely what interventions, under what conditions, result in reduced recidivism rates (Cameron & Telfer, 2004).

Underlying principles

The most recent research presents a clear consensus on those aspects of work with offenders that are likely to contribute to success in reducing rates of re-offending (Lipsey & Wilson, 1993; Andrews, 1995; Andrews, 2001; McGuire, 2002). Effective interventions utilise the following principles:

- **The risk principle.** The degree and intensity of the intervention should be matched with the individual's likely future risk of offending, e.g. high-risk offenders are likely to require a higher intensity intervention compared with lower risk individuals. In addition, the venue for work with offenders can also be considered against the level of risk they present (with lower risk individuals more likely to be managed equally as well in a community setting, thus circumventing the possibility of incarceration).
- **The needs principle.** Most people who offend have a variety of needs, some of which are directly linked to offending (these are called criminogenic), e.g. impulsivity, cognitive rigidity, poor problem solving, poor communication and interpersonal skills and antisocial/pro-criminal attitudes. The needs principle proposes that interventions should specifically target these criminogenic factors.
- **The responsivity principle.** The delivery of programmes should match the learning styles, motivation, aptitude, and cultural orientation of those receiving the treatment, i.e. should be responsive to the different ways people learn. McGuire (1995) suggests that most offenders require active, participatory methods rather than a (potentially) less engaging didactic approach.
- **Programme integrity.** Intervention programmes must be delivered in practice as intended by the design (Hollin, 1995). This requires those involved in the programme to ensure that (i) the programme aims and objectives are followed, (ii) that there are adequate resources to run the programme (appropriately selected and trained staff, suitable facilities) and (iii) that there are processes in place to ensure programme integrity is maintained, to support the facilitation team, and monitor programme efficacy.

Cognitive-behavioural theory

Effective programmes should be clearly conceptualised, theoretically driven and empirically based. In addition, they are also more likely to involve the application of cognitive-behavioural models (McGuire, 1995). Behaviourally orientated programmes that do not incorporate a cognitive component have been found to be less effective (Vennard et al., 1997).

Cognitive-behavioural programmes are based on social learning theory, and assume that offenders have failed to develop a range of functional cognitive skills and have learned a range of inappropriate (offending) ways of behaving (Lipton et al., 2002). In line with social learning theory, crime is regarded as a learned behaviour, where people learn criminal behaviour through the groups within which they associate. If an individual associates with more groups that define criminal behaviour as acceptable than

groups that define criminal behaviour as unacceptable, the person will be likely to engage in criminal behaviour. Just as people learn through socialisation how to conform to societies norms, they must also learn how to depart from those norms. Deviance, like conformity, is a product of socialisation (Worthman & Loftus, 1992). Socialisation provides the opportunity to learn a host of skills that are needed in adulthood, such as interpersonal skills, coping skills and problem solving skills. However, poor socialisation limits the skills that are learned and encourages inappropriate ways of thinking and behaving. After a behaviour has been learned in this way, Bandura (1977; 1986) proposed that reinforcement or punishment act in the normal way to increase or decrease the frequency of the behaviour. Social learning theory posits that the acquisition of new non-offending behaviours might be encouraged through modelling or observation and reinforced internally, and provides the basis for several cognitive-behavioural treatments. Thus, in the same way that individuals can learn to offend, through observing the actions of others, particularly those who are demonstrating pro-social behaviours, they can also learn not to offend.

A key principle of cognitive-behavioural theory is that an individual's actions have three aspects, thoughts, feelings and behaviour. Each of these can be described as having three dimensions: intensity (its experienced strength), frequency (how often an event occurs) and duration (how long it lasts). The premise then, is that emotions and behaviour are influenced by our perception of events rather than simply the events themselves.

Cognitive-behavioural approaches address a wide range of needs and problems and, consequently many believe they offer the best chance of positively impacting upon recidivism (Lipton et al., 2002). The techniques typically employed in cognitive-behavioural group work are well suited to dealing with the range of problems experienced by people who offend and to exploring the links between thoughts, feelings and behaviours known to be associated with general offending behaviour (Meichenbaum, 1995). Areas often incorporated into cognitive-behavioural interventions include: problem solving, social skills training, pro-social modelling with positive reinforcement of non-criminal behaviours and attitudes.

The aim of offending behaviour programmes then, is to change the offender's attitudes and behaviour using cognitive-behavioural techniques. These methods teach people who offend how to consider and change their thinking in order to avoid patterns of behaviour that can lead them to re-offend (Andrews, 1995). Cognitive-behavioural techniques also address the social conditions that can affect development (Vennard et al., 1997). It is considered that the cognitive difficulties shown by many people who offend are learned rather than innate. Therefore, interventions based on this notion of are intended to encourage an individual to take responsibility for his behaviour and to develop better coping skills, as well as ways of controlling his behaviour and thinking, with increased self-efficacy (Izzo & Ross, 1990).

Cognitive theories of crime assume that offender's cognitions differ in some way from those of the non-offender, which makes the probability of offending more likely. Ross & Fabiano (1985) believe that it is in the area of interpersonal cognitions that those who offend show differences to non-offenders. The major premise of their cognitive model is that what and how an offender thinks, how he views the world, how he reasons, and how he attempts to solve problems in relation to others, plays an important role in his criminal conduct. Fabiano, Robinson, & Porporino (1990) postulate that due to a number of developmental factors, e.g. lack of opportunity, limited intellectual stimulation, people who offend have failed to acquire a number of cognitive skills for effective and non-criminal social adaptation. They believe that these skills are both apparent and identifiable and that they include self control, impulsivity, social perspective taking and interpersonal problem solving. It is an individual's ability in such areas that establishes how successfully a person copes with life.

Setting

On the whole, programmes undertaken in the community tend to be more effective than prison based interventions (Lipsey, 1992). There are a number of theories as to why this may be the case. It may be that behavioural changes that are adaptive in the prison setting may have limited significance to an individual's ability to uphold a law-abiding lifestyle upon release, e.g. conforming to rules in prison may simply be protective within that environment and, because there are no particular gains of behaving otherwise, people simply comply during their 'stay'. It may also be that regardless of changes achieved in prison, the environment to which prisoners return exerts a more powerful influence upon their attitudes and behaviour following release. However, there do appear to be benefits of undertaking work in the community:

- The primary advantage lies in the opportunity it affords people to put into practice and rehearse in a real-life setting and with immediate effect, skills that they have acquired during the programme. McGuire (1996) has argued that realistic opportunities for learning and rehearsing skills are considerably more limited within a custodial setting, which can allow individuals to avoid accepting responsibility for their actions.
- Another advantage is that participants are better able to maintain family and other social ties which might assist them in their endeavours to lead law-abiding lives.
- In the community more likely to spend more time interacting with non-offenders than they would do in prison (McGuire, 1996).

Treatment modality

McGuire and Priestley (1995) note that effective programmes have also been shown as:

- Multi-modal, i.e. they recognised the range of offenders' problems and attempted to address them, rather than simply focusing on one area (to the detriment of others that, if neglected, would simply continue to be criminogenic). Hollin (1994) echoes this sentiment, and notes that programmes for young people who offend frequently incorporate a variety of methods, including cognitive-behavioural techniques, into a multi-faceted programme.
- Skill-oriented, i.e. designed to teach participants a variety of skills, such as problem solving, social interaction, and provide practice opportunities.

What areas should interventions address?

As mentioned above effective programmes typically use a cognitive-behavioural approach, thus tend to adopt a multi-modal approach. The following section explores the types of areas that offending behaviour programmes might reasonably consider addressing.

Motivation

Motivation is widely recognised as a significant factor in the change process and is one of the main factors in explaining desistance. A major aim of an effective intervention then, is to cultivate and develop motivation to change. Both Moffitt (1993) and Pezzin (1995) identify a range of factors that motivated offenders in their samples to desist. These included the desire to avoid negative consequences, realising that legitimate gains far outweigh criminal gains.

People who offend may want to change for a variety of reasons: they may want to avoid the sanctions and disapproval consequent upon being caught offending, or it could be because they have recognised good reasons for leading a different kind of life (McMurran, 2002). However, researchers now recognise that resistance and poor motivation are significant barriers to change (McGuire & Priestley, 1995). In this respect motivation (or lack of) can be considered as relevant when considering issues of responsivity, i.e. how best to work with whose motivation is poor.

There are two types of motivation, extrinsic and intrinsic. Extrinsic motivation occurs as the result of external pressures the individual is subject to, e.g. a probation order, an ultimatum from a partner, or a realisation that to progress within a system requires that an intervention be undertaken. There are clear benefits of participating, but the push to address a particular problem behaviour is driven from elsewhere. Alternatively, there are those who are driven to address their behaviour as a result of intrinsic motivation, i.e. a willingness to change that arises within the individual, the desire to be a different person. It is generally assumed that motivation that is driven by internal factors is a more reliable predictor of change (Wilde et al., 1998).

Evidence suggests that it is possible to bring about change in people who are apparently unmotivated, and those who are ambivalent about change (McMurran, 2002). This is significant given that many participants, particularly in the early stages of an intervention, are extrinsically motivated (if at all). McMurran and Ward (2004) have noted several strategies that they believe help to engage participants in interventions. They include:

- Working on ambivalence, by using techniques such as decisional balance may help the individual to realise that there are more benefits than costs of desisting.
- Efforts should be made to convert extrinsic motivation to intrinsic motivation.
- Attention should be given to the individual's ability to develop and should make the most of his assets and fill in the skill gaps, i.e. there should be a match between the style of intervention and the participants' learning styles (responsivity).
- In the initial stages of the programme making requests that are easily achieved, accompanied by positive feedback.
- Maintenance of long-term change will require that the broad context of participants' lives are supportive of change. During the intervention it is therefore important that steps are taken to help empower participants to make changes for themselves.

Problem Solving

Problem solving is a complex, goal directed sequence of cognitive, affective and behavioural operations for adapting to what are often stressful internal and external demands (Shure, 1982). The term social problem solving refers to problem solving as it occurs in the real world, and is a basic skill needed to resolve conflict and negotiate problematic situations to a safe and satisfactory end. Several skills are needed to successfully cope with social problem situations, including the ability to weigh up the situation, to generate a range of possible solutions, to consider the consequences of these courses of action and to plan to reach a desired outcome (Spivack et al., 1976).

Problems occur for people who offend as for anyone else, but offenders' frequently ineffective ways of responding to problems tends to distinguish them from other individuals (Zamble & Quinsey, 1997). There is further evidence that also suggests deficits in the following: recognising the potential for problems in various interactions, controlling first impulses, taking another's perspective, clarifying the problem, goal setting, conceptualising the means to reach their goals, generating alternative solutions, anticipating the cause-effect relationship between their actions and other peoples behaviour (Ross & Fabiano, 1985). These problems appear to increase the likelihood of producing unsuccessful, or inappropriate solutions in a problem situation and are associated with criminal behaviour and recidivism.

Early models of applied problem solving conceptualised it within models of sequential stages, most notably D'Zurilla & Goldfried's (1971) model that consists of general orientation, problem definition and formulation, generation of alternatives, decision making and verification (see Table 1). Problem solving in this way is seen as a multi-step process involving self-instruction for systematically approaching, assessing, and solving problems. In this framework, social incompetence and misbehaviour is conceptualised as a cognitive deficit that can be remedied through emphasis on the process of problem

solving. Individuals are expected to learn a sequence of problem solving steps and then apply this sequence to a variety of social situations (Coleman, 1993). Research shows that effective interventions that help individuals work through the problem-solving model not only helps the individual to resolve their problems, but also improves the individual's perceived problem-solving abilities (Heppner et al., 2001).

Step 1:	Stop and think of the problem. What exactly is the problem?
Step 2:	Identify the goal. How do you want things to end up?
Step 3:	Identify the obstacle (s). What is stopping you from reaching your goal?
Step 4:	Generate solutions. List at least four ways to solve this problem.
Step 5:	Determine the consequences for each solution. What might happen if you did each solution you listed above?
Step 6:	Choose the best solution and a back-up.
Step 7:	Self evaluate for effectiveness. Did you reach your goal and did you stay in control of yourself?
Step 8:	self reinforce for selecting and carrying out an effective response. Did you give yourself some credit for carrying out the steps? (prompts individual to self-reinforce).
Step 9:	reconsider the problem in light of the results. What would you do differently? What would you do the same?

Table 2: Breaking down a problem into specific steps (from D'Zurilla & Goldfried, 1971)

This type of problem solving procedure discourages the type of impulsive decision making that has been well documented (Harvey et al., 1996) and the technique forces individuals to slow down the process of selecting an answer to their problems by considering alternative courses of action rather than accepting the first potential solution that comes to mind.

Social skills training

Research suggests that, by comparison with normative groups, individuals who experience frequent problems often lack a range of social-interpersonal skills. Difficulties in this area can be problematic, because the way in which a social encounter is perceived may in turn lead to a wrong interpretation of intent, so that the actions of others are often seen as hostile or threatening (Crick & K.A., 1996). This will in turn influence the way in which the person deals with a given social encounter. Social skills training is widely used and almost seems to constitute a form of therapy. However, it is not in itself a therapeutic approach, but the application of a combination of behaviour therapy methods to a specific problem, for example, a lack of skills for dealing with social encounters. Research suggests that social interaction difficulties are evident among some persistent offender groups (Hollin & Palmer, 2001). However, it is wrong to assume that this is a characteristic of all people who offend; clearly people who offend are a heterogeneous population with a wide distribution of social ability.

Many behavioural programmes aim to improve the competence of people who offend in dealing with social interactions, and social skills training has been popular in both institutional and community settings (Hollin & Henderson, 1984; McGuire & Priestley, 1995). Most social skills training programmes conceptualise behavioural problems as a skills development need, with less attention on cognitive weaknesses, and they attempt to remedy it through teaching a number of behaviourally defined social skills through social learning techniques (Coleman, 1993). Research supports direct and explicit instruction, modelling, teacher guided practice, role playing, rehearsal and extensive feedback as effective methods for social skills training (Taymans & Parese, 1997; McGuire & Priestley, 1995; Verduyn et al., 1990).

Self-Talk

Self talk or self-instructional training has become a standard feature, almost a hallmark, of the cognitive-behavioural therapeutic approach (McGuire, 2000). Self talk plays a central part in self-regulation and self-control. Individuals use this 'inner speech' to give themselves instructions when faced with a novel or difficult situation; to guide themselves through a difficult interpersonal encounter. It is well documented that negative self-talk can be harmful and probably precedes the commission of many offences. Thought habits like these may well be the fuel that helps to sustain persistent offending (McGuire & Priestley, 1985). Self-instructional training is similar to some of the techniques used in cognitive therapy, in which maladaptive thought patterns, such as self defeating statements are replaced with more realistic, positive, coping self talk.

Relapse Prevention

Recidivism can be seen as a relapse process in which the individual falls back into old habitual behaviour patterns (Zamble & Quinsey, 1997). Relapse prevention is the process by which steps are taken to empower offenders with the skills to manage those high-risk situations within which they are most at risk of re-offending.

Although models of relapse prevention have typically been developed for addictive behaviours, e.g. substance misuse, it is suggested that a relapse approach is suitable for use in relation to offending behaviour as it focuses on the participants' criminal behaviour rather than his therapeutic needs, and supports the individual's continuing responsibility to be actively involved in a search for alternatives to offending behaviour. Marlatt & Gordon's (1985) model of relapse proposes that both immediate determinants (e.g. high risk situations, coping skills, outcome expectancies) and covert antecedents (e.g. lifestyle factors and urges and cravings) can contribute to relapse or re-offending (see Figure 5). The development of this treatment idea was based on extensive research that demonstrated that there are common cognitive, behavioural and affective pathways associated with the process of relapse, regardless of the type of problem behaviour. It is based on the idea that addictive behaviours are acquired, over-learned habits with biological, psychological and social determinants and consequences.

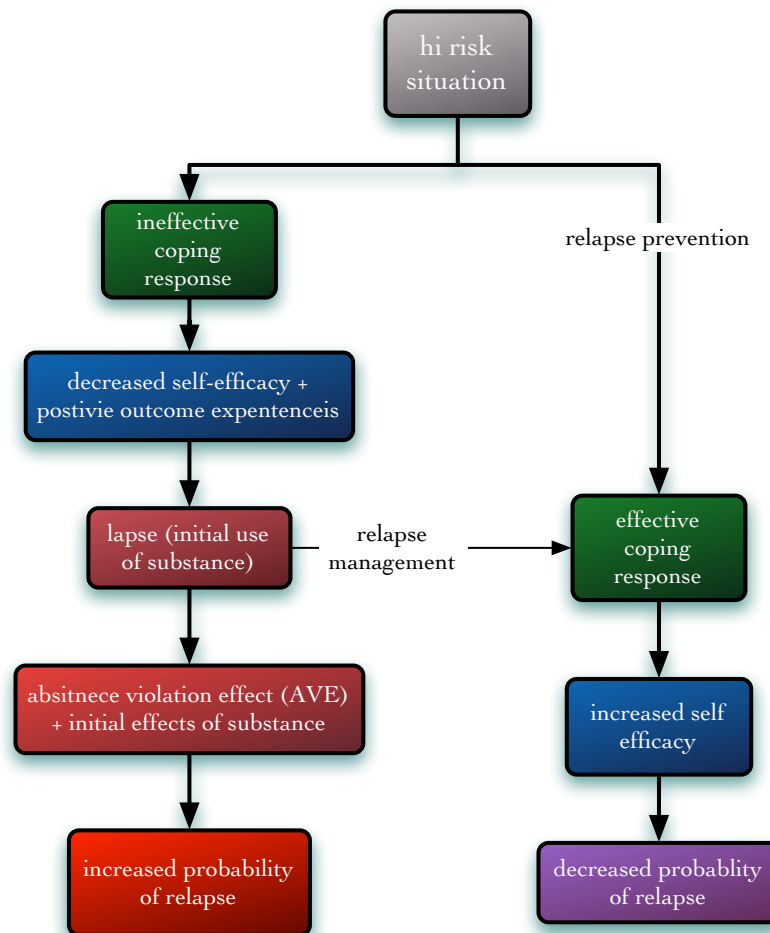


Figure 5: Figure showing cognitive-behavioural model of relapse (adapted from Marlatt & Gordon, 1985)

This model suggests that high-risk situations often serve as the immediate precipitants of initial lapse/relapse. Certain situations or events can pose a threat to an individual's sense of control, and consequently precipitates a relapse crisis or causes an individual to re-offend (Marlatt & Gordon, 1985; Marlatt, 1996). Although high-risk situations can be conceptualised as the immediate determinants of relapse, there also exists a series of less obvious factors or warning signs that influence the relapse process. There is seldom just one warning sign, and these can include lifestyle factors, such as overall stress level, as well as cognitive factors that may serve to set up a relapse, such as rationalisation, denial, and a desire for immediate gratification (Marlatt et al., 2002). These factors can amplify an individual's vulnerability to relapse both by increasing their exposure to high-risk situations and by decreasing motivation to resist high-risk situations. Once high-risk situations have been identified, intervention strategies such as recognising warning signals can be used to lessen the risks posed by these situations.

Having identified relevant high-risk situations the next stage is an evaluation of the individual's ability to cope with these without having a lapse. It is important to identify if the problems are due to a lack of knowledge and skills or if adequate coping skills are being hampered by factors such as low motivation, low self efficacy, or anxiety. Although the model considers the high-risk situation the immediate relapse trigger, it is actually the person's response to the situation that determines whether they will experience a lapse or will re-offend. Therefore, an individual who can execute effective coping strategies such as the ability to leave the situation, is less likely to re-offend compared with someone who is lacking those skills.

Larimer, Palmer & Marlatt (1999) suggest that preventing relapse or re-offending through self-efficacy and behavioural change is one way in which individuals are taught to handle difficult situations without lapsing. Individuals are taught that changing a habit is a process of skills acquisition rather than a test of one's willpower. This idea hypothesises that as the individual gains new skills and feels successful in implementing them, they will be able to view the process of change as similar to other situations that require the acquisition of a new skill. Another skill that Larimer et al., (1999) propose to enhance self-efficacy is to break down the overall task into smaller, more manageable tasks that can be addressed one at a time (Bandura, 1977). Thus, instead of asking the individual to focus on a distant end goal (e.g. not re-offending in their lifetime), the individual is encouraged to set smaller, more manageable goals, for example coping with an upcoming high-risk situation.

Developing Self-Efficacy

An important construct linked to motivation is self-efficacy. Theories of self-efficacy postulate that an individual's judgement of their ability to successfully execute behaviours determines whether or not they will attempt to employ a particular behaviour. It argues that people are unlikely to take action to control events if they doubt their own capability to execute requisite behaviours. Knowing what conduct is required is not enough, instead it is the perceived ability to carry out the task that will determine if the individual will engage in it (Cervone, 2000). Perceived self-efficacy then, is a cognitive mechanism underlying behavioural change (Bandura, 1977). Bandura, further states that mastery experiences are the most reliable source of efficacy information. In mastery based interventions individuals are actively encouraged to confront their issues or problems. The experience of success increases beliefs in one's capabilities, and in turn will boost subsequent coping efforts. Self-efficacy affects an individual's psychosocial functioning in that perceived efficacy acts as a determinant of an individual's choice of activities for the following reasons:

- Having the confidence to attain mastery in an activity usually determines whether a person will take part, and vice versa.
- Individuals with low self-efficacy will often avoid prospective rewarding behaviour to circumvent stressful reactions created by their own feelings of inadequacy.
- An individual's perceived mastery of an activity can determine how much time and effort someone will invest when faced with obstacles.
- When an individual persists with an activity, they will receive positive reinforcement, which in turn will increase self-efficacy.

Research has found that decreased self-efficacy is often found among people who offend persistently (Laws, 1999). One of the best ways to increase self-efficacy among individuals is to break down tasks into smaller, more manageable 'chunks' that can be addressed one at a time. Self-efficacy is closely linked to achieving present goals, therefore successful completion of the smaller tasks is an effective technique for enhancing feelings of self-efficacy.

Pro-Social Modelling

Research suggests that pro-social modelling is an effective technique for promoting attitude and behaviour change. In terms of programme efficacy, the presence of pro-social modelling is considered a key element and has been positively correlated with enhanced level of compliance and motivation to change and ability to learn the skills being taught (Gendreau & Andrews, 1991).

A pro-social approach involves facilitators modelling those values and behaviours which they are seeking to promote in participants. This can range from good time keeping to challenging anti-social attitudes and behaviours, as well as showing empathy for individual's feelings and needs. Research emphasises the importance of reinforcing positive behaviours and it is thought that community orders present considerable opportunities for pro-social modelling, demonstrating alternative viewpoints, values, behaviours and lifestyles to people who offend on orders (Rex, 1999). In Trotter's (1999) summary of the principles of effective practice he notes that the following points are essential in pro-social modelling;

- Model the behaviour you wish to promote.
- Identify and discourage or confront behaviours or attitudes you wish to change.
- Encourage the behaviours that you wish to promote.
- Identify behaviours and attitudes that you wish to promote.

Values and Beliefs

Over time, some behaviours which have reinforcing properties, or which secure selected goals, can become harmful and may have developed sufficient strength as habits to make them very difficult to alter. Consider this example: if someone commits an offence, e.g. shoplifting, and is not apprehended or punished for committing the crime, there has been a tangible reward for that behaviour (taking what he wanted and 'getting away with it') and no negative consequences. As such there is every possibility he will offend again. Just as habits, routines and rituals can be functional or dysfunctional for an individual, so can cognitive processes. Some dysfunctional habits may be supported by dysfunctional thoughts (McGuire, 2000), e.g. that act of stealing may be supported by cognitions such as "When I steal I get what I want and nothing bad happens to me." That dysfunctional thought supports continued offending. It is only when the individual is punished for the offence that he may consider whether or not stealing is a behaviour he wants to discontinue.

Appendix V: Stakeholders Visited

1. 21 Fiji Prison inmates either at Korovou or Nasinu Prison
2. Focus groups with 'youth' or parties concerned with youth in the following areas:
 - a. Nadera (twice)
 - b. Makoi
 - c. Kinoya
 - d. Rawai (workshop)
3. Director Fiji Women's Rights Centre
4. Director Legal Aid
5. Prison Officer Staff
6. Nepani Methodist Men's Fellowship

Appendix VI: Offender Semi-Structured Interview #3

The actual order and wording of the questions is not critical. The idea is to make this interview as 'free' flowing as possible. The words used here are not the ones that are actually used in the interview, it's spelt out here to help the interviewer be reminded what issues to ask about. The idea is to engineer a '*talanoa*' type atmosphere. If the interview is done correctly it will be finished before the interviewee even thinks it's begun!

Key Questions asked:

- ☐ introduction
- ☐ questions for juvenile audit
- ☐ **getting to know** respondent
- ☐ questions **about the offence**
- ☐ forces that **caused** you to offend
- ☐ **after** the offence
- ☐ other '**undetected**' offences
- ☐ what would have **made you** effectively '**stop**' offending?
- ☐ what would be of most **help to you now?**
- ☐ **advice** to your peers?

Introduction

Thanks for agreeing to be interviewed with us. Although we're recording this interview, just to re-iterate that we're only using it for the purposes of recording what was actually said, rather than what we **thought** was said. This interview will remain **absolutely confidential**. We may use small parts of the interview in our write up to illustrate a point but we will never identify yourself as the author.

I say this only in that I hope we have assured you that you can speak as frankly as you want without feeling that anything you say might be used in anyway against you.

If at any time **you would like to stop the interview, you may do so**. No questions asked, nothing will happen to you if you choose to not finish the interview.

Questions for Juvenile Audit [Adult Prison]

All prisoners who came into prison via remand or sentence who are 25 years of age or younger.

sentencing court children's / magistrate & location	
age at Offence	
age at Sentencing	
current Age	
ethnicity	
co-accused	Yes / No
offence and sentence	
no. of previous police warnings	
no. of Prior Convictions	

Getting to Know the Interviewee

These are warm up questions, the information is already available from the prison record.

Tell us a bit about yourself

- Family & Home
 - Where do you live now?
 - Where have you lived when you were growing up?
 - How old were they when they moved to Suva etc;
 - How many brothers and sisters do you have?
 - How old are they
 - Do you get on well with them?
 - Who else were you living with as you were growing up?
 - Specifically did they stay and grow up with their biological parents?
 - How happy would you describe your family atmosphere?
 - Are you particularly close to one of your family (and why)?
- School
 - What school(s) did you go to?;
 - Was school enjoyable?
 - did you have a favourite subject?
 - did you have a favourite teacher
 - Did you tend to get into trouble at school?
- Friends & Hobbies
 - Did you or do you play lots of sports (which ones)?
 - Do you have any other hobbies?
 - What about friends, do you have a strong group of friends?
 - Can you tell me more about them
 - What is the best thing about your group of friends?
 - What is the worst thing about them?

Questions around the offence

- Why are you in prison?
 - How old were you at the time of the offence?

- Were you on your own or did you have accomplices?
- Can you say what you were doing immediately before the offence (a few hours)?
- Can you say what you were doing a few days before the offence?

Forces that caused you to offend

- Can you say what made you offend?
 - State of mind
 - rejection
 - alienation
 - frustration
 - disconnection
 - poverty
 - child abuse
 - sexual assault
 - substance abuse
 - peer motivation
- Was the offence planned?
 - If not what was the 'trigger'?
- Where does the Fijian custom/culture contribute to you offending?
- Do you feel that Fijians have a 'freedom of choice'?

After the Offence

- What were the 'positive' things about committing the offence
- What were the 'negative' things about committing the offence

Other undetected offences

Without actually telling me if you have or have not committed other undetected offences – can you describe other offences that have not been detected but which you have heard about and have good knowledge about? (go through section 5 again)

What would have made you effectively 'stop' offending?

- What at the time do you think at the time might have stopped you committing the crime?
 - If relevant – what is to stop you earning an honest salary?
 - frustrations at societal levels?

What would be of most help to you now?

OK, but now that you have offended and you are in prison, what do you think will help you to NOT offend again once you leave here?

- What would be the minimum salary that you would need to not commit crimes?

Advice to your peers

Say you had all the resources you needed – what would you do to help your friends, family and colleagues from falling in the situation that you are in now?

Appendix VII: Prison Officer Focus Group

One of the issues that was felt to be important was to hear 'the other side' of the issue namely from the prison officer staff who interact directly with the prisoners. They not only have insight as to the actual circumstances that prisoners come from, but they also have to be the actual officers providing the penal care.

Five officers from Korovou prison were selected by Oceanik Psi's seconded prison officer. The selection was both a subjective one, and one of convenience for officers available at any one time, however they were chosen with a minimum of five years service.

One of us (forensic psychologist) spent a day accompanying the normal work routine of the prison officers and was able to talk both to various prison officers and to prisoners about the daily routine in prison

What follows is a bulleted point of the issues raised by the officers.

Infrastructural Problems

Essentially the physical structure of the prison was one that could easily be 'broken'.

1. Physical security such as low grade steel bars (sawn through by a handheld hacksaw in about 20 minutes); or walls that are not very high.
2. Security measures such as: inadequate lighting (neon tubes); delays in repairs of infrastructure such as replacement bulbs or repairing broken drainpipes.

Occupational Health & Safety in Working Conditions

It did seem from the officers accounts that OHS would or should condemn the working conditions in Prison. For instance:

1. Open sewerage (with associated insufferable smells).
2. Lack of officer facilities (e.g. no separate ablution facilities or lockers).
3. Wood fires used for cooking in the kitchen
4. Inappropriate clothing for prisoners doing the cooking (flip flops whilst carrying huge pots of boiling water)
5. Rats and cockroaches are the norm in the kitchen and food storage facilities.

Pay & Working Conditions

This is not the place to report on whether there is a genuine case to be made for the pay that officers receive for working in the conditions that they do. However, it is the place to report that there is a genuine sense of being let down by government (and by extension society whom the latter represent) particularly when compared to other civil servants in the police, military and nursing professions. The focus groups argued that in real terms they are 30% behind the equivalent post in either the police, military or nursing professions.

The focus group did acknowledge that they have certain benefits in addition to their salaries. They receive a 10% additional bonus for being available during any 24 hour period. They receive a can of kerosene once a month, they receive housing. A pay increase has been awarded but it is approximately 2% every year staggered over 4 years. However, they argue that this does not compensate for the fact that most prison officer staff stated that their average working hours per week was in excess of 70 hours, one presumes because of a lack of staff with the result that existing staff are 'plugging the gaps'.

Apparently there are also pay cuts given to prison officer staff for 'poor performance' which includes things such as escaped prisoners.

Prison officers are prohibited from forming a union. There is a feeling that 'speaking up' tends to fall on deaf ears and (more often than not) closer scrutiny by senior staff such that an officer trying to raise a legitimate claim, would subsequently be victimised.

Communication Problems

The main identified problem that the prison officers stated was that there appears to be a severe communication problem, most particularly between the prison officer staff within prison and the administration in Suva. In other words the prison officers felt that they were in fact being supported by their senior officers within the prison complex; but they understand that the information appears to be ignored or downgraded once it leaves the prison complex and goes 'higher up'. Any attempt to initiate a more direct communication is, according to them, rebuffed and often results in a 'indirect' punishment. Prison officers will find themselves unable to progress, or get promoted; or they will find themselves receiving an unusual amount of the less desirable job details.

One prison officer described it thus: the prison service is very hierarchical. Many (if not most) senior prison officers who are now in administration, were brought up under a system that valued subservience to the senior officers - a polite way of saying 'boot licking'. These officers when they are promoted to senior position, continue in the same vein. Their leadership style is to simply announce 'fix it', rather than actually getting to grips with what the significant problems are.

These same issues translate into a lack of strong leadership within the prison service when they should try to state the Prisons case to government ministers. The mindset being that to talk of gaps, or weaknesses within the system is to admit failure. Better therefore to keep quiet about these weaknesses or ignore them. When they result in something going wrong, the 'culture of blame' is normally invoked.

The prison officers stated that this style of leadership 'worked' in a manner in the days before the 'human rights' issue was instigated. Simply because a directive was given and the human rights of a prisoner did not have to be respected as it is today. In other words compliance could be enforced by physical means too, so that a directive could be fulfilled simply by ensuring that those at the bottom (the prisoners) were forced to work until the directive was completed.

A Culture of Blame Instead of Problem Solving

There appears to be a culture of 'blame' particularly outside of prison to the prison itself (that is not so much by the senior officers within the prison itself). This was especially apparent when a prisoner escaped from prison. As far as the participants were concerned, it seemed as if the escaped prisoner could be 'explained away' if a prison officer could be found to have been derelict in their duty and therefore he was to 'blame'. Instead the participants thought that, quite aside from whether the sense of laying blame on an individual is genuinely productive, that most of the escapes occurred due to lack of resources to repair the physical infrastructure or to properly amend the workload of prison officer staff doing double shifts. These were often issues that the prison officer staff reported to their senior offices. Their understanding is that from leaving the prison complex to arriving at the senior administration offices, it gets lost, or de-prioritised, or simply ignored. When an escape occurs, no-one looks to the fact that prison officer staff had gone through proper procedures to report a broken security light but months later still the light was broken.

Recommendations

These are recommendations made in light of our discussions with prison officer staff. There is a legitimate claim to state that these recommendations carry little weight without further exploration on the issue of working conditions. We endorse this point of view wholeheartedly. However, on the understanding that this substantive piece of research might take sometime or be delayed in being done, we offer these recommendations in the vein of 'something is better than nothing'. We state this because it seemed very apparent that staff morale is low.

Communication Channel Open

It seems to us that the most critical single factor that needs to be addressed in the strongest manner possible is to open up an channel of communication right through the prison staff system that is guaranteed free from reprisals or subsequent victimisation. This open communication channel becomes a method of affecting processes and shifts the attention away from attributing blame in individuals.

Work on Processes (rather than laying individual blame)

An analysis of processes should be conducted to consider how issues that prison officer bring up, are dealt with in an efficient manner. The aim is to consider how to achieve information can be acted upon with the minimum of bureaucracy. This becomes critical particularly when issues of prison security become the issue.

Strong Leadership

Strong motivational leadership is required for prison staff if morale issues are to be addressed. Prison officers need to feel that they are supported in the government machinery outside of the prison service. There should be encouragement from the top to highlight problems so that they can be fixed. There should be some mechanism whereby the Commissioner of Prisons could be approached by any prison officer without fear of reprisals or victimisation.

Salary Issues

A comprehensive review should be conducted that looks at the salary of a prison officer in respect to the actual (rather than theoretical) amount of work that they do. The legitimacy of docking pay from prisoner's salary should be reviewed.

Corrections on and Existing Prisoner Within Prison

The focus group did talk of the lack of options that they had to contain or keep prisoners within prison. A change of attitude has meant that no more corporal punishment is permissible, nor is solitary confinement on reduced food. Essentially this is one of the (from the officers point of view) negative consequences of 'Human Rights'. They did therefore feel quite 'exposed' and all of them challenged Oceanik Psi staff to consider how remarkable prison officer staff are at keeping in excess of 20 prisoners for one officer under a watchful eye when working outside of prison, where the possibility of escape could effectively not be prevented by the single officer. This is achieved through the 'good' relationships that officers have with the prisoners.

This of course might be construed as a 'good thing' where prison officers have to rely on relationships rather than dealing out punishments. This issue might need to be explored in greater detail to see what the benefits and potential costs are to either course of keeping a prisoner disciplined within prison and if there is a middle ground of managed disciplinary measures that can be employed to good effect.

Focus Groups with Prison Officer Wives

It struck us that a very powerful way to understand the pressures that Prison officer staff go through working in prisons, would be to conduct a focus group with the wives of prison officer staff. They in a way have to deal with the effects of their husbands being constantly on call or routinely doing 60+ hour weeks. It is the wives that have to act as the main parent for their children. The wives that have to deal with the 'bread-and-butter' issues of running a household.