

Rehabilitation should be a goal of the criminal justice system

[Law](#), [Criminal Justice](#)



Rehabilitation should be a goal of the criminal justice system Name: Course:
College: Tutor: Date: TABLE OF CONTENTS 1. 0Introduction 2 2. 0

Rehabilitation as a means of upholding criminal justice 3 3. 0Effectiveness of
rehabilitation 4 4. 0 Ineffectiveness of rehabilitation 11 5. 0Conclusion 17 6.

0References 18 1. 0 Introduction Criminal justice deals with mitigation of
crimes, upholding social controls, punishing, deterring, and rehabilitating law
offenders. In general, there are four theories of punishment in criminology.

They include deterrence, incapacitation, rehabilitation, and retribution
(Torres & Callahan 2008, p. 379-384). Deterrence can be specific or general.

General deterrence is aimed at punishing offenders to discourage others
from committing crimes. Deterrence is aimed at punishing the offender in
order to discourage him from reoffending (Rex 1999, p. 366). Incapacitation

keeps the society safe from criminals by incarcerating law offenders. The
rationale of incapacitation is locking offenders in jail keeps them away from
committing crimes (Torres & Callahan 2008, p. 383). Rehabilitation is aimed

at deterring offenders from criminal activities and supporting their
reintegration back into the society (Brown & Ross 2010, p. 32). Retribution is

punishing the offenders according to the magnitude of their crimes(Logan &
Gaes 1993). This paper focuses of rehabilitation as a form of upholding

criminal justice. 2. 0 Rehabilitation as a means of upholding criminal justice

Criminal justice can also be divided into retributive and restorative justice
(Walgrave, 1993, p. 14). Retributive justice proposes subjection of offenders

to punishments that fit the magnitude of crimes committed. Proponents of
this theory argue that different crimes require different punishments to

ensure effective deterrence from recidivism. For instance, a person who is

convicted of two charges of murder should be subjected to a more severe punishment compared to one charged with a single case of murder. Such severe punishment may include a longer incarceration period. On the other hand, restorative justice theory aims at ensuring equal justice for the victims of the offense and the offenders (Bazemore 1998, p. 768). Equal justice ensures that the victim of the offense is given a just compensation for the loss/harm suffered, just hearing of the case, and protection from the offender (Walgrave 1995, p. 231). The offender is also entitled to certain rights and support to enhance his reintegration back to the society without marginalization (Bazemore 1998, p. 769). Rehabilitation is an embodiment of restorative justice. The following is the discussion on the effectiveness and ineffectiveness of rehabilitation as a theory of upholding criminal and social justice.

3. Effectiveness of rehabilitation

According to Farrall and Maruna (2004, p. 359), research on desistance as a way of upholding criminal justice and mitigating crimes dates back in the 1930. Prior to this, severe punishment such as long prison sentences with extreme torture was widely believed as the most effective way of abating crimes. However, drastic increase in recidivism and the number of offenders in incarceration led to a rethinking in criminology. A research conducted in 2007 showed that the United States of America had the highest incarcerated population in the world (Andrews & Bonta 2010, p. 39-41). These statistics indicate the possible failure of the traditional punishment approach to deterrence of crimes. According to Dowden and Andrews (2000, p. 451), 63% of the inmates in North American jails in 1999 were subsequent reoffenders. Dowden and Andrews (2000, p. 452) attributed this scenario to failure of

prison sentences to address the cause of criminal behaviors in the offenders. They also argued that incarceration brings novice and dumper/ hardened criminals together. Thus, prisons serve as a training ground for criminal behaviors as novice law breakers learn from the experienced ones. Despite severe punishment for law breakers, there was a sharp increase in cases of recidivism between 1999 and 2002 in Australia (Hollin 2002, p. 159-164). The above illustrations show the extend of ineffectiveness of incarceration in deterring criminal offenses. It was against this background of failure of punishment that an integrative approach of incarceration and rehabilitation was thought out. According to Ettiene (2003, p. 47), 67% of the two million Americans who were behind bars in 2002 came from vulnerable backgrounds that served as predisposing factors to crimes. Many of them came from single parent families with financial difficulties (Cann et al. 2005, p. 67). Those with financial difficulties engaged in robbery as a means of earning a living (Ward et al. 2012, p. 95). A substantive proportion of other inmates were victims of child abuse like rape. There was also a substantive group that had no any means of living. These findings show that most of the inmates were predisposed to criminal offenses by other factors that cannot be deterred by incarceration. The above description shows that criminal behaviors in many offenders have external causes that cannot be resolved by incarceration or retributive justice. The most suitable approach is rehabilitation through probation programs. According to Bottoms and McWilliams (1979, p. 161), Community penalty is the most effective rehabilitation program for law breakers. This is because it gives them time to reform while going about with their normal chores of life. In this system,

offenders are assigned community work as punishment for their criminal offenses. They are expected to report to the assigned task on a routine basis under the supervision of probation officers. The probationers are expected to avoid reoffending during the probation period. According to Petersilia and Turner (1993, p. 284), Probationers should be assessed routinely during the probation period to ensure effective behavioral change. At the end of the program, a probationer is expected to meet a set standard of behavioral change before release. For instance, if a probationer is undergoing rehabilitation for driving under the influence of alcohol, he is supposed to exhibit an understanding of the risks of his behavior. He is also supposed to display a controlled consumption of alcohol during and after probation period. Rehabilitation through community penalty probation programs allows offenders to live their normal lives in their communities. This is helpful in avoiding marginalization and stigmatization of offenders by the larger society (McNeill 2011, p. 12). According to Atkinson (2004, p. 248-252), many convicts suffer from social stigmatization and marginalization upon release from prisons. Social rejection and lack of means to restart their lives often push many of them back to the world of criminal activities like robbery to sustain themselves (Schmidt & Witte 1989, p. 142-144). Ettiene (2002, p. 48) and Rex (1999, p. 367) underscore that long time incarceration of offenders causes emotional trauma and social detachment from their families. The emotional stress suffered while in prison makes such offenders come out with a higher propensity of reoffending (Schmidt & Witte 1989, p. 147). According to Ward et al.(2012, p. 95-96), There are many causes of criminal behaviors such as poor parenting, early childhood abuse, and

poverty. Each of these causes is unique and thus require a unique measure for effective behavioral change. A coherent strategy is to put the offenders on rehabilitation programs while they are in jail (Vanstone 2008, p. 739-742). Rehabilitation programs should aim at rebuilding their moral fibre to enhance their behavioral change from criminal activities. Those who are exposed to criminal offenses as a means of earning a living should be helped to acquire relevant skills that will earn them jobs to earn an income (Farrall & Maruna 2004, p. 361). The rationale of employing an integrative program of incarceration and rehabilitation is a two-fold benefit. The first one is seperation of offenders from the society incapacitates them from reoffending. This ensures the safety of the society and the general public from criminal harms. The second reason is that it gives the offenders maximum time of exposure to the rehabilitation process. This ensures effective behavioral change. Mears and his colleagues (2011, p. 891-896) Argue that effective deterrence through rehabilitation is only possible if the offender is made to understand why he is penalised for the crimes he has committed. The above integrative approach allows the offender to understand the negative side effects of his behavior and the attached punishment of imprisonment. Incarceration fails to achieve desistance from reoffending because it only punishes without helping the offenders to reform (Lang 2009, p. 609). The existing body of research shows that prison environment is detrimental to both inmates and prison warders. According to Ettiene (2003, p. 52-53), Many American youths who serve long jail terms often leave prisons as hardened criminals than they entered. Despite tight surveillance, drugs and substance abuse still thrive in many prisons in North

America, United Kingdom, and Australian (Valle & Humphrey 2002, p. 87-89). Many first time offenders often leave prisons intoxicated with drugs and substance abuse that expose them to a higher propensity of committing crimes (Liebling 2004, p. 203-205). The emotional trauma and separation from one's family often drive many inmates to engage in drug and substance abuse as a way of escaping their emotions (Garland 2000, p. 349). This often lead to addiction which becomes a predisposing factor to committing other crimes upon release while under drug influence. Others leave prisons with new skills of executing high risky criminal offences like bank robbery learnt from their fellow inmates. Besides, there are also other hordes of social misbehavior that are learnt in prisons. For instance, homosexuality and Lesbianism is common among inmates serving long prison sentences (Blackburn et al. 2011, p. 58-61). Some inmates get to learn this affective sexual misbehavior while in prison (Noll 2008, p. 251-252). Upon release from prison, most of the convicts who learnt homosexual behaviors while in prison face a lot of difficulties to readjust back to heterosexual relationships. Most of them end up victims of the orientation. According to a research conducted by Blackburn and his colleagues (2011, p. 58-72), Many convicts were learnt homosexual behaviors while in prison often ends up culprits of sodomization of minors. Family men find it hard to cope with heterosexual relationships with their wives upon release from prison after learning homosexual behaviors. This often leads to family breakage. From this empirical information, it is evident that incarceration exposes offenders to avenues of other crimes instead of deterring them. The failure of this retributive justice calls for a restorative justice through rehabilitation.

According to Tonry and Melewski (2008, p. 14-19), Criminal offenders should be put on probation programs that permeate criminal behavior change. They should not be put in an environment that promotes assimilation and adaptation of new skills of perpetuating new crimes. According to Brown and Ross(2010, p. 31), community probation is the most effective way of deterring offenders from reoffending upon release from prison. Intensive rehabilitation program enhances cognitive behavior change among offenders (Farrall & Maruna 2004, p. 359). The programs should allow them to meet victims of their offenses and discuss with them the losses and the harm suffered (Gwen & Fergus 2008, p. 431). This will help offenders know the harmful effects of their criminal behavior and a justification for change. They should be equipped with social capital such as religious values that promote positive relationships in the society(Gwen & Fergus 2008, p. 432). This will lead to effective transformation that enhances their reintegration in the society upon release from prison. According to the premises of restorative justice, criminal offenders should compensate victims of their offenses for the harm and losses suffered. Incarceration, such as life imprisonment, denies victims of crime justice by banishing the offenders. Restorative justice for the victims of criminal offenses can be achieved if the offenders are allowed to reform and pay for the harm and losses caused by their criminal activities. The only strategy that can achieve this is rehabilitation through probation programs. Another argument that can be advanced in favor of rehabilitation instead of retributive punishment is the plight of mentally ill inmates. According to Ettiene (2003), a big proportion of inmates in the United States of America's prisons are victims of mental illnesses. The plight

of such people is often neglected, and this has hindered effective deterrence from criminal behaviors. Ettiene (2003, p. 49) underscores the urgency of psychological therapy for mentally ill prisoners to enhance effective reintegration back in the society. The prevalence of mental illnesses among many prison inmates calls for psychiatrists to carry out mental screening. Those who are mentally ill should be isolated and placed under intensive therapeutic programs for effective healing (Adams & Fernandino 2008, p. 913-915). Those with mental illnesses stemming from drug addiction should be guided and counselled to abandon the behavior to enhance reintegration back into the society (Ruddell 2006, p. 119). In the United States of America, those inmates serving long term sentences are victims of psychological illnesses. Long prison sentences alienate prisoners from their families and social lives leading to mental trauma and stresses (Merrington & Stanley 2004, p. 17). Extreme cases of mental stress lead to other psychological complications. This is often evidenced in their violent behavior towards their fellow inmates when given a chance to socialize (Haney 2009, p. 911). The above discussion of various issues on the ineffectiveness of incarceration in deterring criminal offenders from reoffending underscore the need for adoption of restorative justice through rehabilitation. According to Maguire (2004, p. 215), the main purpose of criminal justice is to deter offenders from reoffending. General restorative justice is also aimed at punishing criminal offenders to deter the would be criminals from the social misbehavior. If punished offenders do not reform, then it is impossible to deter other people from committing crimes. The transformed nature of convicts should serve as a deterrence for others from committing crimes (Durnescu 2011, p. 539).

Otherwise, if they do not reform, then the would-be criminals will have no lesson to fear about the punishment of criminal offenses. Retribution is not a coherent solution to crimes driven by other predisposing factors. Such crimes include crimes of passion, crimes committed under the influence of drugs and substance abuse, and crimes that are influenced by unresolved past exposures (Bazemore 1998, p. 773). A victim of childhood abuse is vulnerable to criminal offenses. According to Durnescu (2011, p. 532), most convicts of crimes like assault and prostitution are victims of childhood rape and molestation. Rehabilitation is the most effective deterrence measure for such offenders. A person who commits crimes such as speeding while under the influence of alcohol or drug abuse can not be corrected by incarceration. The most effective deterrence measure is rehabilitation to desist from driving while under the influence of alcohol and drugs. Kemshall (2002, p. 42) Argues that probation is the most effective deterrence measure for drunk drivers. Such drunk offenders should be placed on a community probation programme where they will be taught on dangers of driving under the influence of alcohol and drugs. Incarceration cannot deter drunk drivers from speeding because it does not address the cause of the problem(Brown & Ross 2010, p. 41). Exposure of children to poor or lack of parenting in cases where parents are given long prison sentences is a predisposing factor for criminal offenses. Financial costs involved in sustaining offenders in prisons can also be used as an argument in favor of rehabilitation. According to Ward et al.(2012, p. 95-96), Poor parenting is one of the predisposing factors of criminal behaviors. Long incarceration of parents leaves children parentless. Without parental guidance and someone

to fend for them, these children ends up victims of juvenile crimes. Many countries also spent tax payers money in sustaining criminals in prisons. Amount of money spent in sustaining a prisoner who is serving life imprisonment is too much. It can be used constructively in rehabilitation programs. According to the New York Times(04 Jan 2010), the budget for American prisons between 1987 and 2007 grew from \$ 10. 6 billion to \$44 billions. 4. 0 Ineffectiveness of rehabilitation Despite the above effectiveness of rehabilitation as a way of deterring reoffending, there are many incoherent cases where rehabilitation can not work. In such cases, the most effective strategy is retributive justice through incarceration. The following discussion shows some of the cases in which rehabilitation is ineffective. The effectiveness of rehabilitation in deterring offenders from reoffending depends on behavior change process. According to Mink (1970, p. 37-41), behavior change among adult people is a complex process which takes a long time without a guarantee of positive outcomes. It is very difficult to reform offenders whose criminal behaviors are caused by embedded factors. For instance, consider the case of a criminal offender who has committed murder for revenge. Depending on the drivers of vengeance, It can be very difficult to rehabilitate such a person. For example, one may be out on a revenge mission of more than one target victims. The best desistance measure that can prevent him from killing more people is incarceration on the first case of murder. According to Healy and O'Donnell (2005, p. 56-58), criminal offenders are driven by different factors. Therefore, rehabilitation programs should be diverse to ensure effective transformation of all offenders. According to Durnescu (2011, p. 541), Lack of coherent programs

that suites all forms of crimes is the main challenge facing rehabilitation of offenders. For instance, robbery as a crime is committed for different reasons by different offenders. Some people practice robbery as a habit that grants them satisfaction. Others rob because of lack of alternative means of earning a living. Whichever of the above two groups of criminals, it is very difficult to change their behavior. Hemmens (2004, p. 12-37) argues that habitual behavior change among adults is a complex process. It is very hard to implement a program for behavior change if the offenders are not willing to share their plight. It takes a very long time for a third party to observe behavior trends among adult criminals. This is because many prison inmates are violent and unwilling to share their plight with correction officers in rehabilitation programs. It is very difficult to train a person who steals for a living on other income generating skills (Martinez-Garcia & Andres-Pueyo 2012, p. 1220-1222). Many rehabilitation programs for those convicts of robbery as a way of earning a living centers on entrepreneurial skills, which require capital (Farrall 2005, p. 11-16). Some of the convicts commit robbery upon release from prisons in order to get capital to try out the entrepreneurial skills taught during rehabilitation. A research conducted by Rhodes (2011, p. 57-71) indicates that many cases of reoffending in the United States of America occur because of lack of means to restart life upon release from prison. This happen despite high overemphasis placed on criminal rehabilitation programs. Many convicts spent a long time in the intensive rehabilitation programs. For victims of juvenile crimes, most of them find it hard to restart a normal social life that leads to an upright living. For instance, student convicts face challenges of completion of their studies

upon release from prisons. There is a problem of reacceptance back in school, and the challenge of coping with academic time lapse wasted in correction centers. In the United States of America, many convicts find it hard to unite with their family members who would have changed states in search of a better life. These frustrations often drive most of the convicts in violent criminal activities like robbery in a struggle to restart their lives (Kazemian 2007, p. 15-18). On the basis of these findings, it can be argued that rehabilitation opens avenues of new crimes. Many convicts rob to get business capital. In this case, the society is still at crime risk because of repeated offenses. The most effective theory of criminal justice in this case is incapacitation through incarceration. There are also other classes of crimes whose rehabilitation can not amount to restorative justice. For instance, the victim of a criminal offense who loses a loved one in the offense may not get justice through rehabilitation. This is because the criminal offender can not repay the lost life even if he reforms and changes from criminal activities. It is also a risky venture to trust a murderer for behavior change. The purported changed offender will only be discovered after committing other serious crimes with more harm than the first one. It is safe incarcerating murderous offenders than playing chances of their criminal behavior change. In this scenario, the best approach to deterrence that leaves the offender and his victim satisfied is retributive justice through incarceration. According to Bales and Piquero (2012, p. 81), Life imprisonment is the best approach of deterring murderous criminals from reoffending. This guarantees the society safety and freedom from murder. They argue that life imprisonment leaves the society at no worries about

whether the offender transformed or not. According to Gwen and Fergus(2008, p. 437), community probation is the most effective deterrence measure against reoffending. The rationale of their argument is that, community penalty probation programs avoids marginalization of the offender. However, there are some crimes which can not be abated by probation programs. For instance, the crime of child defilement can lead to mob justice if the offender is placed on probation in the community. In this case, the offender is safe in prison than outside. It does not matter whether the offender reforms or not. His presence in the community enlists agitations that may lead to mob justice by members of the community. Other crimes that can not be resolved by rehabilitation of the offenders are rape and incest leading to pregnancy and births. In this case, the victims will always suffer emotional trauma as long as their tormentors are free in the society. It is also risky to children born out of incest or rape. For instance, consider the case of a man who begets a child through rape of his own daughter. Even if the man reforms through rehabilitation, both the offender and the victim will suffer detrimental emotional distresses. The guilt of conscience may drive the offender to find avenues of killing the child as a way of containing his worries. On the other hand, the victim will suffer from emotional trauma when she raises the child while seeing her tormentor walking free in life. In this case, life imprisonment ensures permanent separation of the offender and his victim. Another argument advanced against rehabilitation is failure to deter other people from committing crimes. According to general deterrence of criminal justice, offenders are punished to discourage other people from committing similar crimes. It is only the offender who is

rehabilitated to desist from criminal behaviors. The use of probation programs may be seen as too light a punishment for the offense by the would-be criminals. This is because, the probationer will still enjoy most of his fundamental rights despite his crimes. This perception by other people may make them view the criminal justice system as toothless to tame criminal activities. According to Smith et al.(2002, p. 12-14), light probationary punishments encourage recidivism. Smith and his colleagues argued that long term incarceration coupled with extreme torture was the most effective way of deterring reoffenders. Concerning general deterrence, Piquero and Pogarsky (2002, p. 157-164) argue that the long time of absence from the society and shared memories of jail experience will deter other people from committing crimes that would land them in the same fate. Memories of pain of torture and banishment will serve as a deterrence. Another argument for the ineffectiveness of rehabilitation programs as a means of deterring criminals from reoffending regards mental illnesses. According to Etienne(2003, p. 47-52), mental illnesses are rampant cases in American prisons. Mentally ill offenders exhibit symptoms of different psychological complications, which require expensive resources to manage. Some of the problems require life long management. In this case, it is too risky to rehabilitate the affected offender with the hope of releasing him back to the community. Correction centers often face a challenge of funding such expensive ventures. The general public in many countries is unwilling to allow public funds to be used for providing care for criminal offenders. Others severe cases of mental illnesses are characterised by the tendency of hurting self and violence towards others. Violence behavior hinders

rehabilitation of the offenders since they pose a danger to any person they come in contact. In this case, the only remedy is prevention of the society from criminal offenses by incarcerating the affected group of offenders. From the above arguments in the paper, it is evident that there is no coherent approach to criminal justice for all cases. Some criminal activities can be deterred through rehabilitation programs while others can only be deterred through incarceration. In view of this, I think the most effective correction system is an integrative program of both incarceration and rehabilitation. That is rehabilitation should be enforced while the offenders are serving their retributive sentences. The first argument advanced in favor of this system is the guarantee of the society and the general public for safety in the absence of offenders. The second argument is incapacitation of criminals from committing further criminal offenses. According to Vanstone (2008, p. 737), only those offenders who exhibit reliable behavioral change during rehabilitation should be released back to the society. Containment of those offenders who are adamant to change in jail incapacitates them from committing crimes. However, this approach does not guarantee correction of offenders. As argued earlier in the paper, incarceration promotes criminal activities because it brings together many classes of criminals to share their experiences. This means that novice offenders will learn from hardened ones and become dangerous criminals upon release from prisons than they entered.

5. 0 Conclusion The above arguments possess dilemma in criminal justice on the most appropriate theory to apply in the dispensation of restorative justice to offenders and their victims. It has been argued that incarceration promotes other criminal behaviors as novice criminals learn

from their fellow experienced inmates. On the other hand, it has been argued that rehabilitation can not reform offenders effectively because of diversity of causal factors of committing crimes and the complex process of behavior change. Rehabilitation does not guarantee reliable behavior change that warranty reintegration of offenders in the society. Some offenders control their behaviors while under probation to appear changed. However, their criminal tendencies surface immediately upon release to the general public. There are also other crimes such as murder, rape and incest, which can only be deterred through incarceration. It is a risky gamble to trust offenders who commit such high crimes back to the society. Besides, the society may take ultimate judgement against such offenders upon release through mob justice. On the basis of the above argument, the most effective system of abating recidivism is situational application of restorative and retributive justice. That is criminal justice system should evaluate each case as different from others. They should also evaluate offenders as different from each other with unique personalities and behaviors. Those offenses that merit behavior change through probation programs should be rehabilitated. While victims of high criminal activities such as murder, robbery with violence, incest, and child defilement should merit long imprisonment sentences with harsher punishments. This will ensure safety of the victims, offenders, and the general public.

6. 0References Atkinson, D 2004, The What Works debate: Keeping a human perspective. *The Journal of Community and Criminal Justice*, vol 51, no. 3, pp. 248-252. Adams, K & Ferrandino, J 2008, Managing Mentally Ill Inmates in Prisons. *Criminal Justice and Behavior*, vol 35(8), pp. 913-927. Andrews, D & Bonta, J 2010,

REHABILITATING CRIMINAL JUSTICE POLICY AND PRACTICE. *Psychology, Public Policy, and Law*, vol 16, no. 1, pp. 39-55. Blackburn, A, Fowler, S, Mullings, J & Marquart, J 2011, Too Close for Comfort: Exploring Gender Differences in Inmate Attitudes Toward Homosexuality in Prison. *Am Journal of Criminal Justice*, vol 36, pp. 58-72. Bazemore, G 1998, Restorative Justice and Earned redemption: Communities, victims, and offender reintegration. *The American Behavioral Scientist*, vol 41, no. 6, pp. 768-812. Bottoms, A. & McWilliams, W 1979, ' A Non-Treatment Paradigm for Probation . *the British Journal of Social Work*, vol 9, pp. 159-202. Brown, M & Ross, S 2010, Mentoring, Social Capital and Desistance A Study of Women Released from Prison. *THE AUSTRALIAN AND NEW ZEALAND JOURNAL OF CRIMINOLOGY*, vol 43, no. 1, pp. 31-50. Cann, J, Falshaw, L & Friendship, C 2005, Understanding ' What Works': Accredited Cognitive Skills Programmes for Young Offenders. *Youth Justice*, vol 5(3), pp. 165-177. Dowden, C. & Andrews, A 2000, Effective correctional treatment and violent reoffending. *Canadian Journal of Criminology*, vol 42, pp. 449—467. Durnescu, I 2011, Pains of Probation: Effective Practice and Human Rights . *International Journal of Offender Therapy and Comparative Criminology*, vol 55(4), pp. 530-545. Ettiene, B 2003, Rehabilitate or punish?: Psychologists are not only providing treatment to prisoners; they're also contributing to debate over the nature of prison itself. . *American Psychological Association*, vol 34, no. 7, pp. 47-54. Farrall, S & Maruna, S 2004, Desistance-Focused Criminal Justice Policy Research: Introduction to a Special Issue on Desistance from Crime and Public Policy. *The Howard Journal* Vol 43 No 4, pp. 358-367. Farrall, S 2005, Rethinking What Works with Offenders: Probation, Social Context and Desistance from

Crime . Cullompton: Willan Publishing. Fergus, M 2011, Probation, Credibility and Justice. *The Journal of Community and Criminal Justice*, vol 58(1) , pp. 9-21. Gwen, R & Fergus, M 2008, Exploring the dynamics of compliance with community penalties. *Theoretical Criminology*, vol 12, no. 4, pp. 431—449. Garland, D 2000, The Culture of High Crime Societies: Some preconditions of 'Law and order policies'. *British Journal of Criminology*, vol 40, pp. 347-375. Haney, C 2009, On Mitigation as Counter-Narrative: A case study of the Hidden Context of Prison Violence . *UMKC Law review*, vol 77(4), pp. 911. Hemmens, C 2004, *The inmate prison experience* . New jersey: Pearson Prentice Hal. Hollin, R 2002, *An Overview of Offender Rehabilitation: Something Old Something Borrowed, Something New* . *Australian Psychologist*, vol 37, no. 3, pp. 159-164. Healy, D & O'Donnell, I 2005, Probation in the Republic of Ireland: Context and challenges. *The Journal of Community and Criminal Justice*, vol 52(1), pp. 56-68. Kemshall, H 2002, Effective Practice in Probation: An Example of 'Advanced Liberal' Responsibilization. *The Horward Journal*, vol 41(1), pp. 41-58. Kazemian, L 2007, Desistance from crime: Theoretical, empirical, methodological and policy considerations. *Journal of Contemporary Criminal Justice*, vol 23(1), pp. 5-28. Lang, B 2009, Reconciliation: not retribution, not justice, perhaps not even forgiveness. *The Monist*, vol 92(4), pp. 604-637. Liebling, A 2004, The Late Modern Prison and the Question of Values . *Current Issues in Criminal Justice*, vol 16, no. 2, pp. 203-219. Logan, C & Gaes, G 1993, Meta-Analysis and the Rehabilitation of punishment. *Justice Quarterly*, vol 10, no. 2. Martinez-Gacia, M & Andrés-Pueyo, A 2012, Risk Factors for Violent Behavior in Prison Inmates: A Cross-Cultural Contribution. *Journal of Criminal Justice*

and Behavior vol. 39 (9), pp. 1219-1239 . Mears, D, Cochran, J, siennick, S & Bales, W 2011, Prison Visitation and Recidivism . Justice Quarterly, vol 29(6), pp. 889-917. Maguire, M2004, The Crime Reduction Programme in England and Wales: Reflecting on the vision and the reality. Criminology and Criminal, Vol. 4(3), pp. 213-237. Torres, M & Callahan, J 2008, Investigating Fourth Amendment Judicial Outcomes Across Contrasting Minority School Settings : Subjectivity in Disciplinary Decision Making in Diverse Settings? Education and Urban Society, vol 40(3), pp. 377-405. Mink, G 1970, The behavior change process. New York: Harper and Row. Merrington, S & Stanley, S 2004, What Works?: Revisiting the Evidence in England and Wales. Probation Journal, vol 51(1), pp. 7-20. New York Times 2010, Prisons and Budgets. The new York Times, n. p. Noll, T 2008, Editorial: Sexual Violence in Prison . International Journal of Offender Therapy and Comparative Criminology, vol 52(3), pp. 251-252. Petersilia, J & Turner, S1993, Intensive probation and parole . Crime and Justice: A review of research, vol 17, pp. 281-335. Piquero, A & Porgarsky, G 2002, Beyond Stafford and Warr's reconceptualization of deterrence: Personal and vicarious experiences, impulsivity, and offending behavior . Journal of Research in Crime and Delinquency, vol 39, pp. 153-186. Rex, S 1999, Desistance from offending: Experiences of Probation. The Howard Journal, vol 38, no. 4, pp. 366-383. Rhodes, W 2011, Predicting criminal recidivism: A research note . Journal of Experimental Criminology, vol 7(1), pp. 57-71. Ruddell, R 2006, Jail Interventions for Inmates With Mental Illnesses . Journal of Correctional Health Care, vol 12(2), pp. 118-131. Smith, P, Goggin, C & Gendreau, P 2002, The effects of prison sentences and intermediate sanctions on recidivism:

General effects and individual differences. Ontario, Canada: Public Safety Canada. Schmidt, P & Witte, A 1989, Predicting criminal recidivism using 'split population' survival time models. *Journal of Econometrics*, vol 40(1), pp. 141-159. Tonry, M & Melewski, M 2008, The malign effects of drug and crime control policies on Black Americans. *Crime and Justice: A review of research*, vol 37, pp. 1-44. Vale, S & Humphrey, D 2002, American Prisons as Alcohol and Drug Treatment Centers: A Twenty-Year Reflection, 1980 to 2000. *Alcoholism Treatment Quarterly*, vol 20(3-4), pp. 83-105. Vanstone, M 2008, The international origins and initial development of probation. An early example of policy transfer. *British Journal of Criminology*, vol 48, pp. 735-755. Walgrave, L 1993, Beyond Retribution and Rehabilitation: Restoration as the Dominant Paradigm in Judicial Intervention Against Juvenile Crime. paper presented at the international Congress on Criminology. Budapest, Hungary. Walgrave, L 1995, The restorative proportionality of community service for juveniles: Just a technique or a fully fledged alternative? . *Howard Journal of Criminal Justice*, vol 34, pp. 228-249. Williams, D & Piquero, A 2012, Assessing the impact of imprisonment on recidivism . *Journal of Experimental Criminology*, vol 8(1), pp. 71-101. Ward, T, Yates, P & Gwenda, W 2012, The Good lives model and the Risk Need responsibility Model A Critical Response to Andrews, Bonta, and Wormith (2011) . *Criminal Justice and Behaviour*, vol 39, no. 1 , pp. 94-110.