

# The Rehabilitative Effectiveness of Sentences Imposed On Offenders in the Zimbabwean Prisons: A Focus on Recurrent Offenders

**Wisdom Moyo**

Department of Development Studies, Zimbabwe Open University, Bulawayo, Zimbabwe

E mail: moreyour@webmail.co.za

**Mercy Muchibo**

Department of Psychology, Zimbabwe Open University, Bulawayo, Zimbabwe

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## ABSTRACT

The purpose of this study was to find out if sentences imposed on offenders were effective in rehabilitating them, focusing on recurrent offenders. The main aim was to conclude whether sentences imposed on offenders were effective enough to rehabilitate offenders or not. The study focused on prison conditions, processes and activities and how they affect inmates during the rehabilitation process. The research design used for this was mixed methods approach. The study consisted of a sample of 30 respondents. Ten (10) prison officials were given questionnaires and twenty (20) re-current offenders had to answer questionnaires and interviewed. Successful re-integration of offenders in the society depends on the individual since evidence suggests that activities and processes found in prison are rehabilitative. The study concluded that sentences imposed on offenders were rehabilitative although change of behaviour varies from individual to individual, and recommended the society in general and the government to interfere into the processes and conditions found in prison.

**Key words:** *crime, incarceration, justice offender, prison, rehabilitation,*

## INTRODUCTION

As part of criminal justice system, the Zimbabwe Prison Services is responsible for the protection of society from criminal elements, through incarceration and rehabilitation of offenders, for their successful re-integration into society and humane control. In light of the above mission statement of the Zimbabwe Prison Services, sentences imposed on offenders or law breakers by court of law, are mainly imposed for rehabilitation and not for punishment. These sentences can produce some positive effects on the behaviour of the offenders, as they may decide to change their behaviour. Other people may also try by all means not to break the law because of what they would have observed occurring to offenders. On the other hand, if the sentence is too harsh and not fit for the crime committed, it may produce some negative impact on the behaviour of the offender. This means that they should be professionalism in imposing sentences, as this is one of the co-values of the Zimbabwean Prison Services.

Moreover, these negative impacts may lead to repetition of the crime and offenders becoming second or third offenders, or it may lead to ignorance of the law.

The vision of Judicial Service Commission is, to promote and facilitate the delivery of world class justice. This can only be achieved by the effectiveness of rehabilitation, whereby the country would, receive few cases of recurrent offenders. It is with this background that this study was carried out, to assess the role played by Judicial Service Commission and the Zimbabwe Prison Services, into the successful reintegration of offenders into the society and the provisions of world class justice. The focus was on those who had committed crimes for the second or third time.

### **STATEMENT OF THE PROBLEM**

There is a prevalent increase of offenders who are found committing crimes again, after they have finished serving their sentence, despite the efforts being made by Zimbabwe Prison Services and the judicial system to maintain order and law. The increase or decrease of repeat offenders and those who break down depends on the effectiveness of sentences imposed on offenders. This study therefore, investigates the rehabilitative effectiveness of sentences imposed on offenders in the Zimbabwean prisons, focusing on repeat offenders and those who breakdown.

### **PURPOSE OF THE STUDY**

The purpose of the study was to find out the rehabilitative effectiveness of sentences imposed on offenders, focusing on those who breakdown and those who repeat crimes. It was also the purpose of the study to identify the positive and negative impact on behaviour of offenders, made due to rehabilitation, through sentences imposed on them.

### **RESEARCH QUESTIONS**

#### **Overarching question**

To what extent are sentences meted on offenders, prison conditions and processes rehabilitative to the offenders?

#### **Specific research Questions**

- . How are sentences perceived by offenders and prison officers respectively?
- . What are the core values and their relevance that guide prison conditions and processes?
- . How and why are prison conditions and process rehabilitative?

### **LITERATURE REVIEW**

#### **PRISON REHABILITATION**

Rehabilitation means to restore to useful life as through therapy and education, or to restore to good condition, operation, or capacity (Dissel, 2006). The assumption of rehabilitation is that people are not permanently criminal and that it is possible to restore a criminal to a useful life

which they contribute to themselves and to society. A goal of rehabilitation is to prevent habitual offending, also known as criminal recidivism. Rather than punishing the harm out of a criminal, rehabilitation would seek, by means of education or therapy to bring a criminal into a more peaceful state of mind, or into an attitude which would be hopeful to society, rather than harmful to society. This theory of punishment is founded on the belief that one cannot inflict severe punishment of imprisonment and expect the offender to be able to re-integrate into society upon his/her release. Although the importance of inflicting punishment on those persons who breach the law, so as to maintain social order, is retained, the importance of rehabilitation is also to give priority. Humanitarians have, over the years supported rehabilitation as an alternative, even for capital punishment, ( Dissel 2006).

According to Haney (2001), the adaptation to imprisonment is almost always difficult and at times, creates habits of thinking and acting that can be dysfunctional in periods of post-prison adjustment. Yet, the psychological effects of incarceration vary from individual to individual and are often reversible. To be sure then, not everyone who is incarcerated is disabled or psychologically harmed by it. But few people are completely unchanged or unscathed by the experience. At the very least prison is painful and incarcerated persons often suffer long-term consequences from having been subjected to pain, deprivation and extremely atypical patterns and norms of living and interacting with others.

According to Gullen and Gendureau, (2000), for safety, the aim of punishment is not only to prevent offending and re-offending even if viewed through the restrictive lens of incarceration but also to send a strong message about society's public disapproval of an offence. A prison sentence, which deprives a person of liberty, is in most societies ultimate penalty and represents the strongest mark of disapproval. Rehabilitation is a term that is broadly accepted to mean a planned intervention which aims to bring about change in some aspects of the offender that is thought to cause the offender's criminality, such as attitude, cognitive process, personality or mental health. Perhaps the greatest challenge for offenders lies in the period immediately after release when they attempt to re-integrate into community. They are also burdened with the stigma of their incarceration, and thus often find it even more difficult to find employment.

According to the National Museum of Crime and Punishment (2004), most people may think of prisons as nothing more than facilities where criminals are incarcerated and deprived of their freedoms while serving a sentence that has been assigned as punishment for an illegal act they committed. While this is true, the concept of imprisonment is also intended to have a rehabilitative effect on inmates. The basic idea of rehabilitation through imprisonment is that a person who has been incarcerated will never want to be sent back to prison after they have been set free. It is hoped that an inmate's experience while locked up in will do whatever it takes to avoid a second term. Unfortunately, research, has consistently shown that time spent in prison does not serve to rehabilitate most inmates, and the majority of criminals return to a life of crime that almost immediately. Many argue that most prisoners will actually learn new and better ways to commit crimes while they are locked up with their fellow convicts. They can also make connections and become more deeply involved in the criminal world.

## **RESEARCH METHODOLOGY**

According to Cooper (2011), methodology does not only describe the tools and techniques employed in carrying out the research but also focuses on the plan on design and offer effective ways of remaining grounded in the scope and budget of the enquiry.

## **RESEARCH DESIGN**

In a bid to produce better research results, this study used the mixed methods approach to collect data. Data was collected using interviews and questionnaires. The paradigm made the collected data presentable since, rehabilitative effectiveness of sentences imposed on offenders is an objective issue and by way of quantitative presentation of data it was easy to give views from different scholars in a discursive manner.

## **RESEARCH INSTRUMENTS**

There are various tools which were used in the collection of data for this research. The study used questionnaire, interviews and direct observations. A total of thirty questionnaires were distributed, with 10 given to prison officials and 20 given to recurrent offenders. This was done using snowball sampling method. The prison officials and prisoners were interviewed using an interview guide. According to Hammersley (2008) an Interview guide provides focus on the issues and direction that an enquiry aims at and should be followed with less rigidity but, rather should be revised based on emerging ideas. The respondents were given the guide in advance to allow them to prepare for the interviews. This instrument offered the researcher the opportunity to probe for more information on specific questions. Re-current offenders were selected as they were the ones involved in rehabilitation.

## **TARGET POPULATION AND SAMPLING TECHNIQUES**

This study targeted re-current offenders. It also targeted the prison officials as they are the ones who facilitate rehabilitation. The population was chosen using the sampling method of snowballing. Snowballing sampling entails that the first non-probably selected respondents show the researcher other interested respondents which helped and saved time during the collection of data. So individuals who are interested in sharing views about the rehabilitative effectiveness of sentences imposed where chosen. The prison officials helped very much in providing recent information in the rehabilitative effectiveness of sentences imposed on offenders. Also recurrent offenders who were chosen helped in providing information which is critical in the rehabilitative effectiveness of sentences imposed.

## **DATA ANALYSIS, PRESENTATION AND INTERPRETATION**

The response rate was quite high because of techniques used to administer the questionnaires to prisoners and prison officials. The researcher had to use drop and pick knowledge for all the respondents. Also the researcher had to visit or called the selected prospective respondents prior to the commencement of the study so as to develop a good rapport during the actual research study.

**Table 1:- Shows questionnaire response rate**

**N=30**

Target group	Questionnaire Sent	Frequency	Percentage Return
Prison Officials	10	10	100%
Prisoners (re-current)	20	20	100%

The table shows that the questionnaire sent to the prison officials the respond rate was 100% those sent to prisoners yielded a return of 100% with 30 respondents out of a sample of 30. The higher response rate is explained by the fact that the researcher works hand in hand with the organization, thus she was able to encourage respondents to fill in the questionnaire explain under the questionnaire and make a follow ups and appointments with respondents.

**Table 2: Shows the demographic variables of respondents**

	Age				Work experience				Level of education				
	Below 25yrs	25-30yrs	30-40yrs	Above 40yrs	1-5yrs	5-10yrs	10-15yrs	Above 15yrs	Pr i	Se c	A'Lev el	Diplo ma	Degr ee
Frequency	5	10	3	2	2	3	3	2	1	10	5	3	1
Percentage	25%	50%	15%	10%	20%	30%	30%	20%	5%	50%	25%	15%	5%

**Respondents by age**

The study sought to determine the age composition of the respondents involved in this study. The demographic analysis was very crucial to the researcher since it can loosely be used a way to ascertain the general maturity levels of the respondents (recurrent offenders). The age profile shows that the respondents were quite mature with (15) 75% being above the age of 25years. The results may suggest that the respondents even the middle age participated. The results once again suggest that the mixture of middle and mature respondents could responsibly offer meaningful insight into the areas being researched with the researcher. The mixed groups of respondents bring their views, perceptions and knowledge could be trusted to be rich in answering questions.

### **Respondents' level of education**

The study sought to determine the level of education of respondents. The demographic analysis was very crucial to the researcher since it can loosely be used as a way to ascertain the general education levels of respondents. Five percent of the recurrent offenders, attained primary level, while (10) 50% of the recurrent offenders attained the secondary level, (5) 25% attained "A" level and only (3) 15% are diploma and degree graduates. This means that most of the respondents were literate and were able to read and write.

### **Respondents' number of years of employment**

The study sought to determine the age composition of the respondents involved. The demographic analysis was very important to the researcher since it can easily be used as a way to ascertain the general experience the respondents. The percentage of number of years employed, of respondents. (8) 80% of the respondents being employed for more than 5 years. The results may suggest that the respondents have a lot of experience in their job of facilitating rehabilitation to offenders.

## **RESEARCH FINDINGS**

### **The condition in prisons in Zimbabwean prisons**

The study sought to find out the conditions of prisons. The respondents were tasked to tick the section they felt met their views about the conditions in prison and the results were as follows

**Table 3:- shows the respondents' views about the prison conditions (recurrent- offenders) N=20**

<b>Very Good</b>	<b>Good</b>	<b>Fair</b>	<b>Poor</b>	<b>Very poor</b>
4	5	2	5	4
20%	25%	10%	25%	20%

The above table shows that (5) 25% of the respondents view prison conditions as good and (5) 25% of the respondents view prison conditions as poor. (4) 20% view prison conditions as very good and the other (4) 20% view prison conditions as very poor. Only (2) 10% view prison condition as fair.

**Table 4- shows the respondents' views about prison conditions (prisons officials) N=10**

<b>Very Good</b>	<b>Good</b>	<b>Fair</b>	<b>Poor</b>	<b>Very Poor</b>
2	1	4	1	2
20%	10%	40%	10%	20%

Table 4 above shows that (4) 40% of the respondents in view prison conditions as fair and (2) 20% view prison conditions as very good. While 20% view prison conditions as very poor and only (1) 10% view prison conditions as good.

The respondents were further probed to give reasons to their answers. The majority of the respondents said that prison conditions were fair, because there were not enough resources to improve the conditions and sometimes they face difficulties in finding donors who can help to improve the conditions. For example they find it difficult to provide enough food and blankets for the prisoners. The prisoners also, said that when they are ill it is difficult for them to get medication, and this leads to some inmates dying in prison because of lack of treatment.

The study also sought to find out if prison conditions are rehabilitative enough to help offenders to change their behavior.

**Table: - 5 shows if prison conditions are rehabilitative enough to help offenders to change their behavior** **N=20**

<b>Yes</b>	<b>No</b>
5	15
25%	75%

Of the 20 respondents (5) 25% acknowledge that prison conditions are rehabilitative enough to help change their behavior. However, (15) 75% showed that the prison conditions were not rehabilitative enough to help them change their behavior. This showed that prison conditions had a negative effect on the behavior of offenders.

The respondents were further probed to explain why they say prison conditions are not rehabilitative enough to help them change their behaviors. The majority of the respondents pointed out that, the conditions in prison were so harsh to the extent that one cannot differentiate whether the purpose for being in prison is for rehabilitation or punishment. According to the mission statement of the Zimbabwe Prison Service, sentences imposed on offenders by courts of law, are mainly imposed for rehabilitation and not for punishment.

**How prison conditions affects inmates**

**Table 6 shows if prison conditions affect inmates** **N=10**

<b>Positive (effect)</b>	<b>Negative (effect)</b>
7	3
70%	30%

The study also sought to find out whether prison conditions have a positive or negative effect on prisoners. (3) 30% of the respondents stated that the prison conditions had a negative effect on that, those prisoners who are first offenders get hardened when they mix up with other hard criminals. (7) 70% of the respondents stated that prison conditions had a positive

impact on that prisoners may decide not to re-offend again because of the hard conditions in prisons.

**The activities that are done in prison**

The study also asked the respondents to state activities that are done in prison.

**Table 7 shows the activities that are done in prison N=30**

Theme	Number	Percentage
Self reliance after prison	10	33%
Skills acquisition (farming)	9	30%
Business knowledge	5	17%
Nurturing of talents	6	20%

The respondents stated that in prison, offenders are taught how to fend for themselves after serving their sentences. (9) 30% of the respondents stated that offenders acquire skills in farming such as cattle ranching, chicken production, maize production and fishing. (5) 17% of the respondents also stated that offenders acquire business knowledge, such as sewing, designing of clothes, knitting, cooking, building, carpentry, welding. If they get sponsors they do studies while incarcerated and attain a better level of education. (6) 20% of the respondents stated that offenders are nurtured in their talents such as acting dramas, singing and being craftsman. Moreover they also attend church services for those who want to repent and be born again.

**The usefulness of prison activities after prison life**

The study sought to find out views on activities found in prison.

**Table 8:- Shows the usefulness of prison activities after prison N=20**

Very Useful	Useful	Fairly useful	Not so useful	Not useful at all
4	5	5	3	3
20%	25%	25%	15%	15%

(5) 25% of the respondents view activities found in prison fairly useful, while the other (5) 25% of the respondents also view the activities as very useful and (3) 15% view the activities as not useful and not useful at all.

The respondents were also asked to explain why they view prison activities the way they felt. Most of the respondents suggest that the activities were good and fair, because they help them find something to do when, they serving their sentences, instead of being involved in criminal



activities. A few of the respondents ascertained that the activities were poor and very poor, because they cannot benefit them when they get out of prison, because of lack of funds, they were also worried about how society will view them when they are released.

The study sought to find out how activities found in prison help them fit back into society.

**Table 9:- Do prison activities help offenders fit back into society N=20**

Yes	No
16	4
80%	20%

The respondents maintained that although (4) 20% said the activities found in prison did not help them fit back into the society, (16) 80% of the respondents showed that the activities greatly helped them fit back into society.

Respondents were asked to explain if these activities help them fit back into the society and most of them said that they get opportunities to learn courses, which they could never had the opportunity to learn while outside. The respondents stated that the activities were very helpful but lack of funds and discrimination from the society affected them a lot, to the extent that they find it better to be in prison than to be in the society.

**Do activities carried out with inmates affect them?**

**Table 10: shows if activities carried out with inmates affect them**

**N=10**

Yes	No
8	2
80%	20%

The majority of the respondents which is (8) 80% suggested that the activities carried out with inmates positively affected them, because they had the opportunity to attain different skills, through training programmers, which they could not get while they were outside. And this enables the prisoners, to have something to do when they finish serving their sentences.

**Number of repeat offenders received in the last two years**

The study also sought to find out the number of repeat offenders received in the last two years.

**Table 12 shows the number of repeat offenders received in the last two years**

2010			2011		
Month	Number	Percentage	Month	Number	Percentage
Jan-Apr	100	33%	Jan-Apr	30	30%
Apr-Aug	150	50%	Apr-Aug	20	20%
Aug –Dec	50	17%	Aug –Dec	50	50%
<b>Total</b>	<b>300</b>	<b>100%</b>	<b>Total</b>	<b>100</b>	<b>100%</b>

**Table 13 shows the number of non-repeat offenders received in the last two years**

2010			2011		
Month	Number	Percentage	Month	Number	Percentage
Jan-Apr	300	33%	Jan-Apr	200	33%
Apr-Aug	400	45%	Apr-Aug	300	50%
Aug –Dec	200	22%	Aug –Dec	100	17%
<b>Total</b>	<b>900</b>	<b>100%</b>	<b>Total</b>	<b>600</b>	<b>100%</b>

The respondents ascertained that for the last two years they received 400 repeat offenders and 1 500 non-repeat offenders. The respondents stated that from January to April 2010 they received 33% non-repeat offenders and from January to April 2011 they received the same percentage for non-repeat offenders

From January to April 2010 they received 33% of repeat offenders and from January to April 2011, they received 30% of repeat offenders. From April to August 2010 they received 45% non- repeat offenders while they received 50% for the same months and year of repeat offenders. From April to August 2011 they received 20% repeat offenders, while they received 50% non-payment offenders for the same month and year. The respondents also stated that from August to December 2010 they received 17% of repeat offenders for the same year and months. From August to December 2011 they received 50% of repeat offenders while they received 17% of non repeat offenders to the same months and year.

## **DISCUSSION OF FINDINGS**

The major findings of the study are that:-

(10) 50% of the recurrent offenders have attained secondary level. This shows that most of the offenders in Zimbabwean prisons can at least read and write. This also shows that people who are educated also re-offend. (3) 30% of the respondents have been employed for 5-15 years, and they are now experienced in facilitating rehabilitation to offenders. (5) 25% of recurrent offenders view prison conditions as good and (4) 40% of prison officials view prison conditions as fair. Thereby showing that prison conditions were somehow favourable to the prisoners. (15) 75% of the re-current offenders acknowledged that prison conditions were not rehabilitative enough. The prison conditions are so harsh to the extent that they are not rehabilitative, but tend to be some sort of punishment. (5) 25% of the respondents view activities done in prison as good. They get opportunities to learn skills that they would not have learnt while outside prison. (24) 80% of the respondent agreed that activities done in prison help them fit back into society, although lack of support and funding makes these activities bring out nothing, into their lives. (8) 80% of the prison officials also view activities carried out with inmates as effective enough to rehabilitate them, despite large number of re-current offenders found in Zimbabwean prisons. (8) 80% of the prison officials agree that rehabilitation helps in the change of offender's behaviour, before they are re-integrated into society. While (16) 80% of the offenders also agreed that rehabilitation helps in the change of their behaviour, before they are re-integrated into society, they also find problems that make them breakdown because of society's view about their personalities.

This study also established that, both prison officials and offenders see prison conditions as fair. This may be because of the difficulties that offenders face when they are in prison, such as lack of medication, proper bedding and food.

This study also established that indeed sentences are imposed for rehabilitation. This is because while serving their sentences offenders are taught skills that help them re-integrate into society. Evidence also suggests that, even if activities and processes in prison are rehabilitative enough to change, the behaviour of the offender, successful re-integration into society mainly depends on the individual.

The research findings also ascertained that in 2010, 300 repeated offenders were received. This may be because of the inflation that had risen in the country, thereby leaving other people with no option, but to engage in criminal activities for a livelihood. From the research findings in 2011, 100 repeat offenders were received while 600 non repeat offenders were received. This decline in the commission of crime may be because of the stability of the economy in Zimbabwe, or it may be because of people who have criminal records have sought refuge in other activities in fear of being arrested. It may be also because of that rehabilitative processes and activities in prison are now effective as they have improved through funding from the government. The research finding may also suggest that conditions in prison were so harsh in 2010, be and offenders now fear re-offending.

## **CONCLUSIONS**

This study has taken pragmatic approach to the study of rehabilitative effectiveness of sentences imposed on offenders in the Zimbabwean prisons looking at re-current offenders. The results provide preliminary evidence of, activities, processes and conditions found in Zimbabwean prisons, which are mainly used for effectively rehabilitation of offenders so that sentences imposed on them may be of great value.

Sentences imposed on offenders have some implication of changing offender's behaviours negatively and positively. The sentences imposed on offenders can have a positive impact, because they help offenders change their behaviours through the activities that they are taught in prison, since some of the offenders are released with better skills that enable them to earn a living in the society. While prison conditions are sometimes harsh to the extent that the offender becomes hardened and may see no value in the activities taught in prison for rehabilitation.

It should be noted that successful re-integration of offenders in the society also depends on the individual, since evidence suggests that activities and processes found in prison are rehabilitative.

## **RECOMMENDATIONS**

There are various problems and short comings which were identified during the analysis of data and its presentation which affected the drawing of conclusion to this study. Some possible way forward is going to be suggested in this section in trying to give solutions to the problems identified. The recommendations are going to target various key players in rehabilitative effectiveness of sentences imposed on offenders in the Zimbabwean prisons. These include the Judicial Service Commission, the government, Zimbabwe Prison Services, and the general public.

### **Recommendations to the Government**

The government has to realize that it is the major player in the rehabilitative effectiveness of sentences imposed on offenders. It needs to sacrifice the little money it has to help in the upgrading of prison conditions, processes and activities. If it does not have enough Funds, it must allow other interested Non-Governmental Organizations (NGO's) to chip into the rehabilitation process of prisoners. The government must also involve psychologists into the prison systems and processes, so that prisoners may be able to receive counselling, before they are released back into the society, so that they do not get back into the society with the trauma of being in prison, to avoid re-offending or breaking down of prisoners. Psychologist will make sure that prisoners are counselled on how to deal with the discrimination they will encounter from society, especially from the people they would have wronged when committing crimes. The government must also stop politicising the issues of prison conditions and processes in Zimbabwe. The government should also provide funds or capital to start projects from activities learnt in prison, for offenders who would have finished serving their sentences.

### **Recommendations to the Judicial Service Commission (JSC)**

The Judges and magistrates are also recommended to explain to offenders the reasons for sentencing before passing of sentences. This should be done so that offenders do not see sentences as a way of punishment only, but as a way of rehabilitation.

### **Recommendations to the Zimbabwe Prison Services, (ZPS)**

Although they continue to face challenge, the Zimbabwe Prison Services should keep up the good work they are doing of ensuring that offenders are successfully re-integrated into the society, while exercising reasonable safe, secure and humane control.

### **Recommendations to the General Public**

Society should understand why sentences are imposed on offenders and they should not discriminate offenders, so that they work hand in hand with the Zimbabwe Prison Services and Judicial Service Commission in ensuring that offenders do not re-offend after serving their sentences. Society should also help offenders get back to their normal lives after being released from prison by providing necessary resources for the offenders so that they are able to fend for themselves without being involved in criminal activities.

### **CONCLUSIONS**

This enquiry attempted to establish the rehabilitative effectiveness of sentences imposed on offenders. Improvement of prison conditions, processes and services is key to establishing a rehabilitative environment for prisoners. In the long run this will reduce the population of recurrent offenders in prison.

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