



*MAIN IMAGE: At over 200 percent capacity, Pollsmoor Prison in Cape Town is one of the most overcrowded correctional facilities in South Africa. The overcrowding in the criminal justice system, combined with an already-thin budget for correctional programmes, means many inmates do not receive quality rehabilitation programming and are more likely to return to prison after their release. SOURCE: Peter Emslie on [Twitter](#)*

## **From prison bars to chains of stigma: No easy path for released offenders**

*By Skylar Thoma*

Thembaletu Nhlebela knows what it's like to be freed from prison: it's terrifying.

"The excitement of getting that freedom is there," she says about her first time being released from prison. "Then some time at night you're thinking 'no, I'm just fooling myself. I'm not going anywhere'".

She has been in and out of prison since the age of eleven, she says, for petty theft. Every time she was released, she was forced to confront her situation.

She had no job, her family had rejected her, and she had left behind her closest friends: the people with whom she was incarcerated.

It would not take long for her to return to prison.

"I [became] used to staying for a short time outside and going back to prison," she says. "When I was still inside, I was just planning more and more and more crime. What else was I going to live on?"

Nhleabela's story is all too familiar for thousands upon thousands of ex-offenders in South Africa. Between 55 and 95 percent of released inmates in South Africa will return to prison within three years, according to research by Professor Maxi Schoeman, acting head of the Department of Political Sciences at the University of Pretoria.

This phenomenon is known as prisoner recidivism, and it indicates that South Africa's criminal justice system is failing to correct offenders' behaviour.

Richard Aitken, founder of the Quaker organisation Phoenix Zululand, which runs rehabilitation programmes for prisoners, believes the line between criminals and law-abiding citizens is thin.

"You're very often aware in prisons that 'there but for the grace of God go I'", he says. "It's the way that circumstantial things add up in a person's life that lead one not to an illustrious academic career but to a prison existence".

Released offenders face extremely challenging circumstances, he says, which often lead former inmates back in prison.

Among the biggest is finding a sustainable and legal livelihood.

Nonceba Lushaba, a former director of Phoenix, says that former prisoners "have a black mark against their name".

"A lot of job opportunities are closed to people that have a criminal record," she says, either for legal reasons or because employers simply don't want to hire ex-offenders.

Offenders are also often unable to turn to their families for support. Aitken says family members are often "humiliated" and "injured" by having a relative be incarcerated, leading them to reject any requests for help or support from their offending relatives. He recalls one mother who said about her own imprisoned son, "the next time I see that boy he must be in his coffin going into the grave".

Nhleabela, who has returned to prison eight times in her life, knows this scenario all too well. "I don't go back to my family because they told me 'you are no longer needed'," she says.



**“I am emotionally crippled as a prisoner; as I crouch and hide from the gaze of people, I want my wife to shield my beloved son from me”**

*IMAGE: As part of an art rehabilitation programme run by Phoenix Zululand, a prisoner shows himself (left) outside of prison but still isolated from his family. He captioned the drawing with the above quote. SOURCE: Reproduced with permission from Phoenix Zululand.*

Former offenders also encounter animosity in the wider community. Nolulamo Jama, a facilitator at Phoenix Zululand and a former offender herself, recalls the suspicion she faced when she was released from prison: “They weren’t calling me by my name, they would just call me ‘the prisoner’. They never wanted anything to do with me. It was really hard”.

Victor Chikadzi, a professor in the Department of Social Work at the University of Namibia, argues that social stigma only makes it more likely for a former offender to return to crime. “You treat people like animals, they will behave like animals,” he says. “It’s as simple as that”.

Former offenders are particularly tempted to return to a life of crime if they come to associate with gang members, according to Chikadzi. “Prison is shown to be a breeding ground for petty criminals to get experience from experienced criminals,” he says. “When they come out of there they are worse off than they went in. Not only that, but they’ve been integrated into this criminal gang”.

When some or all of these circumstances combine, he explains, recidivism becomes almost inevitable.

“It becomes a cyclical thing”, he says. “When they get released from prison, the underlying issues that led them into prison to begin with are still there. [Crime] is their only option”.

The legal responsibility for addressing recidivism in South Africa falls on the [Department of Correctional Services](#), the government department mandated to “contribute to a just, peaceful

and safer South Africa through the effective and humane incarceration of inmates and the rehabilitation and social reintegration of offenders”.

The [2018-2019 annual report](#) for the Department states that during the financial year, “the Department successfully placed 93 419 (90%) sentenced offenders with Correctional Sentence Plans through various correctional programmes”, but notes that programmes are hampered by a lack of data systems that can ensure data integrity and the high turnover of custodial officials responsible for the programmes.

It says that its priority for prisoner rehabilitation is education and skills provision and it notes that it has partnered with external service providers for some of this work.

Outsiders who work in prisons argue that the Department should be doing much more, particularly regarding its responsibility of reforming offenders’ behaviour.

In large part this comes down to money. Out of the Department’s entire R23bn [budget for 2018-2019](#), Rehabilitation and Social Reintegration programmes made up a combined 11.2 percent (R2.88bn). In contrast, the Administration portion of the budget amounted to 18.2 percent (R4.39bn), more than all of those programmes put together.

“If your core mandate is to ensure corrections are happening, then that doesn't make sense,” says Lushaba.

Because resources are stretched so thin over a prison system that is on average [37 percent overcrowded](#), with some such as Pollsmoor Medium B Prison in Cape Town at [over 200 percent of capacity](#), the Department is forced to pick and choose which inmates will receive any kind of rehabilitation programmes. As a result, according to a [study from the University of KwaZulu Natal](#), 40 percent of all South African inmates will never participate in any kind of correctional programme.

Among those who do, the research suggests that many will find themselves in programmes that will not help them. The state uses a “one-size-fits-all” approach which leads to poorly structured programmes and a focus on process instead of results. And most offer no support for offenders on release.

Researchers also note that state-run programmes are often administered just before a person is scheduled to be released.

“We forget the fact that this person has been in prison for three or four years,” Chikadzi points out. “They've been learning new criminal skills, associating with other criminals, and it's entrenching them psychologically into a life of crime. Then you expect that three weeks or a month or two months of rehab will make a difference?”

Aitken says that even well-designed state programmes do not last long. “They're so sporadic,” he complains. “There will be programming on leatherwork, shoemaking, sewing, and it happens for a few weeks and an NGO is brought in to do that, and then it stops. So often there's a good programme but no follow through”.

Aitken also argues that teaching vocational skills is a flawed approach for a correctional programme. Because [South Africa's unemployment rate is so high](#), he says, ex-offenders are not likely to find work to support themselves.

Jama says that offenders also “don’t have financial support” to get their own businesses off the ground, so the skills they have learned will not serve them in finding a sustainable livelihood.

The state tries to address this issue by employing social workers, who assist released offenders in finding work and sorting out their living situation. But Lushaba says these social workers are stretched too thin to make a real difference. Each social worker may serve “three, four, maybe five correctional facilities,” she says.

“It’s impossible for that person to do job-seeking for each individual person who comes out of a correctional centre”.

Chikadzi says, “it is the government’s responsibility, but the government cannot do it alone”.

A number of NGOs are working in prisons to address the need, operating inside and outside of prison to prepare offenders for life on the outside in various ways.

One common strategy is training current inmates in the skills they need to succeed outside prison. The National Institute for Crime Prevention and the Reintegration of Offenders ([NICRO](#)) runs programmes for inmates to learn vocational skills they might be able to use for employment.

NGOs such as [Phoenix](#) offer programmes that are more geared toward personal development. Lushaba says Phoenix’s approach is represented by the organisation’s name: “This crime has happened, but how do I rise from the ashes since I’ve burned in my own fire?”

Phoenix and NICRO also employ a strategy known as family conferencing, in which families are reunited with their imprisoned relatives to work through issues and heal the relationships that may have been damaged.



*IMAGE: Former director of Phoenix Zululand Nonceba Lushaba (center) reunites a father (right) and his imprisoned daughter (left; face obscured) during a Phoenix family conference. The two had not been on speaking terms prior to the visit, but Lushaba says the conference transformed their relationship. SOURCE: Phoenix Zululand.*

Those relationships are “probably the biggest resource that [prisoners] will ever have in their lives,” Aitken says, adding that families can help offenders find jobs and reintegrate into the community. “If they don't get that relationship with their family right, then there's very little chance of them ever recovering a valuable place in society”.

But as valuable as an NGO's programming might be, their work is often limited by budgeting constraints.

Some organisations have been unable to secure funding for prison work, Aitken says. As a result, some have switched from working directly with offenders to other areas, such as diversion programming in schools.

Because of the funding challenges, and because most NGOs operate only within specific geographical regions, Chikadzi says, offenders who are released into areas where there are no correctional programmes “fall through the cracks”.

He argues that the private sector should help NGOs increase the impact of the work. “This is not just in terms of funding these programmes,” he says, “but also giving opportunity for employment and job placement for ex-offenders, to be able to give them a chance at life again”.

Despite the limits on correctional programming, research suggests that prison programmes do have an impact. A 2019 study on South African prison programmes by researchers from the University of Chester found correctional education “transforms offenders into law-abiding and productive citizens on release”. And [an internal study](#) conducted by NICRO found that 98 percent of the people who went through their diversion programmes did not revert to crime.

But there is still widespread public skepticism towards the idea that offenders can change their behaviour.

“If there's somebody's house which has been burgled, people will always say ‘oh there's a guy in that area who came out of prison, maybe he's the only one who organized the whole thing’,” Lama says.

Political parties, among them the [Democratic Alliance](#) and the [Inkatha Freedom Party](#), condemned the government's decision to release over 14,000 prisoners last December, saying that there was no guarantee the offenders would not commit crimes again. The DA described it as a “slap in the face” for victims.

Chikadzi suggests the perception that correctional programmes fail may be because they are not being assessed in the broader context of society. He points out that offenders leave the prison system and enter “a new system that takes away the gains that may have been made inside prison rehabilitation programmes”.

He says recidivism needs to be addressed in a more comprehensive manner. In addition to increased funding for correctional programmes, he proposes that there should be more halfway houses to help offenders reintegrate into society. He also recommends that petty crimes should not attract prison sentences or criminal records for offenders and that those who already have them should have their records expunged. This would help to address both overcrowding in prisons and the risk of gang association.

Aitken is aware that even the best-designed programmes will not fully rehabilitate every offender.

“Anytime you set out on any educational programme on Earth, you're going to have people who can't do it, who fail and don't accomplish what you want them to accomplish,” he says.

In Jama's view, the success of any programme depends on whether a person “really wants to change or not”.

One person who embraced the challenge is Nhlebela: participating in the Phoenix Rising programme changed her worldview and “made [her] feel like a person”.

Aitken was so impressed by her transformation that he offered her a job as a facilitator when she was released in 2006, and she has been working with the NGO ever since.

Before she encountered Phoenix, she says, “I wouldn't mention my name without mentioning the word ‘thief’. But the programme changed me. Somebody believed in me. I never knew that would happen”.

A belief in someone's ability to change, Lushaba says, is perhaps the most important factor for offenders' rehabilitation.

"These are the people who come from our communities, from our society.

"Really what they need is a chance, and if you are willing to give them that chance... they might just find a way to turn things around".



*IMAGE: Phoenix facilitator and former offender Thembaletu Nhlebela poses for a picture with Dr. Xolani Mkhwanazi, a donor to Phoenix Zululand, at a fundraising event in 2007. SOURCE: Phoenix Zululand.*