

The Social Re-integration of Offenders

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Abstract: The study gets access to the concept of “reintegration” which generally refers to the social integration measures designed to assist offenders who are being released from a freedom-deprived institution, such as a prison, a detention centre or a reform school, and help them face the challenges associated with their return to the community. This assistance involves both addressing the offenders’ needs and managing the risk they may cause to the community. Programmes and measures must be in pace to identify and address offenders’ needs and prepare them for their return to the community. A key aspect of effective interventions for the social integration of offenders is an understanding of the factors that could possibly place them at risk as well as making it difficult for them to function normally in society. The intervention programmes which have been expanded in various countries to assist the social integration of offenders vary in efficacy and not all the categories of offenders. The most effective interventions are those that directly address the needs and challenges faced by the offenders, as well as the factors of risk nature. The programmes of the organizations and agencies and community-based programs must complement each other and focus on education, employment, accommodation, drugs and alcohol addiction, mental health, social networks, cognitive skills, viewpoints and attitudes.

Keywords: Intergration; reintergration; socialtergration; socialretergration; socialtergration of offenders; reintergration programmes; risk factor; re-offend; rehabilitation; recidivism.

1. Introduction

While many offenders who are sentenced to a term of imprisonment or to a stay in a reform school have committed relatively minor offences, others have a lengthier criminal history. The social integration of these offenders varies. Even before they were found guilty and sentenced, many offenders had issues in terms of their relative integration to their

family, school, or community. Their crime only damaged those social links even further. Being removed from the community to serve their sentence certainly did not help them forge closer links with that community. A term of imprisonment (or for a juvenile offender, serving a term in a reform school) is meant to help offenders acquire social values and skills and prepare them for a successful reintegration into society. But, is it so? Are institutional and aftercare programmes for offenders preparing them well for a successful re-entry into society?

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At the time of their release from an institution, offenders typically encounter challenges that they are poorly equipped to face on their own. Special institutional programmes are required in order to prepare offenders for their release from a penal institution. Community-based aftercare programmes are also necessary to help the young offenders successfully negotiate this difficult transition.

Programmes and measures must be in place to identify the needs of offenders who are placed in prisons, reform schools or detention centres, to prepare them for their return to the community, and to provide them with the support, assistance and supervision that will need in order to help them successfully reintegrate the community after their release from the institution.

Failing to reintegrate offenders into their family and community after a period of incarceration may have significant costs for society, both financially and in terms of public safety. The costs of proper programmes to support the social reintegration of offenders are not exorbitant and ought to be assessed against the likely social and financial costs of probable recidivism. The cost of failed re-entry, as was pointed out by Borzycki and Makkai, extends beyond the costs to individual offenders when they return to prison; there are also direct and indirect costs to the community (Borzycki and Makkai, 2007: 35) [1].

The present article focuses on social reintegration measures and programmes designed to facilitate the successful re-entry of offenders into society after a stay in an institution. It reviews relevant international standards and best practices internationally.

2. Defining Social Reintegration

In the field of criminal justice, “*social integration*” refers to programmes and measures which aim to facilitate an offender’s social and psychological adaptation. The more general concept of “social integration” will therefore also be used in order to highlight the fact that typically, and for a variety of reasons, most offenders have experienced some personal difficulty in integrating themselves into their family, school, workplace, community, and society. The concept of “*reintegration*” generally refers to the social integration measures that are designed specifically to assist offenders who are being released from a penal institution and to help them face the challenges associated with their return to the community. This assistance involves both addressing the needs of the juvenile and managing the risk the offenders may pose to the community.

Four general concepts are worth reviewing briefly here as they are frequently the source of some confusion, even among justice professionals. They are: “social integration”; “social reintegration”; “risk factors”, and “resiliency factors”.

2.1. Social Integration

Social integration refers to the process of integrating socially and psychologically to one’s social environment. In the field of criminal justice, however, it often refers more specifically to various forms of support given to offenders in an attempt to prevent them from becoming involved in criminal behaviour (prevention) or reduce the likelihood that they will re-offend (rehabilitation).

The challenge of integrating offenders into their community often begins early in their life

and continues into their later years. When offenders have been placed in an institution, they face some particularly difficult integration challenges at the time of their release.

Social integration programs, particularly those designed for juvenile offenders, are often seen as a form of special education programs. In most countries, efforts to integrate juveniles involve a wide range of policies and strategies, including early childhood intervention programmes that focus on young children who may be at risk and their families (Soriano, 2005; Karoly et al., 2005) [2][3], community-based programs to provide an alternative to detention, institution-based programmes to prepare juveniles for life in society, and community-based programmes to facilitate the juveniles re-entry into the community after a stay in reform school or a detention centre (Wolfendale, 1997) [4]. Programmes for adults tend often to be more limited.

2.2. Social Reintegration

Social reintegration generally refers more specifically to programmes and initiatives designed to help offenders who have been placed in an institution. Their purpose is to help offenders successfully reintegrate the community after their stay in an institution. The programmes are typically of two kinds: (1) programmes offering support within the institutional setting itself, in advance of the offender's release, to help offenders resolve issues, address risk factors associated with their criminal behaviour, acquire the necessary skills to function well in society, and prepare themselves for re-entry into the community; and, (2) community-based programmes, often called "aftercare" programmes, to facilitate the social integration of the offenders after their

release from an institution. Many of the latter programmes include both some form of community supervision as well as assistance.

2.3. Risk Factors

A key aspect of effective interventions for the social integration of offenders is an understanding of the factors that place them at risk and make it difficult for them to function normally in society. There are many interrelated risk factors associated with antisocial or criminal behaviour. No single factor can accurately predict whether an individual is likely to engage in such behaviour. These risk factors may be found internally (within the individual, such as difficult temperament, early experience of victimization, mental illness, learning disability) or externally (in the family, school, community and in peer relations). In the case of juvenile offenders, family risk factors for delinquency and antisocial behaviour include a dysfunctional family, parental abandonment, harsh and ineffective parental discipline, lack of supervision, or coercive interactions in the home. Examples of risk factors found in schools are overcrowding, bullying, discrimination or inadequate education programme which may lead to school absenteeism or dropouts. Poverty is a common risk factor for many conditions, including the development of antisocial behaviour and emotional or behavioural disabilities. One of the strongest factors is youth involvement with high-risk and deviant peers.

The primary criminogenic needs that must be addressed by institutional and community-based treatment programmes are related to: education, employment, accommodation, drugs and alcohol, mental health, social networks,

cognitive skills, and attitudes. These risk factors are dynamic - meaning they are amenable to change - whereas other risk factors are not (Harper and Chitty, 2004). The intervention programmes developed in various countries to assist the social integration of juveniles vary in efficacy and none are effective for all offenders. Some of the most effective interventions are those that directly address risk factors.

2.4. Resiliency Factors

Many people are exposed to various risk factors and, yet, they do not necessarily become involved in crime. This is often because of the existence of certain protective or resiliency factors. Resiliency factors are characteristics which protect an individual. Resiliency is the ability to recover strength and spirit under adversity in both internal (self) and external (family, school, community, and peer relation) domains for a positive outcome. Good health, self-control, flexibility, good communication and social skills, self-esteem, and a good sense of humour are all examples of internal resiliency factors. Supporting resilience in offenders can facilitate their social integration. Resiliency can be fostered through modelling and teaching offenders appropriate behaviours that meet their needs as well as, or better than, their maladaptive behaviours.

Individual resiliency factors include: (1) good physical and mental health; (2) positive attachments and relationships; (3) self-esteem; (4) cognitive competence (reasoning, problem solving skills, communication and conflict resolution skills); and, (5) emotional competence or emotional intelligence (when people can understand and regulate their emotions, exercise self-discipline, and develop

impulse-control, judgment, and coping mechanisms, they can better deal with frustrating, aggressive or violent experiences and avoid negative behavioural outcomes).

3. Importance of Reintegration Programmes

Assisting the social integration of offenders is important from both the point of view of public safety and the point of view of protecting the rights of offenders. Efforts to assist their social integration must consider both the needs of the offenders, as well the risk they present in terms of the safety of the community (Griffiths et al., 2007) [5].

The primary objective of social integration and reintegration is to provide offenders with the assistance and supervision that will help them function in society as law-abiding citizens and avoid re-offending. These programmes provide an opportunity for offenders to connect with their families and community and to live a productive and law-abiding life.

In Vietnam, as in so many other countries, there generally is very little reintegration assistance available to offenders who have been institutionalized. Rehabilitation programmes within these institutions are also generally insufficient and often poorly conceived. A special initiative is therefore required to promote the development of social reintegration programmes throughout the country. A first step in that direction would consist of reviewing existing policies and practices in this country and formulating some concrete proposals for the strengthening and development of social reintegration programmes in the country.

In matters concerning juvenile offenders, the spirit of the Vietnamese *Law on Child Protection, Care and Education 2004* (Article

58) and the *Criminal Code* (Article 69) is that the purpose of an intervention in the case of JICW in general, and juvenile criminals in particular, is mainly to educate and help them correct their mistakes, develop healthily and become a helpful citizen. The need to support and facilitate the juveniles' social reintegration after their release from prison or reform schools has been recognized by Vietnamese law.

However, the concept is only articulated in general policies with no specific programme or project to implement these activities. It is therefore difficult to fully implement reintegration support policies.

4. International Standards

The rehabilitation of offenders and their successful reintegration into the community are among the basic objectives of the criminal justice systems.

This is certainly acknowledged in international human rights standards. Principle 10 of The United Nations *Basic Principles for the Treatment of Prisoners* state that: "With the participation and help of the community and social institutions and with due regard to the interests of victims, favourable conditions shall be created for the integration of the ex-prisoner into society under the best possible conditions"⁽¹⁾. Principle 8 refers to the need to enable prisoners to undertake meaningful employment which will facilitate their reintegration into the country's labour market and permit them to contribute to their own financial support and that of their families.

With respect to juvenile offenders, the *Convention on the Rights of the Child* (CRC), ratified by Vietnam in 1990, requires States parties to establish special laws, procedures, authorities, and institutions specifically applicable to juveniles in conflict with the law. These special laws and procedures must ensure that juveniles are treated with respect for their sense of dignity and worth and takes into account the juveniles' age and the need to promote their successful social integration. Article 40 (1) of that same Convention stipulates that States parties should recognize "the desirability of promoting the child's reintegration and the child's assuming constructive role in society".

Rule 24.1 of the *United Nations Standard Minimum Rules for the Administration of Juvenile Justice* emphasizes the importance of providing facilities, services and other necessary assistance to further the best interests of the juvenile throughout the rehabilitation process. It states that: "efforts shall be made to provide juveniles, at all stages of the proceedings, with necessary assistance or any other assistance, helpful and practical, in order to facilitate the rehabilitative process".

The United Nations *Rules for the Protection of Juveniles Deprived of their Liberty* emphasize both the importance of assessing juveniles placed in institutions and understanding their needs, and the importance of offering adequate programmes to juveniles offenders to them address their needs and meet the challenges they face. The Rules refer to education and vocational training as two of the main means of preparing a juvenile for a successful reintegration into the community. According to these Rules, the objective of the training and treatment offered to juveniles placed in institutions is "to provide care,

⁽¹⁾ United Nations *Basic Principles for the Treatment of Prisoners*. General Assembly resolution 45/111, annex.

protection, education and vocational skills, with a view to assisting them to assume socially constructive and productive roles in society”.

With respect to assessing the needs of juveniles and planning an intervention to assist the juvenile, Rule 27 states:

“As soon as possible after the moment of admission, each juvenile should be interviewed, and a psychological and social report identifying any factors relevant to the specific type and level of care and programme required by the juvenile should be prepared. This report, together with the report prepared by a medical officer who has examined the juvenile upon admission, should be forwarded to the director for purposes of determining the most appropriate placement for the juvenile within the facility and the specific type and level of care and programme required and to be pursued. When special rehabilitative treatment is required, and the length of stay in the facility permits, trained personnel of the facility should prepare a written, individualized treatment plan specifying treatment objectives and time-frame and the means, stages and delays with which the objectives should be approached.”

Reference is therefore made to the need to develop an individualized treatment plan for the juveniles in order to facilitate their reintegration. Rule 28 adds that:

“The detention of juveniles should only take place under conditions that take full account of their particular needs, status and special requirements according to their age, personality, sex and type of offence, as well as mental and physical health, and which ensure their protection from harmful influences and risk situations. The principal criterion for the separation of different categories of juveniles deprived of their liberty should be the provision of the type of care best suited to the particular needs of the individuals concerned and the

protection of their physical, mental and moral integrity and well-being.”

Rule 38 explains that every juvenile of school age has the right to education suited to his or her needs and abilities and designed to prepare him or her for the return for society. The Rules further specify how this education and relevant vocational training should be offered.

The *United Nations Standard Minimum Rules for the Administration of Juvenile Justice* state that “while in custody juveniles shall receive care, protection and all necessary individual assistance - social, educational, vocational, psychological, medical and physical - that they may require in view of their age, sex, and personality” (Rule 13) and in the interest of their wholesome development (Rule 26.1).

In recent years, much of the discussion concerning the reintegration of offenders has been around the development of better means to manage the offenders’ re-entry into the community by providing an effective and balanced mix of supervision and assistance and finding ways to do so through effective collaboration between corrections, law enforcement and community-based agencies.

The importance of care following a period of institutionalization should not be underestimated. International criminal justice standards do not have much to say about the need for aftercare services for offenders released from institutions and the role of the community in facilitating the juveniles’ reintegration, but they are not exactly silent either.

The *United Nations Standard Minimum Rules for the Treatment of Prisoners* makes it clear that the duty of society does not end with a prisoner’s release: “There should, therefore, be governmental or private agencies capable of lending the released prisoner efficient aftercare directed towards lessening of prejudice against

him and towards his social rehabilitation” (*Rule 64*). The *Basic Principles for the Treatment of Prisoners* (1990) also make it clear that: “With the participation and help of the community and social institutions, and with due regard to the interest of the victims, favourable conditions shall be created for the reintegration of the ex-prisoner into society under the best possible conditions” (*Principle 10*).

The *United Nations Standard Minimum Rules for the Administration of Juvenile Justice* emphasize the need for a range of diverse services and facilities designed to meet the different needs of young offenders re-entering the community and to provide them with guidance and support as an important step towards their successful reintegration into society. Rule 29.1 states that: “Efforts shall be made to provide semi-institutional arrangements such as half-way houses, educational homes, day-time training centres and other such appropriate arrangements that may assist juveniles in their proper reintegration into society” (Rule 29.1).

The *Standard Minimum Rules for the Administration of Juvenile Justice* contain similar guidance concerning non-institutional (community-based treatment) (*Rule 23*), the need to provide assistance to facilitate the rehabilitative process (*Rule 24*), and the need to “call upon volunteers, voluntary organizations, local institutions and other community resources to contribute effectively to the rehabilitation of the juvenile in a community setting and, as far as possible, within the family unit”.

5. Reintegration Programmes

In designing and implementing interventions designed to facilitate the offenders’ successful reintegration in the

community and help them avoid further criminal involvement, there are a number of realities that should be kept in mind. Offenders released from imprisonment are confronted by a myriad of challenges that will predispose them to recidivate upon release. Many offenders have multiple needs and issues that must be addressed in a comprehensive manner, including limited skill sets, substance abuse issues, and an absence of family and community support.

It is imperative that institutional and community-based agencies develop cooperative partnerships with community-based organizations, mass organizations, and NGOs to develop seamless interventions that mobilize all available resources to assist and, when necessary, supervise the offenders (Brown and Dandurand, 2007) [6]. The crime prevention priorities of each community may of course vary and so will their priorities for intervention.

Interventions designed to address the dynamic risk factors of juvenile offenders have a higher chance of success. Successful interventions are those which:

- focus on a specific target group of offenders and their specific needs and challenges;
- rely on sound methods for assessing the needs and risk factors of offenders;
- hold the offenders accountable and responsible for their own actions;
- build on the offenders’ strength and resiliency factors;
- offer a continuum of care (throughcare) and provide assistance in an integrated and comprehensive manner and address the many inter-related challenges faced by offenders (e.g. wrap-around interventions);

- strike a balance between surveillance and control, on the one hand, and support and assistance on the other;
- are offered as a coordinated effort of all the agencies involved and supported by strong inter-agency cooperation;
- are supported by sound case management practices and adequate information management systems;
- reflect the public safety priorities of the community in which they are developed;
- engage the community in both the planning and the delivery of the intervention and foster strong community ownership; and,
- have an adequate evaluation component that allows the programme to evolve, self-improve, and remain accountable to the community for crime reduction results.

5.1. Addressing the Needs and Risk Factors of Offenders

Offenders face many challenges. They may have a history of social isolation and marginalization, physical or emotional abuse, poor employment or unemployment, and involvement in a criminal lifestyle that began at an early age. Physical and mental disabilities and health issues that are sometimes related to substance abuse and drug addiction may challenge them. Many offenders are also challenged by skills deficits that make it difficult for them to compete and succeed in the community: poor inter-personal skills, low levels of formal education, illiteracy or innumeracy, poor cognitive or emotional functioning, and/or a lack of planning and financial management skills (Borzycki and

Baldry, 2003; Visher, Winterfield, and Coggeshall, 2005) [7].

When offenders have been placed in an institution, they face additional challenges that are directly associated with the consequences of incarceration and the following difficult transition back to the community (Borzycki, 2005). There are therefore several practical challenges that must be faced by offenders at the time of their release, including finding suitable accommodation with very limited means, managing financially with little or no savings until they begin to earn some lawful remuneration, accessing a range of everyday necessities, and accessing services and support for their specific needs.

The period of transition from any form of detention to living in the community can be particularly difficult for offenders and contribute to the stress that is associated with being supervised in the community. The period of incarceration may itself have had several “collateral effects” (Borzycki, 2005: 36; Borzycki and Makkai, 2007:10)[8] upon many offenders: they may have fallen behind in their formal education, they may have lost their livelihood, their personal belongings, their accommodation; they may have lost important personal relationships and incarceration may have damaged their social and family networks; they may have experienced mental health difficulties or acquired self-defeating habits and attitudes. Homelessness, in particular, may place offenders at risk of offending (Arnall et al., 2007) [9].

5.2. Education and Vocational Training

Without a capacity to earn a living in the community, offenders will often drift again towards criminal activities. This is why one of

the most pressing needs of juvenile offenders is the need for educational and vocational training which considers the job market. Failing to address this need will adversely affect the offenders' social reintegration.

Juvenile offenders of compulsory school age have a right to education suited to their needs and abilities and designed to prepare them for their return to society. Those who are above compulsory school age and who wish to continue their education should be permitted and encouraged to do so, and every effort should be made to provide them with access to appropriate educational programmes. Education should be provided by qualified teachers through programmes integrated with the regular education system so that, after their release, juveniles may continue their education without difficulty. Wherever possible, juveniles should be permitted to leave the institution to attend school in the community. In order to avoid stigmatization and discrimination, the diplomas or educational certificates awarded to juveniles while in institutions should not indicate in any way that the juvenile has been institutionalized. Education and literacy programs for adult offenders are also very important. All offenders who are illiterate or have learning difficulties should have access to special or remedial education.

Offenders must have access to suitable vocational training in occupations likely to prepare them for gainful employment. To the extent possible, offenders should be able to choose the type of vocational training they receive. In particular, vocational training programmes should be designed to provide offenders with skills that match the types of employment opportunities that may be available in the local community to which they will return.

5.3. Employment

In most instances, the successful reintegration of offenders hinges on their ability to secure and maintain gainful employment.

“Employment provides more than the income necessary to support adequate material conditions. It also provides structure and routine, while filling time. It provides opportunities to expand one’s social network to include other productive members of society. In addition to all this, employment can contribute to enhanced self-esteem and other psychological health” (Graffam et al., 2004: 1).

Offenders encounter many challenges with respect to securing employment when they are released from an institution. These include challenges due to personal factors such as low self-esteem, poor motivation, various skills or lack of training, and challenges related to a lack of employable skills or a poor employment record.

Among the more important employment interventions that can be made to assist offenders in that respect are job readiness classes, vocational education, certification, job training, job placement, and employment monitoring by a case manager.

Efforts to find suitable employment for offenders confined in an institution should begin prior to their release. This should include an assessment of the offender’s existing skill sets, the identification of employment opportunities, and the provision of appropriate education and vocational training to enhance their employability upon their release. It is important that employment-related services be provided on a continuum from the time an offender enters prison until their release into the community.

5.4. Lodging and Financial Needs

Offenders who are released from custody generally receive little pre-release support in terms of securing accommodation and may be unable to find suitable living arrangements in those cases in which they are not residing with their family. This may result in some offenders becoming homeless, street-bound, or having unstable, unsuitable housing. Offenders who are reconvicted after their release from prison often point to the lack of suitable housing as a key factor in their unsuccessful transition to life in the community.

Many countries have invested in developing transition houses, group homes and other community-based facilities for young offenders in order to facilitate their reintegration into society.

5.5. Substance Abuse Treatment

Many offenders have substance abuse problems and numerous studies have documented the links between substance abuse and various types of criminality.

"Drug dependent offenders are caught in a vicious circle. Unless the treatment they receive in prison for their addiction is maintained on their return to the community, the chances are that they will relapse and begin offending again to support their drug use. Failure to access appropriate support services in the community can result in offenders returning to prison time and time again, as the cycle of offending is perpetuated." (Burrows, et al., 2001: 1).

Helping offenders address any drug and alcohol-related substance abuse issues is crucial to their social integration and their successful reintegration into the community after a stay in a reform school or detention centre.

Rehabilitation programmes and services that address the factors leading to drug and alcohol abuse should be designed and adapted to the age, gender and other circumstances of the offenders.

5.6. Medical Treatment

Offenders are frequently in need of medical care, both preventive and remedial. They have a right to receive that care, preferably through community health facilities and services in order to prevent any stigmatization. The medical services provided to offenders should seek to detect and treat any physical or mental illness, substance abuse or other condition that may hinder the integration of the juvenile into society. Offenders should have access to information and services relating to sexually transmitted diseases (STD) and reproductive health.

5.7. Mental Health Care

Offenders who are afflicted by mental illness encounter unique problems in terms of their integration in the community. They may experience extreme social isolation and, as well, are often at risk for a co-occurring substance abuse disorder. These offenders also frequently encounter particular difficulties in reconciling with their families and in being involved in suitable employment or educational opportunities. The unique challenges faced by mentally ill juvenile offenders require the development of a community-based treatment model of continuing care to address the risks, needs, and vulnerabilities of this offender group. Mental health treatment often lessens mentally ill offenders' dependence on illicit drugs and provides the skills necessary to build a life free from drug dependence.

The experience of other countries regarding programmes for mentally offenders is that a “one-size-fits-all” approach to programming does not work. Interventions, to the greatest extent possible, should be matched to the needs of the individual juvenile offender, and that presupposes the presence of a capacity to assess the offenders and diagnose their illness.

5.8. *Contacts with Family and the Community*

While in detention, offenders have a right to stay in contact with their family. In fact, their successful reintegration usually depends on maintaining and sometimes repairing their relationships with relatives and members of the community. The support provided by their family will be one of the strengths upon which they will build their successful reintegration. Families and communities can and should play a lead role in helping offenders prepare for their return to the community. Families and community resources should ideally also be consulted and involved in planning the release of the young offenders and their re-entry in the community.

Another method used to ease the social reintegration of offenders is to facilitate home visits or temporary leaves from the institution. This allows offenders to maintain ties with their family, and also provides for a gradual transition from institutional life to the community. This preparation may be essential not only for the offender, but also for other members of the family who have become unaccustomed to having the juvenile living with them.

Early release privileges may be granted to an as part of a pre-release or conditional programme, usually with some form of supervision in the community. It can include supervised, small group outings to sporting or

cultural activities with the institution staff, or individual temporary release to allow the offender to visit family, attend school, or take part in vocational training or work opportunities outside the institution.

The *United Nations Standard Minimum Rules for the Administration of Juvenile Justice* state that “conditional releases from an institution shall be used by the appropriate authority to the greatest possible extent, and shall be granted at the earliest possible time” (Rule 28.1). They add that “juveniles released conditionally from an institution shall be assisted and supervised by an appropriate authority and shall receive full support by the community” (Rule 28.2).

6. Institutional Programmes, Pre-release Planning, and Post-release Programmes

The successful reintegration of offenders must begin while they are still in the institution. However, since not all offenders are the same, programmes and interventions must be based on individualized planning for each juvenile offender. To the extent possible, institutions should seek to tailor programmes and services to the offenders’ individual needs.

Ideally, institutional programmes should always include interventions by professionals who can meet and work with the offenders and help them plan for their successful return to the community. A plan should be developed that identifies the offenders’ needs and the assistance, educational or employment programmes that they can access to maximize their chances for a successful social reintegration.

In many countries, institutions accomplish this by employing case managers, who can

conduct a comprehensive risk and needs assessment on each offender at their time of their admission to an institution. Based on that assessment, the case manager then develops, monitors and refines an individual rehabilitation and reintegration plan for each offender. The plan is based on an understanding of the offender's strengths, risk factors, and major needs and it strategies for helping the offender address some of his/her problems while in the institution.

As we have seen some of the institutional programmes designed to prepare offenders for their return to the community can include education, mental health care, substance abuse treatment, job training, counselling, and mentoring. These programmes are more effective when they are centred on a full diagnostic and assessment of the offenders (Travis, 2000) [10]. Some of these programmes are offered prior to the release by community-based agencies which are equipped to provide after-care and follow-up with the offenders following their release from confinement. There must be linkages between institutional programming and community-based interventions to ensure continuity of support for the juvenile offender.

6.1. Aftercare Services

There are also several practical challenges that must be faced by offenders at the time of their release, including finding suitable accommodation with very limited means, reconciling with their family, managing financially with little or no savings until they begin to earn some lawful remuneration, accessing a range of everyday necessities, and accessing services and support for their specific needs.

Many countries have developed policies and programmes designed to assist offenders who are returning to the community after their release from an institution. These interventions are variously referred to as "aftercare", "transitional care", "reentry" or "re-entry support", "reintegration", or "resettlement". Some post-release interventions may begin while the offender is still incarcerated with the intent of facilitating post-release adjustment.

Re-entry programmes for offenders are often based on a case-management approach and cover a range of interventions. These interventions are designed to assist offenders in preparing for their release from confinement by helping them acquire the skill sets required to succeed in the community, address personal challenges and the factors associated with their criminal behaviour, and establish the necessary contacts and relationships in the community. Many, if not most, of these programmes include some form of supervision.

Programmes are typically developed on the basis of the current understanding of the dynamic risk factors associated with recidivism, the typical needs of juvenile offenders, and the challenges they encounter upon their release from prison. Programmes vary according to the recidivism risk factors and the type of social integration challenges they are designed to address. Many programmes focus on one or more of the specific challenges confronting the offenders after their release (See also: Dandurand et al. 2008).

6.2. Surveillance-based Programs

Many countries have conditional release programs involving the early conditional release of offenders and their supervision in the community. In some countries, every period of detention is followed by a period of supervision

in the community, as part of the offender's sentence. At the time of sentencing, the judge must clearly state the portion of the sentence that is to be served in detention and the portion that is to be served in the community. Conditions are normally attached to these arrangements. If an offender breaches one of these conditions while under supervision in the community, that can result in a change in conditions or in the offender being returned to detention.

There are four models of post-release supervision: 1) risk-based; 2) needs-based; 3) middle-ground; and, 4) strength-based (Maruna and LeBel, 2002) [11]. Risk-based strategies operate on the premise that offenders are dangerous and need to be controlled and closely monitored. Needs-based supervision strategies focus on offenders' criminogenic needs, which means parole supervisors help offenders get appropriate treatment in programs such as cognitive skills training and addictions counseling (Burnett and Maruna, 2006) [12]. The body of evidence supporting this supervision strategy is stronger than that for the risk-based strategy, as recidivism has been shown to decrease slightly when offenders and treatment programs are matched correctly (Maruna and LeBel, 2002). The 'middle-ground' position is a combination of these two "deficit-based" models.

The final supervision strategy is the strengths-based model which views offenders as "assets to be managed rather than merely liabilities to be supervised" (Maruna and LeBel, 2002:167-68). This approach is based on the assumption that prisoners are stigmatized, and that it is their stigma that makes them more likely to commit further crime, rather than any inherent dangerousness. Proponents of the 'strengths-based' approach believe that the

process of rehabilitation is facilitated by having offenders make amends with the community by demonstrating their value and potential. These opportunities provide ex-prisoners with the opportunity to experience success in support and leadership roles. The aim of this approach is to transform the ex-prisoner from being a consumer of assistance to a provider of assistance which, in turn, results in the offender's de-stigmatization by the community, as the offender is perceived as having something to offer (Maruna and LeBel, 2002). Research supports the underlying principles of the strengths-based approach (Maruna, 2001; Sampson and Laub, 2001) [13,14].

The available empirical evidence suggests that intensive supervision programs have not reduced the rates of re-offending (Paparozzi and Gendreau, 2005) [15]. This has been due, in part, to the fact that these programs tend to target low-risk offender populations, contrary to the research literature which suggests that high-risk offenders are most likely to benefit from intensive institutional and community-based correctional interventions (Andrews and Bonta, 2003; Paparozzi and Gendreau, 2005, Dandurand et al, 2008) [16, 17].

In order to reduce offender recidivism and thereby increase public safety, we need to examine the policies and practices of releasing and supervising authorities who are managing these discretionary early release programmes. In a typically large percentage of cases of early or conditional released offenders, these offenders fail to successfully reintegrate the community because they violate one of the conditions of their release or commit a new crime. In fact, in many countries, a large proportion of the prison population is there because of the offenders' failure under community supervision (Dandurand et al., 2008a) [18].

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Tái hòa nhập xã hội đối với người phạm tội

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Tóm tắt: Nghiên cứu này tiếp cận khái niệm "tái hòa nhập" với tư cách là các biện pháp hội nhập xã hội được lập ra để giúp người phạm tội được tha từ một cơ sở tước bỏ tự do như nhà tù, nơi tạm giam hay trường giáo dưỡng, giúp họ đối mặt với những thách thức liên quan tới việc trở về với cộng đồng. Sự hỗ trợ này bao gồm cả việc giải quyết những nhu cầu của người phạm tội và nắm bắt được sự nguy hiểm mà họ có thể gây ra cho cộng đồng. Các chương trình và các biện pháp phải theo đúng tiến độ để xác định và giải quyết nhu cầu của người phạm tội nhằm chuẩn bị cho họ trở về cộng đồng. Một khía cạnh quan trọng của sự can thiệp hiệu quả cho việc hội nhập xã hội của người phạm tội là việc thông hiểu về những yếu tố có khả năng gây nguy hại cho họ cũng như gây khó khăn cho những hoạt động bình thường trong xã hội của họ. Các chương trình có tính chất can thiệp đã được mở rộng ở nhiều nước khác nhau nhằm hỗ trợ sự hòa nhập xã hội của những người phạm tội, chúng khác nhau về tính hiệu quả và không chương trình nào có hiệu quả cho tất cả các loại người phạm tội. Các biện pháp can thiệp hiệu quả nhất là những biện pháp trực tiếp giải quyết các nhu cầu và những thách thức mà người phạm tội phải đối mặt, cũng như các yếu tố mang tính rủi ro của họ. Những chương trình của các cơ quan tổ chức và các chương trình dựa trên cơ sở cộng đồng phải bổ sung cho nhau và tập trung vào giáo dục, việc làm, chỗ ở, nạn nghiện rượu và nghiện ma túy, sức khỏe tâm thần, những mạng lưới xã hội, kỹ năng nhận thức, quan điểm và thái độ.

Từ khóa: Hòa nhập; Tái hòa nhập; Hòa nhập xã hội; Tái hòa nhập xã hội; Tái hòa nhập xã hội với người phạm tội, các chương trình tái hòa nhập; Các yếu tố nguy cơ; Tái phạm; Sự cải tạo; Tái phạm.