

INTEGRATED OFFENDER ADMINISTRATION THROUGH CORRECTIONAL CASE MANAGEMENT

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CHAPTER 1

THE RESEARCH

1.1 BACKGROUND TO THE STUDY

There is an increasing pressure on the South African Criminal Justice System to function much better than is currently the situation. An increase in crime, especially violent crime, contributed to the hostile and negative attitude of the community. This attitude is strengthened by the ignorance of the community towards the different forms of sentencing. An “Imbizo” (Zulu word which means ‘a big public meeting called by a chief’) was held in 2003 by the South African Department of Correctional Services to involve all the different stakeholders in the community to contribute to the fate of offenders.

Since the beginning of 1996, after the promulgation of the new South African Constitution, transformation became a key issue in the Department of Correctional Services. Five directions, which formed part of the correctional transformation of the Department, were identified:

- Constitutional changes, such as the incorporation of the correctional services of the Transkei, Bophutswana, Venda, Ciskei and Kwa Zulu Natal into the South African Correctional Services. These countries were the former homelands that were incorporated into South Africa
- affirmative action, ensuring that previous victims of discrimination are given priority in job allocation
- demilitarisation of the correctional system, driven by the South African Constitution, to become a civil service department, with the emphasis on human rights
- the implementation of unit management to enhance offender development
- the Correctional Services Act 111 of 1998, which changed the emphasis from a former punitive establishment to a philosophy of rehabilitation.

The last two of the above-mentioned directions had a direct influence on the choice of the topic for this thesis.

- Unit management is a new vehicle for service delivery in South African prisons. This is a practice that is followed by international countries such as Canada, the United States of America, New Zealand and Australia, Scandinavia and various European countries. Case management, which is described as one of the pillars of unit management (Bruyns, Jonker & Luyt, 2000: 101; Luyt, 1998: 152), is the core issue which is discussed in this research.
- The Correctional Services Act 111 of 1998, chapter IV, specifically refers to sentenced prisoners. Sections 36 up to 45 instruct the necessity for case management in South African prisons.

Therefore, it can be said that the South African Department of Correctional Services has not only transformed, but also ensures through its legislation that the system of case management is implemented in all South African prisons. At this stage, the Department of Correctional Services is not in a position to implement sections 36 up to 45 of the Correctional Services Act 111 of 1998 because these sections have not yet taken effect. Although top management claims that rehabilitation is the official operational policy of the Department of Correctional Services, staff on the ground are not aligned or trained sufficiently to implement it.

The inability to implement the relevant sections of the new legislation severely hampers the full implementation of unit management. Furthermore, it has a hampering effect on the development of sentence plans for certain categories of sentenced offenders. The Correctional Services Act 111 of 1998 determines that each offender with a sentence of longer than twelve months should have a sentence plan (Republic of South Africa, 1998: 38). This is discussed in full detail in chapter five. Without sentence planning it is very difficult, indeed in many cases impossible, to deal effectively with individual offenders.

For this reason, there is a need to investigate how offender administration can be integrated to ensure effective implementation of case management for all applicable offenders in South African Prisons.

1.2 LITERATURE REVIEW

To generate this research topic and to give a clear formulation of the problem and hypothesis, information was gathered on the background of case management, and on its implementation in the countries where it is already in practice. This was done mainly by reviewing literature that has been published, or that is relevant to the research topic. According to Bless & Higson-Smith (1995: 23) the purpose of a literature review is to familiarise the researcher with the latest developments in the area of research, to identify gaps in knowledge or weaknesses in previous studies and to sharpen and deepen the theoretical framework of the research. This is what this research aims to achieve.

From the literature study which preceded the documentation of the research, it became clear that there is scant information on the philosophy, implementation and administration of case management in South African prisons. Literature on the topic is scarce and regarding the South African situation very little literature exists, apart from what is prescribed in the Correctional Services Act 111 of 1998. This study is aimed at investigating the theoretical framework within which the phenomenon of case management is presumed to be implemented. Furthermore, hopefully, the study will provide sufficient information from which to develop a comprehensive framework for its implementation and application. The framework itself would not be covered within the boundaries of this study, but the study has created certain systems and suggested frameworks that could be used to promote offender administration through the implementation of case management in prisons in South Africa.

1.3 THEORETICAL KEY CONCEPTS

Various key theoretical concepts are clarified in the study. Within the framework of philosophy and theory, the discussion centres on the role of prisons in the objectives

of punishment as well as safe custody as the purpose of the prison. Concepts that are explained and discussed include:

- **Sentence planning:**

Sentence planning is a system consisting of components or sub-systems that are independent but at the same time affect one another: These are security, admission assessment, classification, parole release, facilities plan and case management.

- **Initial assessment and placement:**

The fundamental goal of assessment is to identify the relevant characteristics of the offender so as to formulate different criteria in order to assist in the placement of the offender.

- **Correctional treatment:**

Correctional treatment includes any programme or activity that is planned and monitored with the primary goal of rehabilitating the offender, in order to avoid criminal activity in the future.

- **Case management:**

Case management is a form of rendering a service in which the correctional official tries to reach the individual, who has complex and multiple problems, in such a manner that help is offered where needed.

- **Institutional supervision:**

Institutional supervision includes the effort of the correctional officials to ensure consistency and continuity in the application of case management throughout the offender's sentence.

- **Preparing cases for decision:**

Information that is gathered through assessment and screening of an offender is documented and filed on the offender's case file. This information is used to prepare cases for decisions.



- **Decision on parole and release of the offender:**

Parole is a treatment programme in which an offender, after serving a part of the sentence in a correctional institution, is conditionally released under supervision and treatment by a parole worker. However the release of the offender is conditional, contingent upon satisfactory behaviour.

- **Community supervision:**

Community supervision involves all those activities related to reintegrating and monitoring the offender after release into the community.

The terminology of prisoner and offender is used irrespectively in the research. When the word “prisoner” is used it could mean either an unsentenced or a sentenced individual, whereas the word “offender” is used with reference only to a sentenced individual.

One of the most important outcomes of the study would be the successful implementation of case management in South African prisons. Theoretically, consideration has been given to the following aspects: focus on the individual offender; enhancement of the role of the correctional official; the identification and assessment of needs and problem areas of offenders; and monitoring and reviewing sentence plans on a regular basis. To this effect Luyt (1999: 128) mentions that the prisoner's sentence should be made as productive as possible.

As part of these theoretical key concepts, the study has taken into account international and other applicable standards relating to offender administration. Specific attention is also given to South African legislation.

1.4 DEMARCATION OF THE STUDY

Demarcation is the nominal reduction of the research group or phenomenon. In other words the qualities of the group or phenomenon that is being researched are purified (Silverman, 2000: 88; Van der Westhuizen, 1982: 41).

This research dealt with offender administration within the South African correctional environment. Because information about offender administration (in terms of case management) in South African prisons is largely unavailable, the researcher had to refer to similar international situations during the study. This study is applicable to offenders with a sentence of twelve months or more (Section 38(2) of Correctional Services Act 111 of 1998) and the staff members of the Department of Correctional Services who are responsible for case management.

Unsentenced persons and offenders serving a sentence of less than twelve months do not form part of this research, since the Correctional Services Act 111 of 1998 does not specify that they need a sentence plan (Republic of South Africa, 1998: 38). Similarly, persons subjected to community corrections were excluded from the study. In the view of the researcher, the latter groups could be included, but the case management research only focused on the category where a sentence plan is compulsory through legislation.

As far as the involvement of staff is concerned, the research covered the whole range of available staff. Unit managers, case managers, case workers, security staff and specialist groups all formed part of the target group. The researcher is of opinion that the successful implementation of case management is dependent on strong team work. Also, staff is responsible for interaction with offenders on a daily basis. The contribution of the community in case management also formed a part of this study as well as the role of the offender in the successful completion of his case plan during his incarceration. Without the offender's consent and co-operation, the role of the correctional official would be much more difficult. For this reason, the staff component, the offenders and the community all fall within the demarcation of this study.

The research has entailed the study of South African and an international literature study to identify the most suitable offender administration process to implement in South African prisons.

1.5 MAIN PURPOSE OF THE STUDY

1.5.1 VALUE FOR SCIENCE

The study has generated valuable theory on the phenomenon of offender administration. In South Africa, this particular field of research had not yet been explored to its full extent. The scant literature on the domain in South Africa serves to support this statement. The scientific fields concerned, namely offender administration and case management, will therefore to benefit considerably from the research. Policy-makers of the Department of Correctional Services can use the research as a guideline when drawing up the policy for case management. Correctional officials as well as other students can benefit by this research. The role that the correctional official will play in case management is spelled out in this study and can therefore assists them in their daily activities. Recommendations made by the researcher can be used by other students who plan to conduct further research in the field of case management.

1.5.2 VALUE FOR SOCIETY

The results of the research can be used to the benefit of society in that by using case management, re-entry of the offender into the community can be a longer-term planned and supported event, instead of just a process towards the end of a sentence (Doherty & Ekstedt, undated: 156). Also, the offenders themselves can benefit because according to Luyt (1999: 127), case management is a way of organising the movement of the offender through the correctional system. This will mean that the research may be able to contribute to individual crime prevention and general crime prevention. The study also spells out the role that the community could play in the successful completion of the offender's sentence through case management.

1.5.3 VALUE FOR THE ADMINISTRATION OF JUSTICE IN SOUTH AFRICA

South Africa spends considerable amounts of money on the administration of justice. From the literature it is clear that the effective implementation of case management

could lead to a lower rate of recidivism. According to Luyt (1999: 128) case management is an ongoing process of staff involvement to facilitate the desired change in offenders in order to improve security and to reduce recidivism. The researcher tried to design mechanisms to bring about the effective implementation of case management. This could enable South Africa to have a more affordable legal system as a result of the decrease in crime, or at least retention rate within the system.

1.6 RESEARCH QUESTION

During the 1980's the term "case management" began to appear in clinical and counselling literature (Enos & Southern, 1996: 23). As the saying goes "*nothing is new that has not been said or done before*" and although case management in corrections has a recent origin, the concept is not new. Froland, Pancoast and Parker (1983: 17-30) stated that although families, friends and members of the community have always been supportive of prisoners, it is true that right from Biblical times, through the Middle Ages, during the period of Enlightenment, and through the history of scientific thought and progress encompassing the twentieth century, that recently have what we call "helping networks" been harnessed to aid the rehabilitation of the offender. These "helping networks" consisted of families, friends and persons from other social groups, from which an individual can receive support and help. This gives us an accurate definition of how the term case management is seen today: "as a bridge and as a system of networks resulting in the co-ordination and distribution of informal and formal services on behalf of someone in need" (Enos & Southern, 1996: 24).

In South African prisons sentence planning was borrowed from other correctional systems (in particular the Canadian system) by the compiler of the new legislation and was therefore addressed in the Correctional Services Act 111 of 1998.

Section 38(2) of the Act stated it as follows:

“38(2): In the case of a sentence of imprisonment of 12 months or more, the manner in which the sentence should be served must be planned in the light of this assessment (Section 38(1)) and any comments by the sentencing court”.

Section 42(1):

“42(1): At each prison there must be a Case Management Committee composed of correctional officials as prescribed by regulation”.

Section 42(2) states as follows:

“42. (2) The Case Management Committee must-
(d) submit a report, together with the relevant documents, to the Correctional Supervision and Parole Board regarding-
(i) the offence or offences for which the sentenced prisoner is serving a term of imprisonment together with the judgment on the merits and any remarks made by the court in question at the time of the imposition of sentence if made available to the Department;
(ii) the previous criminal record of such prisoner;
(iii) the conduct, disciplinary record, adaptation, training, aptitude, industry, physical and mental state of such prisoner;
(iv) the likelihood of a relapse into crime, the risk posed to the community and the manner in which this risk can be reduced;.....”

The duties of the Case Management Committee will be:

- The assessment of sentenced prisoners according to section 38(2)
- Regular interviews with prisoners and compilation of a sentence plan for the prisoner
- Possible placement of prisoners under community corrections
- Regular submission of reports together with relevant documents to the Correctional Supervision and Parole Board and

- Informing the prisoner of the contents of the report submitted by the Case Management Committee and affording the prisoner the opportunity to submit written representations.

These sections have not yet been proclaimed by the government, which means that sentence planning and case management could not be put into operation by prison authorities. Correctional Services also lack uniform guidelines on the implementation of sentence plans. According to Luyt (Bruyns, Jonker & Luyt, 2000: 77; Luyt, 1999: 135) the purpose of case management is to co-ordinate and direct all the relevant activities related to the management of an offender's sentence. Luyt (1999: 127) stated that case management is a method of organising the advancement of an offender through the correctional system during his or her period of incarceration. This process, *inter alia* allows the offender's interaction with other offenders and with officials to be documented in the offender's case file.

The research question that forms the core of this research is: How can processes be developed whereby case management can be effectively implemented in prisons with the emphasis on sentence planning and integrated offender management for the individual offender? The study will provide complete guidelines for implementing sentence plans and ensuring successful case management in South African prisons. Policy-makers and Practitioners will benefit from the study and the recommendations that follow, by successfully developing processes and implementing case management. The existing gap between correctional staff and professionals will also be bridged, something which is long overdue. There is certainly room for the Department of Correctional Services to implement their "helping networks", as referred to by Enos & Southern (1996: 24) and Froland, Pancoast & Parker (1983: 17-30), to benefit offenders and the community.

1.7 METHODOLOGY

The researcher is expected to make rational research decisions. This process is called the dynamics of the social science research process (Mouton and Marais, 1989: 29). Bless & Higson-Smith (1995: 63) state that a research design is the planning of a

scientific research from the first to the last step. It is like a road map in that it guides the researcher in collecting, analysing and interpreting observed facts. To construct a good research design, the researcher is required to answer several fundamental questions about the research:

- the methodology to be used
- the population
- the sample

These aspects have been covered in this research design, and are discussed below.

According to this research design, the researcher must decide what is to be studied and how it will be studied

1.8 METHODOLOGICAL DESIGN

1.8.1 QUALITATIVE RESEARCH

According to Mason (1996: 19) the choice of method should reflect an overall research strategy, because the methodology that is used shapes the methods are used and how each method is used. The methodology used for this research was qualitative by nature. Silverman (2000: 89) stated that the methods used by qualitative researchers represent a general belief that they can provide a “deeper” understanding of social phenomena than could have been obtained by purely quantitative data. Therefore the qualitative researchers claim that they have entered and mapped territories such as “inner experiences”, “language”, “cultural meanings” or “forms of social interaction”.

During the research project the researcher relied heavily on qualitative data. The methodology of collecting the data is shown in Table 1 (Silverman, 1993: 9).

Table 1: Methodology

Method	Qualitative research
Observation	Fundamental to understanding prison culture
Textual analysis	Understanding the participants' categories for example offenders and staff members

1.8.2 EXPLORATORY RESEARCH

The purpose of exploratory research is to obtain insight into a phenomenon, situation, person or community (Bless & Higson-Smith, 1995: 42; Mouton & Marais, 1989: 42).

The need for such a study could arise from:

- A lack of basic information on a new area of interest
- The need to explain central constructs and concepts
- The need to establish priorities for further research (Bless & Higson-Smith, 1995: 42; Mouton & Marais, 1989: 42)

The researcher also did exploratory research and therefore developed an understanding of the phenomenon in question.

1.9 POPULATION

Lasley (1999: 160) stated that a population includes every person, object or place from which the researcher is going to draw the sample. Therefore the term population refers to the larger group from which the sample is taken.

The study was not limited to a specific ethnic group. However, it should be mentioned that it was only applied to sentenced offenders, the staff members of South

African prisons working with these offenders and the community. The Correctional Services Act 111 of 1998 does not include unsentenced prisoners when it states that an offender with a sentence of twelve (12) months and more must have a sentence plan. In studying international prison populations during this study, only those subjected to case management were included. No social or cultural delineation was made within the parameters of the prison.

1.10 THE SAMPLE

According to Lasley (1999: 160) a sample is a smaller group of people and places taken from a larger group of people and places. The researcher studied and based the research conclusions on the sample.

For the literature part of the research, the sample was offenders, staff members directly involved with offender administration within correctional case management and the community.

1.11 DATA COLLECTION

Data can be classified by referring to the way in which it was collected namely:

- Primary data: when a researcher collected his/ her own data for the particular purpose of his/her research
- Secondary data: when the researcher has to use data collected by other investigators in connection with other research problems (Bless & Higson-Smith, 1995: 99).

In this research, information was collected by means of primary and secondary data.

1.12 DATA ANALYSIS

According to Bless & Higson-Smith (1995: 143) after the data has been analysed and the findings have been stated on the basis of qualitative analyses, the procedure and the findings must be thoroughly and critically reviewed to identify any errors of measurement, bias and mistakes that could distort the description of the aspect of

social reality under study. After interpreting the findings, the researcher summarises the aims of the research, compares them with the findings and draws conclusions on the achievement of the set goal.

1.13 VALIDITY AND RELIABILITY

Validity means the truth that can be interpreted as the extent to which an account can accurately represent the social phenomena to which it refers (Hammersley, 1990: 57; Silverman, 2000: 175). For research findings to be valid, the researcher must make sure that the results indicate what the researcher says they do. As Bless and Higson-Smith (1995: 134) indicated, to test validity, one asks questions such as "what does this instrument measure?" and "what do the results mean?"

Validity will also be ensured by the test for validity. The test for validity includes the following (Van Der Westhuizen, 1982: 78):

The description is:

- Clear
- Simple and unambiguous
- Pertinent
- Meaningful
- Correct and logical

According to Hammersley (1992: 67) reliability is about the degree of consistency with which instances are assigned to the same category by different researchers or by the same researcher on different occasions. The researcher must document his/her procedure and demonstrate that categories have been used consistently for reliability to be measured (Silverman, 2000: 188). Although items from questionnaires do not form part of this study, the embedded requirements for reliability have been met. All sources have been acknowledged. In addition, full details of each source are included in a list of references at the end of each chapter.



The following aspects give impetus to the reliability test (Van Der Westhuizen, 1982: 78):

- Documents are genuine
- The author is genuine
- The author has no ulterior motives
- The author made the observations
- The observations are unbiased
- Observations can be repeated

Therefore, according to Lasley (1999: 54) reliability will always follow validity, which means that if the study findings are valid they are certainly reliable too. The validity and reliability of this research are guaranteed throughout.

1.14 PROBLEMS ENCOUNTERED DURING THE INVESTIGATION

Although certain problems were encountered, as might be expected, it is necessary to emphasise that the research was not hampered in any way by these problems mentioned below and that it was possible for the researcher to overcome these stumbling blocks and complete the study effectively.

1.14.1 LITERATURE

The concept of case management is not new but old. The reason for the study was that, although case management is not a new concept, it is a new system that is being applied in the South African Department of Correctional Services. It was also evident that there are multiple meanings connected with the concept of case management. Furthermore, the literature available on case management is limited to case management in the medical sciences. During the literature study, it became evident that very little research has been done on case management in Corrections. In most of the literature that was available on unit management, case management was only partially discussed. The different issues in case management were discussed by

quoting literature from different scientific fields and adapting it to the field of corrections.

1.14.2 FUNDING

Any research which necessitates thorough investigation is very expensive. Because case management is not fully implemented in South Africa, research had to be done overseas and at one of the private prisons in South Africa. Because the Institution where the researcher is an employee did not have a niche area at the National Research Foundation (NRF), the NRF did not grant a bursary to the researcher. No other funding was available, because the formerly disadvantaged groups are given priority and the researcher does not qualify. The researcher applied widely for any available funds because investigation at international prisons and at a national private prison was necessary. An overseas institution, the Max Planck Institute for Foreign and International Criminal Law in Freiburg, Germany, awarded the researcher a grant to do research at the Institute in Freiburg. Technikon SA also only funded seventy-five per cent of the registration fees and awarded financial aid during the visit to Freiburg, Germany.

1.14.3 IMPLEMENTATION OF CASE MANAGEMENT

Case Management is not fully implemented in the Department of Corrections in South Africa. Although unit management and case management form part of the new Correctional Services Act 111 of 1998, it is still in the introductory phase of implementation. This research can be a good contribution during this implementation phase. Case management is however fully implemented in the private prisons in South Africa. The researcher visited one of these private prisons and made a thorough study of case management in the practise. This was very valuable information and it clearly highlighted the differences in the way the Government implemented case management and the way the private prisons implemented case management.

1.15 CONCLUSION

Case management should form a part of the unit management approach that is currently being introduced in South African prisons. Since the architectural lay out of a prison also plays an important role in the implementation of unit management, many South African prisons can not comply with the requirement. However, according to Luyt (1999: 22) even if only some parts of the unit management approach were implemented, it would make an enormous difference to the existing prison regime.

In this study, the focus is on case management with the emphasis on philosophical approaches and theoretical frameworks. Case management is the management of a case, in other words the management of an individual offender. This means for example that case management is not solely dependent on the architecture of a prison. The study will show that positive contributions from the offender, correctional officials and the community are the most desirable ingredients for case management to function effectively.

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CHAPTER 2

THE HISTORICAL AND PHILISOPHICAL DEVELOPMENT OF PRISON MANAGEMENT

2.1 INTRODUCTION

In this chapter the philosophy, origin and dynamics of case management will be addressed. One has to consider what case management entails. Firstly, it is the managing of a case, which in this scenario is the offender. However, it differs from the past when the offender was given a number and was called not by his name, but by the number the authorities gave him. The origin of case management needs to be explored and we need to determine whether it is a workable system when implemented on its own. Finally, case management is a departure from past systems because it aims to enhance the human dignity of the offender.

In order to understand the system called case management, one has to understand the prison system. Criminals are imprisoned for committing certain crimes, crimes that have been defined by the state and the community. This resulted in the need for prisons and the development of systems in the prisons to deal with the offenders. Prisons are the same all over the world. They consist of buildings in which one group of people deprives another group of people of their liberty. They may do it brutally and callously, or it can be caringly and humanely. The latter is made possible by a good management system. The aim of this chapter is to explore the origin of imprisonment and to understand the implications of the management of prisons.

2.2 TRADITIONAL MANAGEMENT IN PRISONS

The opposing sides of an age-old argument expressed by Phillips & McConnell (1996: 3) can be used as a point of departure in the history of prison management.

Argument one: *“It doesn’t matter how well it worked anywhere else, it won’t work here – this is a prison.”*

versus

Argument two: *“Good management is good management no matter where it’s practised. What worked elsewhere will work in a correctional organization as well.”*

The first argument focuses on the environment, thus agreeing that “prisons are sufficiently different to permit a completely different approach to management” (Phillips & McConnell, 1996: 4). When considering the second argument it is clear that the focus is on the management process, thus agreeing that “good management is good management no matter where it’s practised.”

Prisons are small cities each functioning on their own with their own set of rules. It consists of the government, made up of the correctional officials, and the community, made up of the offenders, and it has its own governing rules. The difference between a ‘prison city’ and an ‘ordinary city’ lies in the management of the cities. In a prison city, there are limitations to freedom, association, privacy and life in general. The community in the prison did not choose out of their own free will to be part of that community. An act of crime against the set rules of an ordinary community forced the offender into imprisonment. The ordinary community expects the prison government to punish the offender.

Rabie (Rabie & Strauss, 1985: 6) described two characteristics of punishment: firstly it is an intentional infliction of suffering upon an offender; and secondly it is an expression of the community’s condemnation and disapproval of the offender and his conduct. According to De Wet (De Wet & Swanepoel, 1975: 199) punishment is the consequence of guilty person’s crime and it can be regarded as the injury inflicted on the offender by the state.

The concept of punishment can be defined as follows:

“...as the disadvantageous action imposed on the convicted guilty person by a court of law after a trial and conviction of an offence and which is carried out by the state without the offender having any control over it” (Du Toit, 1981: xxi).

Hawkins (Grupp, 1971: 8) stated that the disapproval and conviction that the community expresses against crime and the offender is the essence of punishment.

The purpose of punishment is one or more of the following (Neser, 1993: 45):

- **Retribution:**

The offender should suffer for the damage caused by the crime to the community. Reichel (2001: 51) argued that retribution is a formal penal sanction seeking equity and just deserts. The main concern of supporters of retribution is simply that society carries out its moral obligation to punish people who commit a crime.

- **Deterrence:**

According to Cole (1989: 15) deterrence is the discouragement of criminal behaviour for the offender as well as the community. In other words, punishment saves the social order by showing the criminal that his action was unacceptable because it brought him more pain than pleasure. It also shows others who are considering a criminal act that they also will suffer painful consequences if they commit a wrong.

- **Rehabilitation:**

These are the attempts that are made to change the future behaviour of an offender by trying to change the current behaviour. A more thorough discussion on rehabilitation will be found in chapter six under paragraph 6.7.

- **Prevention:**

To prevent the offender from committing any further crime by incapacitation through further imprisonment. When prevention or incapacitation is used as a

punishment, an individual's ability to move around freely is restricted (Reichel, 2001: 41). The idea is that by removing a criminal from free society, that individual is prevented from continuing to cause harm to people.

There are two different theories about punishment, namely the absolute theory and the relative theory. The absolute theory entails only retribution whereas the relative theory encompasses prevention, deterrence and rehabilitation. According to the relative theory, punishment is only a means to a purpose, whereas according to the absolute theory, punishment is an end in itself (Snyman, 1995: 18). The main purpose of each of these theories is punishment. The absolute theory or retributive theory focuses on the past or the crime that has been committed. On the other hand, the relative theory, through deterrence, prevention and rehabilitation, focuses on the future with the emphasis on the object, for example rehabilitation, which is to be achieved by means of punishment.

According to the Microsoft Encarta World English Dictionary 2001 a prison is "a secure place where somebody is confined as punishment for a crime or while waiting to stand trial". It clearly shows that this is no ordinary place. A prison is a place where security is important, where confinement is the norm, where punishment is practised and where crime is the reason for the offender's presence there. This links up to the purpose of punishment which concludes argument one: that a prison is different from any other place, because a prison is for the punishment of criminal behaviour.

It is true that 'good management is good management no matter where it's practised' as is stated in argument two. To implement good management, the four basic management functions need to be applied (Kroon, 1995: 9). The four basic management functions are discussed in detail in chapter 4.

To summarise briefly, the four basic principles of management are:

- **Planning:**

Planning involves a conscious deliberation and visualisation of what the business and its departments should achieve within a particular time, in order to be successful. It also includes policy formulation and interpretation and the establishment of programmes, schedules, procedures and methods, budgets, standards and rules and regulations.

- **Organising:**

Organising deals with the grouping and allocation of activities to main functional divisions and subdivisions, as well as with the creation of posts within these divisions and determining their duties, authority and responsibilities.

- **Activating:**

Activating comprises of effective leadership, motivation and communication. It is the process of influencing people in such a way that they will enthusiastically contribute towards the work activities in order to achieve the departments' goals as effectively as possible (Koontz *et al.*, 1982: 29).

- **Controlling:**

The task of control is to ensure that the carefully structured plans are not upset because of various problems, such as insufficient inventory and conflict with workers. It is also the process by which the execution of plans and instructions can be recorded and controlled through a management information system.



If these four functions are applied meticulously, good management will be the result. The second sentence in argument two states that ‘what worked elsewhere will work in a correctional organization as well’. According to the explanation of what a prison is, it is clear that it is no ordinary place. Can it then be assumed that the management of a restaurant and the management of a prison will be the same? In a restaurant the clients are there of their own free will, but in a prison the clients are there for the purpose of punishment; but good management occurs when the four basic functions are implemented successfully, irrespective of the organisations where it is implemented. Although management principles are universal, a manager in a correctional environment cannot be unidimensional. Houston (1995: 1; Luyt, 1999: 31) emphasises the confusion between management of the organisation and offender management.

This research will show that a good management process, such as case management, can be implemented successfully in a prison environment. When implementing a management system the **why** and **how** need to be known. Why is a specific management system being implemented in a prison and how can that system be implemented successfully. Knowing how prisons were run in the past will help us to understand how to run them better in the future.

2.3 THE HISTORY OF PRISON MANAGEMENT

Since the early days, criminal behaviour has been punished and imprisonment was only one of the ways in which punishment was inflicted. Imprisonment as a punishment in its own right is a relatively new phenomenon. Prisons and imprisonment were known to people in medieval times, although prisons were used then as a place where a criminal was detained before trial. Marvin Wolfgang (Barnes & Teeters, 1959: 329) stated that many criminals were sentenced to prison for a certain time and because of a certain crime at the Florentine prison, Delle Stinche, which was built in 1300.

In the year 1927 B.C. Hamurabi’s *Law of Retaliation* supported the ‘eye for an eye and a tooth for a tooth’ principle. This law according to Cilliers & Cole (1996: 155),

was one of the earliest written remains of antique penal policy directions and a systematic attempt to reach a social and ideological objective by means of accurate technical procedures. The brutality of this law was characteristic of all contemporary punishment methods and it was the underlying principle for punishment for the next few centuries.

Prisons as institutions of punishment were unknown in the ancient times and were usually used as places in which prisoners awaiting trial, debtors and political rioters were detained. In the fifth century B.C. Plato believed of the modern correctional system in his *De Legibus* as follows: “*Let there be three prisons in the city, one for the safe keeping of persons awaiting trial and sentence; another for the amendment of disorderly persons and vagrants, those guilty of misdemeanours, to be called a Sophronesterion (house of corrections),....; a third to be situated in the country away from the habitations of man, and to be used for the punishment of felons*” (UNSDRI, 1975: 13).

The emperor Justinian wrote in his *Digesta* in 533 B.C.: “*Carcer as continendos homines, non as puniendos haberi debet*”, which means that prisons were only to be used for the sake of detention and not for punishment. Imprisonment was not unknown to the Romans, but it was unlawful to use it as punishment, according to Roman civil and criminal law (Grünhut, 1948: 11).

Griffiths (1894: 7) wrote: “*Imprisonment, it is to be feared, has never, even in its most enlightened forms, gone far to achieve its two avowed and most obvious aims. These are: first to cure the actual and then to deter the potential criminal.*” History shows that the original function of prisons was that of a place of confinement. The word ‘prison’ derives from the Latin verb *prehendere*, which means to seize, and from the Latin noun *prehension*, the act of seizing.

The concept of imprisonment is closely linked with the concept of punishment, whereas the concept of punishment is linked with that of order. If the safety of the community is threatened by the criminal actions of individuals, they must be brought to order by some form of punishment such as imprisonment.

According to Coyle (1994: 10) punishment of this kind has five main elements:

- The individual who undergoes the punishment must experience suffering. There is no punishment without pain or at least inconvenience. The punishment that the offender undergoes must be unpleasant.
- It has to be proved that wrong was done and that the individual doing the wrong was responsible for what happened. The punishment must be imposed for legally prohibited or negligent action by the offender.
- The punishment must be inflicted on an individual and cannot be inflicted on a group of people. This means that the punishment must be applied to the offender himself.
- The punishment must be inflicted by another person because natural consequences cannot be regarded as punishment. It must be a human action because the offender cannot legally punish himself.
- Those people who imposed the punishment must have the legal authority to do so. The punishment must be imposed by an authority, seated in the criminal justice system, for example, the courts. Authority must be granted by the institution that was disadvantaged as a result of the crime. Therefore, punishment is different from vengeance.

A characteristic of the earlier prisons was the fact that there was no policy regarding imprisonment for a sentenced criminal, or what the functions of imprisonment were (Cilliers, 1998: 3).

2.3.1 PERSPECTIVE FROM THE BIBLE

Originally, criminals were punished for their crimes by a different penal code from that of today. Criminals were executed, humiliated by being publicly branded, whipped, hanged or being put on display in the stocks in the town square. The first criminal act and punishment was seen in the Bible in the book of Genesis in the Old Testament. Cain killed his brother Abel which was the crime of murder and Cain's punishment was to be banished from Paradise, Genesis 4 verse 11. Elimination was

thought to be the ideal way of treating criminals, because it would serve as a powerful deterrent.

Several other prominent characters in the Old Testament were imprisoned for different reasons. An example of provisional arrest can be found in Leviticus 24 verse 10-12, namely: *“Now the son of an Israelite mother and an Egyptian father went out among the Israelites, and a fight broke out in the camp between him and an Israelite. The son of the Israelite woman blasphemed the Name with a curse; so they brought him to Moses. They put him in custody until the will of the Lord should be made clear to them”*. An example of imprisonment combined with hard labour can be found in Judges 16 verse 21 in which Samson had to turn the mill while he was in prison: *“Then the Philistines seized him, gouged out his eyes and took him down to Gaza. Binding him with bronze shackles, they set him to grinding in the prison”*. Aggravating circumstances during imprisonment was also referred to for example, 2 Chronicles 18 verse 26 states as follows: *“...This is what the king says: Put this fellow in prison and give him nothing but bread and water until I return safely”*.

One of the features of imprisonment during biblical times was the way in which the prisoners were imprisoned. There were no single cells and the prisoners were kept together in one big space. The prisoners were also responsible for their own maintenance and their freedom of movement was limited (Hallema, 1958: 10).

2.3.2 THE MIDDLE AGES

Punishment in ancient and medieval society was described as brutal, because gruesome acts were administered in the name of truth and justice. These acts took on the form of torture and mutilation. During the Middle Ages, imprisonment in castles was the way to incarcerate criminals. As can be derived from the name these cells formed part of a castle. Castle prisons were known for their *“..... Ghastly cells, dungeons and oubliettes in which thousands of prisoners were killed or left to die in misery”* (UNSDRI, 1975: 13). One of the outstanding characteristics of prisons from this era was the fact that they were only maximum security institutions and brutal acts against the prisoners were the order of the day.

South Africa also made use of this kind of prison. When the Castle was built in Kaap de Goede Hoop in 1679, all cells were built in the Catzenellenbogen and Leerdam bastions. These cells were referred to as *gevangenhuijzen* (prisoner houses). The notorious “Dark hole” which was used as a torture-chamber formed part of Catzenellenbogen. The “Dark hole” was cold, dark and damp, without any light and very little air. It was used to force confessions from the prisoners (Van Wyk, 1964: 92).

The managing of these prisons consisted of providing food and shelter to the convicted criminals. No known management system existed during the middle ages and the aim of an offender was to survive their imprisonment.

2.3.3 THE AMERICAN CONTRIBUTION TOWARDS PRISON MANAGEMENT

Consequent with other changes that took place, the American penal thought moved away from biblically based arguments. Most states had amended their penal codes by the 1820s, to reflect the various classical school principles. In 1793, William Bradford, Justice of the Supreme Court of Pennsylvania and Attorney General of the United States, expressed the mood of much of the nation towards the old penal codes (Blomberg & Lucken, 2000: 41):

“We perceive, by this detail, that the severity of our criminal law is an exotic plant, and not the native growth of Pennsylvania. It has been endured, but, I believe, has never been a favourite. The religious opinions of many of our citizens were in opposition to it; and as soon as the principles of Beccaria were disseminated, they found a soil that was prepared to receive them. During our connection with Great Britian no reform was attempted; but as soon as we separated from her, the public sentiment disclosed itself and this benevolent undertaking was enjoined by the constitution. This was one of the first fruits of liberty and confirms the remark of Montesquieu, “That, as freedom advances, the severity of the penal law decreases” (Bradford, [1793] 1972).

During the first decades of the nineteenth century, the general discussions concerning penal reform resulted in major differences between abstract systems. An urge arose in the enlightened American community to punish the offender while at the same time restructuring the community that had existed in the previous century. They therefore started a campaign to design institutions to recreate this idealised social order (Pretorius, 2002: 49). One of the significant features of unit management is the design of the institution. The design supported the implementation of unit management, which in return supported the implementation of case management.

2.3.3.1 THE WALNUT STREET JAIL

The principles of solitary confinement were applied, for the first time in prison history, in America in 1790 (Barnes & Teeters, 1959: 336). A section of the Walnut Street Jail was transformed into a prison inside a prison to make provision for the solitary confinement of unmanageable offenders. The new section was known as the Penitentiary House and it consisted of three exceptional characteristics that were recommended by Howard namely: “... *it was arcaded; its sixteen cells were vaulted; each cell held a latticed door and a wooden door*” (Freeman, 1978: 31). What is of penological importance is the fact that this was the first prison to make use of the classification system, as well as prison labour. Case management heavily relies on the classification of offenders and unknowingly the Walnut Street Jail practised it partially. Genders were separated and an approach of “firmness and kindness” was followed instead of just concentrating on punishment (Barnes & Teeters, 1959: 336). Prison labour took place in the prisoners’ cells for between eight and ten hours per day, for which the prisoners were rewarded.

From 1790, the Walnut Street Jail and Penitentiary House had the reputation of model prisons and their construction and programmes were used all over Europe (Freeman, 1978: 31). However, at the beginning of the 1800’s the shortcomings of this prison became clear. Overcrowding in prisons made it impossible for prison labour to be done in single cells and there was not enough labour for the number of prisoners. Although the Walnut Street Jail could not succeed for reasons such as overcrowding,

insufficient funds, political uncertainty and not enough trained staff, it is still known as the “... *birthplace of the prison system, in its present meaning, not only in the United States but throughout the world*” (Reid, 1994: 603; Pretorius, 2002: 51).

2.3.3.2 AUBURN SYSTEM

During 1817 a new prison was built which was called the Auburn Prison. The application of confinement was called the Auburn System and was also known as the congregate system. The Auburn System was a harsh programme which made use of single cells and minimum communication between offenders. The offenders however came together to eat and to work in prison shops, but according to prison rules they were not allowed to talk or even glance at each other.

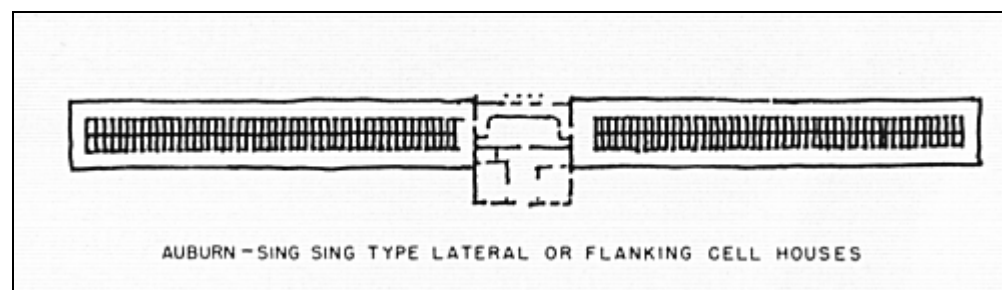


Figure 1: The Auburn System

Mittermaier said the following of the Auburn system in 1836: “*Rather than keep the convicts under lock and key like wild beasts in their cages, they must be brought together, made to join together in useful exercises, forced together to adopt good habits, preventing moral contagion by active surveillance, maintaining reflection by the rule of silence, to accustoms the convict to regard the law as a sacred precept whose violation brings just and legitimate harm*” (Flanagan, Marquart & Adams, 1998: 25). Because the offenders worked together, they became more productive and therefore industry became more efficient and profitable. According to Roth (Carlson & Garrett, 1999: 9) the people who support the Auburn System believed that the strict routine would transform offenders into law-abiding citizens. Because of the hard work, isolation, religious instruction, penitence and prison discipline, the offenders

would change their ways and become productive members of the community. Unknowingly, case management by means of the classification of an individual offender already featured in the Auburn System. Lombardo (1981: 36) who made a study of the Auburn officers recorded that the correctional officials of the Auburn Prison quickly learn to identify with and appreciate the offenders over whom they would stand guard and learned that the offenders had to be judged by their individual behaviour and not as stereotypes.

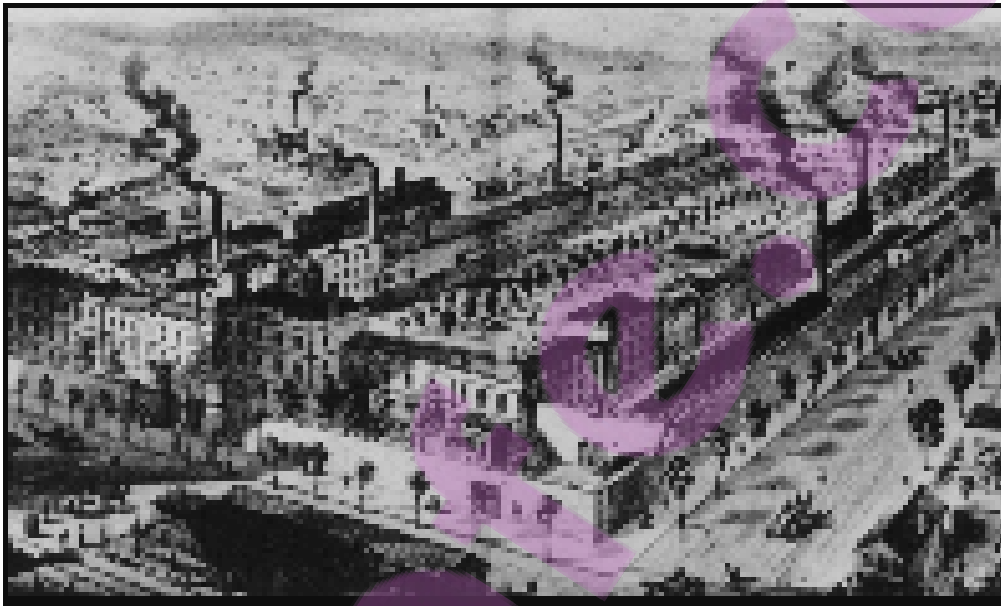


Photo 1: Auburn Prison 1817

Up to the present day inside cell blocks such as those in the Auburn System are globally still in use and this is the system that is most familiar to people.

2.3.3.2 PENNSYLVANIA SYSTEM

In America, the Act of April 5, 1790 stipulated solitary confinement for “the more hardened and atrocious offenders”. That marks the legal origin of what has become known as the Pennsylvania System of prison discipline. This act directed the erection of the first cells to keep only one prisoner at a time. The three-storied cell house, with each cell measuring six feet in width, eight feet in length and nine feet in height,

became the first penitentiary in the State of Pennsylvania and is referred to as the first penitentiary in the world for housing convicted offenders (Teeters & Shearer, 1957: 10). The Cherry Hill Prison was erected in 1829 and the Pennsylvania System was applied in the prison.

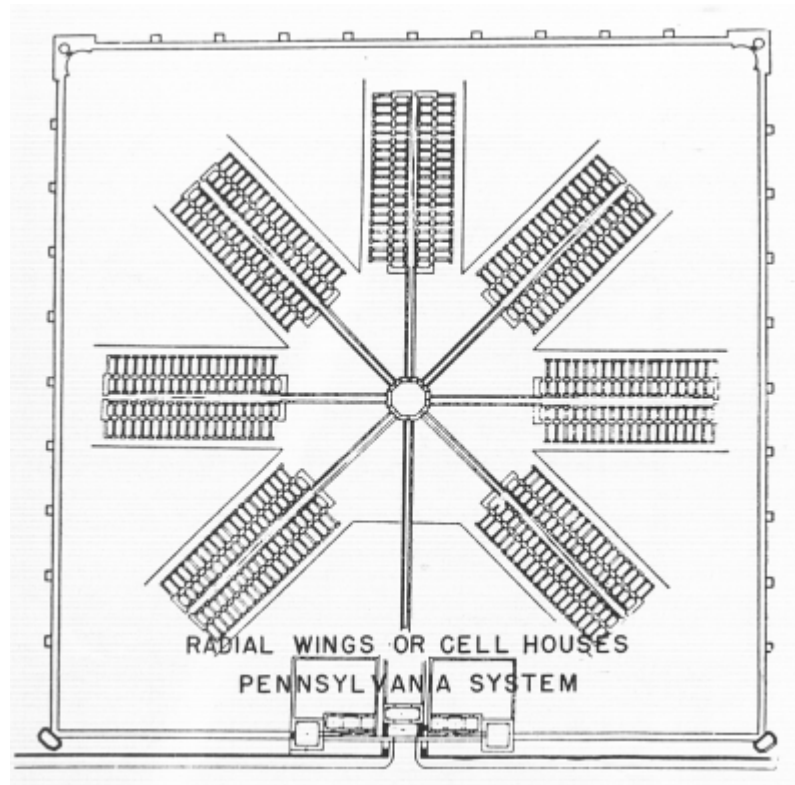


Figure 2: The Pennsylvania System

The Pennsylvania System, like the Auburn System, made use of single cells in which the offender slept alone. The difference is that the offender was incarcerated in solitary confinement and total isolation (Du Preez, 1999: 5 of 7). The offenders worked, ate and slept in solitary confinement, only being allowed to interact with the staff and selected visitors. Solitary confinement of offenders led to psychological distress and in some cases even insanity. The products which the offenders produced were not enough to pay for prison costs which were very high in this kind of system. According to Roth (Carlson & Garrett, 1999: 9) the Pennsylvania System was based on the belief that offender interaction would hamper the rehabilitation process. Rehabilitation was a goal that could be best achieved through isolation, contemplation, silence and prayer. Mittermaier said the following of the Pennsylvania System in 1836: *“Alone in his cell, the convict is handed over to himself; in the*

silence of his passions and of the world that surrounds him, he descends into his conscience, he questions it and feels awakening within him the moral feeling that never entirely perishes in the heart of man. The walls are the punishment of the crime; the cell confronts the convict with himself; he is forced to listen to his conscience” (Flanagan, Marquart & Adams, 1998: 25).

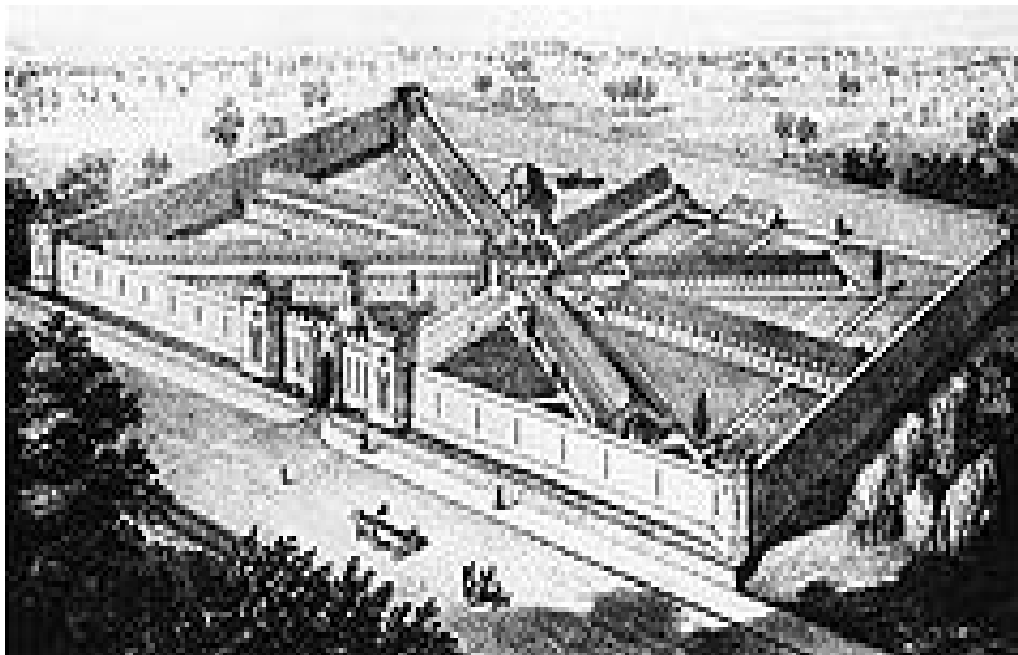


Photo 2: Cherry Hill Prison 1829

The main difference between the Pennsylvania System and the Auburn System lies in the architecture. In the Auburn System, a corridor surrounded the cells of which two rows were placed back-to-back and therefore the cells were called inside cells. The only light and ventilation came from the barred windows in the outside walls (Cilliers, 1998: 12). The Pennsylvania System consisted of a central rotunda out of which seven wings radiated. The cells with exterior walls faced the outdoors and were therefore called outside cells.

However, there are similarities between the two systems. One of these similarities is that minimum communication was allowed between offenders. In the Pennsylvania System, the offenders were locked up in solitary and in the Auburn System the



offenders had to keep quiet at all times which was known as the 'silent system' (Luyt, 1996: 101; Reid, 1981: 152).

During 1831 two Frenchmen Gustave de Beaumont and Alexis de Tocqueville visited the United States of America and their observations of the prison system, including the Auburn and Pennsylvania System were as follows:

"In locking up criminals, nobody thinks of rendering them better, but only of taming their malice; they are put in chains like ferocious beasts; and instead of being corrected, they are rendered brutal" (Toch 1996. p. 497 citing De Beaumont and de Tocqueville).

However, Europe adopted the Pennsylvania System in their prisons after they had sent a delegation to the United States of America with the mission to find the best suitable prison system for Europe.

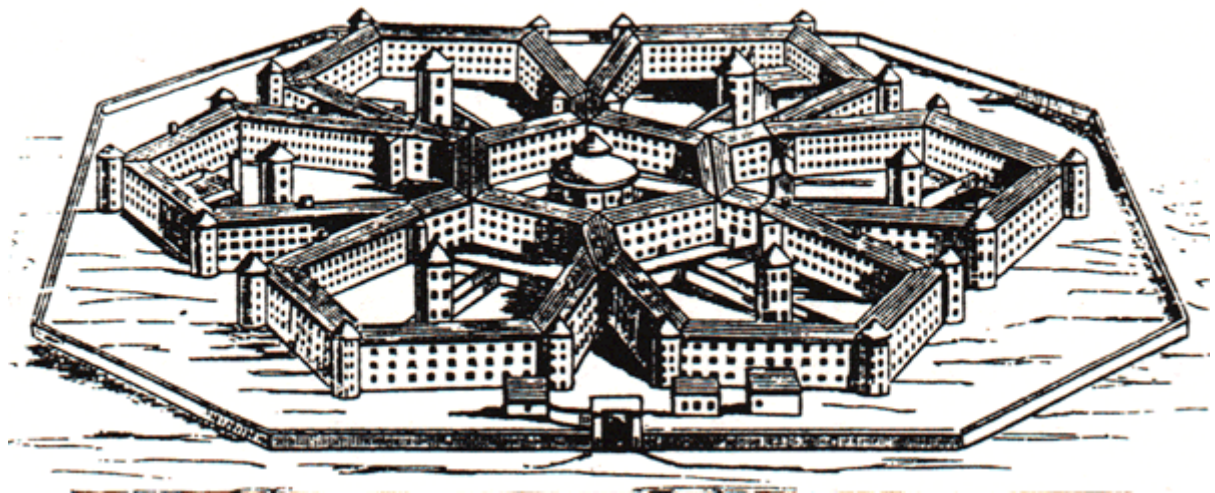
According to Morris and Rothman (1995: 117) the Auburn System and Pennsylvania System were committed to the rehabilitative potential of each prison. Both systems were convinced that the routines that were worked out for each offender would add to his rehabilitation and would transform him into a law-abiding citizen. The aim of incarceration was to reform, and not to deter. In case management, the aim is to rehabilitate the offender. This shows that case management was part of prison management already although it was not known by that name yet.

2.3.4 THE NINETEENTH CENTURY

The end of the eighteenth century was characterized by the deportation of criminals from Britain to foreign countries like Australia. However, the government decided to stop wasting that manpower *"...(the prisoner) instead of being sentenced to transportation or even death, might be sentenced to a term of hard labour which would consist in clearing and cleaning the River Thames of soil and gravel"* (Steyn, 1959: 24). According to this decision it was decided that the prisoners who had to labour should be locked up in old ships, also known as *hulks*. The condition of these

prison ships was inhuman and “... *the hulks became notorious as the most brutal and worst conditioned penal institutions then in existence*” (Steyn, 1959: 24).

At the turn of the century, just before the total abolishment of the transportation system, Britain realised the potential of rehabilitating the offender. The results were the erection of the Millbank Penitentiary designed by Jeremy Bentham (figure 3). It was built according to Bentham's Panopticon design and was finally finished in 1821 (UNSDRI, 1975: 21). It was the largest prison in London for a while. The prison walls formed an irregular octagon with the layout like a wheel in which six (6) buildings radiated out to the outer wall with turrets forming the spokes. The architecture resembles the units of the unit management approach. In the realisation of Britain that offenders can be rehabilitated, and in the erection of the Millbank Penitentiary in order to fulfil that potential, the aim of case management was striven for.



Source: Anonymous, Copied from Model by the Clerk of Works, undated. in Richardson J. *London and Its People*, 1995.

Figure 3: Millbank Penitentiary

The idea of single cells in prisons was promoted by Elizabeth Fry during the nineteenth century. Because of her inspiration King Frederik Wilhelm IV from Prussia developed a system in which individual treatment of offenders was applied. At that time, the implementation of the system did not work because it was too

advanced. It also proved that the separation of offenders in single cells had no advantage unless it is accompanied by a positive contribution on the part of the correctional official (Cilliers, 1998: 15). The use of single cells and individual treatment is one of the basic principles of unit management and case management.

In 1830 the Auburn and Pennsylvania Systems were well known outside the borders of America. Delegates from different countries visited America during the next ten years with the result that nearly the whole of Europe accepted the Pennsylvania System (UNSDRI, 1975: 22). The Auburn System remained popular in America.

2.3.5 CONTEMPORARY PRISON DEVELOPMENT

According to Du Preez (1999: 18 of 7) the field of corrections is dynamic because of the mobility in corrections. The development of prisons has centred mostly on the rehabilitation of the offender (Cilliers, 1998: 25). In the pursuance of this ideal, different theories were used and correctional treatment and planning went through certain stages and models. The models that prison management went through were very significant in the development of the idea of case management. Correctional treatment and planning are significant role players in the rehabilitation of the offender and also form the basis of case management. A brief look at the stages and models that are part of the developmental history of case management will serve to clarify the management system they represent today.

2.3.5.1 THE MEDICAL MODEL

According to Francis Allen (Bartollas, 1985: 26) the following are the starting-points for the medical model:

- Human behaviour is the result of events that took place in an individual's past.
- It is the duty of the therapist to expose these factors.
- Knowledge of these factors enables the therapist to control human behaviour.
- Measures implemented to treat offenders should be aimed at changes in the offender's happiness and health.

Supporters of the medical model are convinced that the origin of criminal behaviour can be diagnosed, isolated and therefore treated successfully. Since the offenders did not have the ability to freely choose between alternative behaviour, they should not be punished. Punishment in such a situation only results in the offender having a negative self-image.

Towards the end of the 1960's, the popularity of the medical model started showing a downward trend. Empirical studies found that institutional treatment could not reduce the rate of recidivism. Gradually it was realised that the prison with its artificial environment and negative subculture was not the best place to practise the principles of treatment (Neser, 1997: 230).

2.3.5.2 THE ADJUSTMENT MODEL

Supporters of the medical model were still convinced that offenders are different from law-abiding citizens. According to Neser (1997: 234) the extent to which offenders were responsible for their behaviour and the making of law-abiding decisions, was acknowledged.

The adjustment model rests on the following views:

- The offender can lead a law-abiding life if the principle is accepted that the offender is responsible for their dilemma and must not use their past problems as excuses for their current criminal behaviour.
- Offenders need help to comply with the demands of the community.
- To understand the offender's criminal behaviour there needs to be an understanding of the offender's interaction with others and relationships in the community.
- Alternative law-abiding behavioural patterns can be learned by the offender.

Instead of emphasising the "illness" of the offender and its treatment, as in the medical model, the supporters of the adjustment model try to guide the offender to leading a socially acceptable adjustment to the community (Neser, 1997: 234).

2.3.5.3 THE RE-INTEGRATION MODEL

The philosophy of the re-integration model is based on the following premises:

- The problems of the offender should be resolved inside the community.
- The community has a responsibility towards the offender concerning the re-integration of the offender into the social order. Opportunities should be given to the offender enabling him or her to develop law-abiding behaviour patterns and to utilise them.
- The community has an obligation to provide community support systems in order to bring about the objectives of integration.
- Imprisonment is used only when the safety of the community is threatened.

The re-integration model is based on small community centred institutions with little emphasis on supervision and security. It presents prison programmes which allow the offender to leave the prison and associate with the community. In the process of community integration, assistance and employment are given priority.

2.3.5.4 THE JUSTICE MODEL

This model was developed during the early 1970's and according to David Fogel (1979: 184) the core of this model can be summarised as follows: *properly understood, the justice perspective is not so much concerned with the administration of justice as with the justice of administration*". Rehabilitation became regarded as suspicious, and treatment was labelled as a mask for brutality and unfair treatment of offenders. The treatment of offenders should be with respect and dignity, because they are responsible people with their own will.

According to Fogel (1979: 206) if this point of view is accepted it implies the following:

- All decisions concerning offenders have a fair basis.
- Offenders participate on a limited scale in the management of a prison by having more say in matters that affect their everyday lives.

- The offenders have a say when choosing prison programmes.
- Complaints of unfair treatment of offenders are heard and settled by an administrative mechanism.
- Rights are granted to offenders in accordance with the rights they are entitled to in terms of legal prescriptions.

2.3.5.5 THE NEO-UTILITARIAN PUNISHMENT MODEL

The neo-utilitarian model was developed from the classical school of criminology during the eighteenth century by the founders, Bentham and Beccaria. The philosophy justified punishment on the grounds of the social benefits that it offers, but it was phased out during the nineteen thirties. In 1975, Wilson and Van Den Haag came forward with an argument to establish the neo-utilitarian punishment philosophy. They claimed that if treatment did not contribute to the rehabilitation of offenders, they must be kept in custody in order to deter potential criminals (Neser, 1997: 243).

According to Cilliers (1998: 28) and Neser (1997: 243) the philosophy of the neo-utilitarian model is based on the following assumptions:

- It is the task of the government to maintain an orderly system in which the citizens are happy and feel secure.
- The basic aim of punishment is to maintain order.
- There is a general assumption that punishment deters criminal behaviour and therefore a view arises that punishment is both educational and moral.
- The offender has chosen out of rational considerations and with a free will to commit a crime.
- “Street crime” like burglary, car theft and murder are treated with much greater seriousness than for example, white collar crime because it creates an atmosphere of fear and violence that seriously threatens the community.
- Offenders are only deterred from criminal behaviour when they know that these actions can lead to imprisonment away from the community.

- Concerning rehabilitation, the “nothing works” doctrine subscribes to the existence of no conclusive empirical proof that rehabilitation reduces the rate of recidivism.
- Prisons are not supposed to be five-star hotels but institutions criminals are referred to for punishment.

An argument in favour of the neo-utilitarian punishment model is its popularity. The reason is that the community deserves protection from criminals and the punishment is a fair, practical and effective way of maintaining order in the community and managing the problem of crime. Bartollas (1985: 71) raised an argument against this model stating that the neo-classical assumption of criminals weighing up the advantages and disadvantages of crime is simplistic and will not withstand the test of time.

In table 2 on page 43 a comparison is made between the most important aspects of three contemporary theoretical frameworks for dealing with offenders (Neser, 1997: 247). Used in this comparison are the modern rehabilitation model, justice model and neo-utilitarian model.

The approach to the ‘responsibility of the offender’ of each of these models determines the approach towards the purpose of the punishment, the types of sentences, prison programmes, decisions on release and strategies on the control of crime. The responsibility of the offender lies in the deterministic and indeterministic approach of the three models. According to Neser (1993: 21) the indeterministic view placed the responsibility for criminal behaviour on the freedom of a person’s will, whereas according to the deterministic view, the person does not determine his behaviour pattern beforehand and therefore the person’s behaviour is out of his own free will.

The purpose of punishment for each model is based on the deterministic and indeterministic view of the model. Therefore the modern philosophy of rehabilitation is that they can change the deterministic offender’s behaviour, whereas the justice model and neo-utilitarian model feel that the indeterministic offender deserves

punishment and that it is his just deserts. That has a direct influence on the types of sentence of each of these models. Because the rehabilitation model feels that the offender was deterministic in the offence the judge had to use his discretion in determining the sentence. The other two models stated that the offender committed the crime out of free will and therefore the sentence must be determined according to sentencing guidelines.

The influence of the indeterministic approach is very clear, with the view that because the offender committed a crime purposely, they cannot be changed and therefore no programmes are presented in the neo-utilitarian model. In the participation model, the attendance of the programmes is voluntary. Because the offender was deterministic in committing the crime there is a possibility that the offender can be rehabilitated and programmes are presented for that reason by the modern rehabilitation model.

In the modern rehabilitation model, wide discretion is used when making decisions on the release of an offender. The level of rehabilitation of the offender and the attendance of programmes during the sentence will influence the decision on release. However, in the justice model, an offender will not be released unconditionally but according to certain guidelines. In the neo-utilitarian model, a decision on release would be made only after the offender has completed the whole sentence and then there is still a possibility of post-sentence action.

The modern rehabilitation model strategy to control crime is based on the rehabilitation programmes that are presented to the offenders, in an effort to eliminate the factors that cause crime. The strategy of the neo-utilitarian model is to keep the offender out of the community, which is a less sympathetic form of treatment of offenders. The justice model strategy is the just treatment of all parties involved in the crime that was committed.

Table 2: Comparison between the rehabilitation, justice and neo-utilitarian models.

	Modern rehabilitation philosophy	Justice model	Neo-utilitarian punishment model
Approach to the responsibility of the offender	Deterministic	Indeterministic	Indeterministic
Purpose of punishment	Behavioural change and self-improvement.	Justice and just deserts.	Social benefits such as deterrence.
Types of sentence	Indeterminate sentences with discretion to judges.	Determinate sentences according to sentencing guidelines.	Compulsory and determinate sentences.
Prison programmes	Directed at aetiological factors. Primary role and compulsory participation.	Directed at fair treatment. Voluntary participation with a view to self-improvement. Input on decision-making on choice of programmes.	Against prison programmes because they are considered inefficient and dangerous because offenders are pampered.
Decision-making on release	Wide discretion on parole to administrative body.	Unconditional release with re-mission of punishment. No discretion.	Unconditional release with possibility of post-sentence action.
Strategies for the control of crime	Eliminate factors causing crime by therapeutic intervention. Develop improved prison programmes.	Fair dispensation for offenders, functionaries and crime victims in system.	Declare war against enemies of the community. Less sympathetic treatment of offenders.

(Bartollas, 1985: 75).

2.4 DEVELOPMENT OF THE UNIT MANAGEMENT PERSPECTIVE

Evidence of solitary confinement exists in the early Europe and America, and in Canada prisoners were kept in separate windowless cells of a minimal size before 1940 (Teeters & Shearer, 1957: 5). During the 1970's many of the prison systems in the world were forced to reflect on their management styles and administrative procedures. On the basis of earlier experiments, the United States Federal Bureau of Prisons began to adopt the unit management approach with the sole purpose of regaining full control of its system. Since then other systems have followed the same route.

According to Houston (1995: 84), unit management is not a programme, but it is a more effective way to manage programmes. Therefore decentralised management is the heart of unit management. According to Bayens et al (1997: 32) unit management is a philosophy of both management and design. It uses the building to improve the ability of the correctional official to manage the offender population. Today, unit management is applied in the world's most successful prison systems namely, the United States Federal Bureau, the Canadian, the Netherlands and the Swedish prison systems (Neser, 1993: 91; Luyt 1999: 35).

Unit management is a management approach by which personnel are empowered to take as much responsibility as they wish. This results in commitment from the staff and it enhances the advantages of unit management. Unit management makes achievements visible which enables unit managers to recognise good work by subordinates. Recognition again leads to advancement. Personnel share decision-making and participate in the policy process. Staff feel that they are involved in the total functioning of the institution and the work itself is considered more satisfying (Houston, 1995: 260). Prisons that use the unit management approach are much better organised than other prisons. These kinds of prisons are safer, more humane and more readily adapted to correctional programming. Therefore the unit management approach is an ideal management model to support the implementation of case management.



According to Carter, Glaser & Wilkins (1985: 343) the two major goals of unit management are:

- To establish a safe and humane environment which minimizes the damaging effects of incarceration; and
- To provide a variety of social, counselling, educational and vocational training opportunities and programmes to assist the offender in successful reintegration into society.

According to Farmer (1992: 28) unit management has seven essential components.

- In a unit fifty (50) to a hundred and fifty (150) offenders are housed together;
- They are housed together by some commonality for example age, personality type, prior record, length of sentence and other characteristics that are identified during the assessment phase and the follow-up phase of classification;
- These offenders are supervised by a multidisciplinary, relatively permanently assigned team of correctional staff members. This team of correctional officials will consist of a unit manager, at least one secretary, a case manager, case workers, correctional counsellor, correctional officials, an educator and a mental health worker;
- Compared to a centralised model, the unit management model forms part of a flatter organisational structure;
- The correctional official's responsibilities in a unit are guided by sets of common policies and procedures;
- These correctional officials in a unit have decision-making authority over the offenders in that unit; and,
- In the units the ideal unit staff to offender ratio is between one to five and one to ten.

If the components of unit management are taken into consideration, it is clear that case management forms an integral part of unit management.

Luyt (1998: 26) stated that unit management is built on three pillars, namely case management, architecture and direct supervision with decentralised programme management that can be added as the fourth pillar which forms part of the rehabilitation of the offender. It is therefore safe to say that unit management is put together by four puzzle pieces namely case management, architecture, direct supervision and decentralised programme management.

These entire puzzle pieces are embedded in the human rights and human dignity of the offender. See figure 4 for an illustration of the unit management jigsaw puzzle.

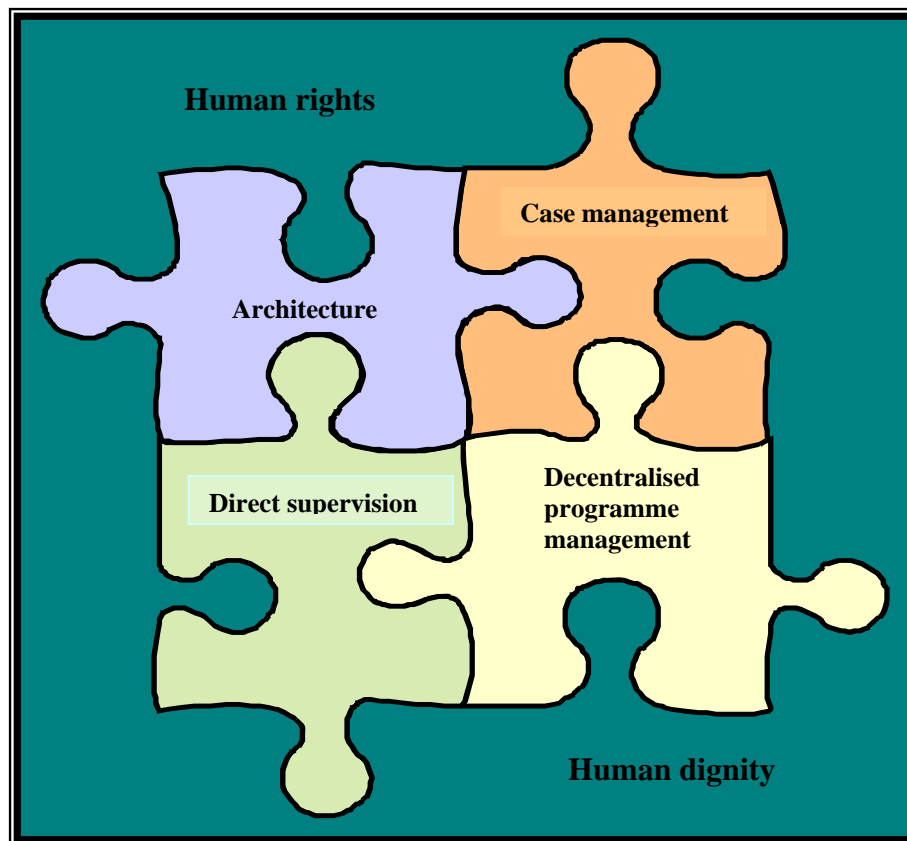


Figure 4: The jigsaw puzzle of Unit Management

Each puzzle piece contributes in the following way to the unit management approach.

- **Architecture:**

The essence of unit management lies in the belief that offenders are rational human beings who will obey the rules of the prison as long as their needs are fulfilled. The architecture of prisons should be of such a nature that it shapes the environment in order to meet the offender's needs for safety, privacy, personal space, family contact, social relations and recreation. Zupan (1991: 96) stated that architecture alone will not transform offenders into obedient individuals, but it will shape the environment to such a degree that attempts to manipulate the environment will be detected readily. The need for normality during incarceration is an important aspect that can be addressed by means of the architecture of a prison.

- **Direct supervision:**

The way offenders are supervised is, in the opinion of Zupan (1991: 105), the most critical component of unit management. Supervision is meant to reduce the stress associated with imprisonment and to increase control over the behaviour of offenders. Direct supervision results in the correctional official being in direct contact with offenders the whole day. The correctional officials are in interaction with the offenders for twenty-four hours a day (Nelson, 1988: 2-3).

- **Case management:**

Case management has been developed to focus supervision efforts on the offender's problems. The National Institute of Corrections in the United States of America developed the "model system" of case management in 1980. Although case management at first became a common subject in probation, the concept became policy in unit management out of necessity to identify, together with the offenders, their personal needs and to be aware of resources

and programmes which would assist in meeting those needs (Doherty & Ekstedt 155; Luyt, 1999: 127).

- **Decentralised programme management:**

Prisons play an important role in the lives of offenders, by helping them to become law-abiding citizens. Treatment services and development programmes are always needed to bring about more permanent changes in conduct and behaviour. Development programmes should be aimed at treating various problems that interfere with the ability of an offender to function acceptably in society. Case management offers the ideal situation for presenting these programmes in a decentralised manner.

- **Human Rights and human dignity:**

One of the reasons for applying unit management is to enhance control over the behaviour of offenders. This control supports the aim of imprisonment, which is the offenders' positive development. This aim recognises and supports the offenders' human dignity. Compared to traditional prisons, unit management prisons give more recognition to human dignity. Applying unit management correctly should therefore protect and promote the human rights of offenders.

If this system is managed correctly, it is clear that the pieces of the puzzle compliment one another. Not one piece overlaps another, which indicates that each part of unit management can act independently.

Case management as a phenomenon on its own will now be discussed in full.

2.5 CASE MANAGEMENT DEFINED

According to the Microsoft Encarta World English Dictionary 2001:

- **“Case”** can be defined as follows: *“something examined or investigated: a subject of investigation or scrutiny by a professional person, for example a doctor or police officer.”*
- **“Management”** can be defined as follows: *“handling of something successfully: the act of handling or controlling something successfully.”*

When the two words are combined the definition of **“case management”** will then read as follows: *“it is the act of investigating and controlling something or a subject successfully by a professional person.”*

Enos (Enos & Southern, 1996: 1) defined case management as follows: “Correctional case management is a systematic process by which identified needs and strengths of offenders are matched with selected services and resources in corrections.” According to Heser (1991: 45) case management can be defined as the development of an assignment and result driven method and a form of organisational development. These two aspects are inseparable and should function together.

Parker-Jimenez (1997: 48; Toch, 1996: 496; Vardon, 1997: 126) stated that whatever the field, use of the term ‘case management’ presumes a model of person management that contains a number of common elements.

These elements according to Parker-Jimenez (1997: 48) are:

- “each person is treated as an individual rather than as part of a group;
- case management programs are structured around individual needs;
- programs contain clear, achievable goals;
- goal achievement is rewarded by the system;
- positive behaviours are expected in order to achieve goals;
- each person has input into their program;
- face-to-face contact between individuals and their case officer is frequent and considered important;
- helping the person prepare to re-enter the community is a priority;
- client-staff ratios are high;

- clients get support in various ways, for example in education, vocational training, counselling and treatment;
- there is an emphasis on trying to anticipate or circumvent problems rather than waiting until they develop into something serious; and,
- accurate record keeping for monitoring progress is an ongoing part on the process as is feedback to the client about it.”

Case management balances the need for change and structure, rehabilitation and supervision and community involvement by focussing on the prevention of recidivism, the reintegration of offenders into the community and the monitoring of offender’s progress and programme outcome. It can also be said that case management is a form of rendering a service in which the correctional official tries to reach the individual who has complex and multiple problems in such a manner that help is offered that is needed.

2.6 DEVELOPMENT OF CASE MANAGEMENT IN PRISONS

Where did case management begin – is it a new concept or simply an old concept that was formerly used by another name? According to Enos and Southern (1996: 23) the key elements of case management are the ideas of self help and support networks, which have always been part of Western cultural history. It is only now realised that these “helping networks” are a reminder that natural support networks have always existed in human society (Froland, Pancoast and Parker, 1983: 45). These “helping networks” consisted off friends, families and people from other social groups from which an individual could receive support and help. According to Enos and Southern (1996: 23; Wilensky & Lebaux, 1958: 25) the term “helping networks” refers to the outstanding beginning of social welfare. The latter part refers to networks that consist of formal and informal support systems, which emphasise the nature of private and charitable approaches to problem solving.

The research of Froland, Pancoast, Chapman and Kimboko (1981) showed a specific link between the terms “Helping networks” and “case management”. The informal

helping activities need to be vitalised and intensified. They could then serve as links between formal and informal systems of giving and receiving help and support.

When looking back in history, the term ‘corrections’ was used to describe the rehabilitation of an offender. It can be said that individual treatment for the purpose of rehabilitation of an offender is the main focus of case management. The classic formulation of sentencing offenders provides four ways by means of retribution, deterrence, incapacitation and rehabilitation. Palmer (1992: vii) stated that retribution is punishment for the sake of punishment, deterrence is more instrumental by showing the offender that the price he or she paid for committing crimes is greater than the gain, incapacitation is achieved by placing the offender in prison and lastly rehabilitation attempts to change the offender so that he or she loses the desire to re-offend. Therefore, the term rehabilitation is directly linked to case management. Refer to paragraph 2.2 in this chapter for a more thorough discussion on the purpose of punishment or sentencing.

According to Enos and Southern (1996: 111) the rehabilitation of an offender comprised three values:

- The majority of offenders have the potential for change in their behaviour;
- Personal changes can take place through individual counselling of the offender with the correctional official;
- Imprisonment as well as community correctional settings can become more humanized and in so doing become therapeutic milieus.

The aim of imprisonment today is not only to deter criminals but it is believed that imprisonment can also help to control crime, protect the community and rehabilitate those criminals who are imprisoned. The philosophy of case management consists of a special system of fundamental beliefs, concepts and attitudes concerning the proper relations between the correctional official, the offender and the community. This philosophy provides the basis for defining the expected roles and relationships of the correctional official towards the offenders and it gives direction to all of the unit’s

arrangements, processes and procedures. These roles and relationships will be discussed more thoroughly in the succeeding chapters.

Case management focuses on the needs and interests of the individual offender, so programmes can be developed to suit each offender. Enos & Southern (1996: 1) describe case management as a systematic process by which selected services and resources in corrections are matched with the identified needs and strengths of offenders. This process also insures adequate supervision and structure while using the least-restrictive solutions to identified offender problems. Because most of the offenders will eventually be released into the community, correctional case management provides the means for reducing recidivism and at the same time creates multiple treatment options for the different offenders.

The research of Froland, Pancoast, Chapman and Kimbodo (1981) shows a specific connection between the terms “case management” and “helping networks”. They came to the conclusion that informal helping activities must be intensified so that they can be used as a link between informal and formal systems of giving and receiving help and support. Therefore, they argued that case management is *“a bridge and a system of networks resulting in the co-ordination and distribution of informal and formal services on behalf of someone in need.”*

In brief, case management can be described as a perspective or an approach towards the individual case, or in other words the offender. Case management is a way of organising the progression of the offender through the correctional system during the period he or she is incarcerated (Bruyns, Jonker & Luyt, 2000: 76; Luyt, 1999: 127). Finally it can be said that case management is the primary structure which links all the activities of staff and offenders within the correctional environment.

2.7 PURPOSE AND OBJECTIVES OF CASE MANAGEMENT

Case management is a process that functions and forms part of a management approach that is called unit management. Unit management is a humanistic management approach which was designed to take advantage of the presumed

benefits of decentralisation and autonomy in organisations. According to Kanter (1987:258) these benefits are greater work self confidence, enhanced job satisfaction, job commitment, morale and attitude towards general management and improved communication between departments. Although case management firstly became a common subject in probation, the offenders and their personal needs and the awareness of the resources and programmes which would assist in meeting those needs, necessitated the concept to become policy in unit management (Doherty & Ekstedt, 155).

As was explained above, for case management to form part of the unit management approach does not mean that it cannot function on its own. Case management is a phenomenon that, with the right implementation should fulfil a certain purpose. The purpose of case management should be the providing of direction and the co-ordination of all activities related to the management of the sentence of the offender (Correctional Services of Canada, 1996: 3).

The purpose of case management can be summarised as follows: (Bruyns, Jonker & Luyt, 2000: 78; Luyt, 1999: 182)

- Direction and co-ordination for all activities related to the management of the sentence of offenders should be provided for by case management.
- Offenders must be afforded the opportunity for improvement and for change. This can be achieved through the offender's own efforts and through the services provided.
- The problems of offenders should be the focal point of supervision efforts.
- Facilitating the desired change in offenders to reduce recidivism and to improve security should be an ongoing process of involvement.
- The re-entry of each individual into the community should be a long-term planned and supported event.
- Good relationships should be developed between staff and offenders.
- After individual needs assessment has been done, realistic plans of programmes are developed, implemented and co-ordinated.

- These plans for programmes for each individual are monitored on a regular basis.
- Case management strives to make the sentence of an offender as productive as possible.
- If the need arises, the treatment programmes should be revamped.
- By enriching the duties of normal custodial staff case management, staff will become multi-skilled.
- The most important aspect of case management should be sentence planning.
- Because the documentation is the only source of complete information about each offender, it needs to be completed and updated on a regular basis. This means that strict measures should be implemented to keep individual files updated.

According to Doherty & Ekstedt (1966) instead of the re-entry into the community being a process towards the end of a sentence, by using case management it can become a longer-term planned and supported event. This clearly shows that case management is an ongoing process. The results are that the personnel will have an ongoing involvement by making use of specific skills and knowledge to facilitate the desired change in the offender. In that way recidivism will be reduced and at the same time security will be improved.

Luyt (1999: 128) described the objectives of case management as follows:

- To make sure that the focus is placed on the individual;
- To improve the role of the correctional official;
- To build up an effective security system;
- To develop effective relationships with offenders by clarifying roles and expectations;
- To identify and assess problem areas and needs of offenders;
- To develop, co-ordinate and implement realistic programmes and sentence plans to meet these needs;
- To monitor and review these sentence plans on a regular basis; and
- To make the sentence of the offender as productive as possible.

Enos & Southern (1996: 2) stated that the basic goal for correctional case management should include the following:

- The prevention of recidivism;
- The reintegration of the inmate into the community and society at large; and
- The systematic monitoring of individual progress and programme outcome. This is done to ensure professional accountability, public safety and offender behaviour change.

The purpose of case management therefore, is to focus on the individual in such a way that all the needs and aspects during his or her sentence are covered to the best capability of the correctional official assigned to him or her. Case management is the process that links all the elements involved in an offender's management. It combines the staff members with the procedures and in that way balances the resources of the prison and the offender's needs.

It is also clear that correctional staff working in a unit is more exposed to multi disciplinary tasks. The term case management refers to all the initiatives which should be taken to make sure that a sentence is most effectively and productively used by an offender. Figure 5 summarises the initiatives that make up case management:

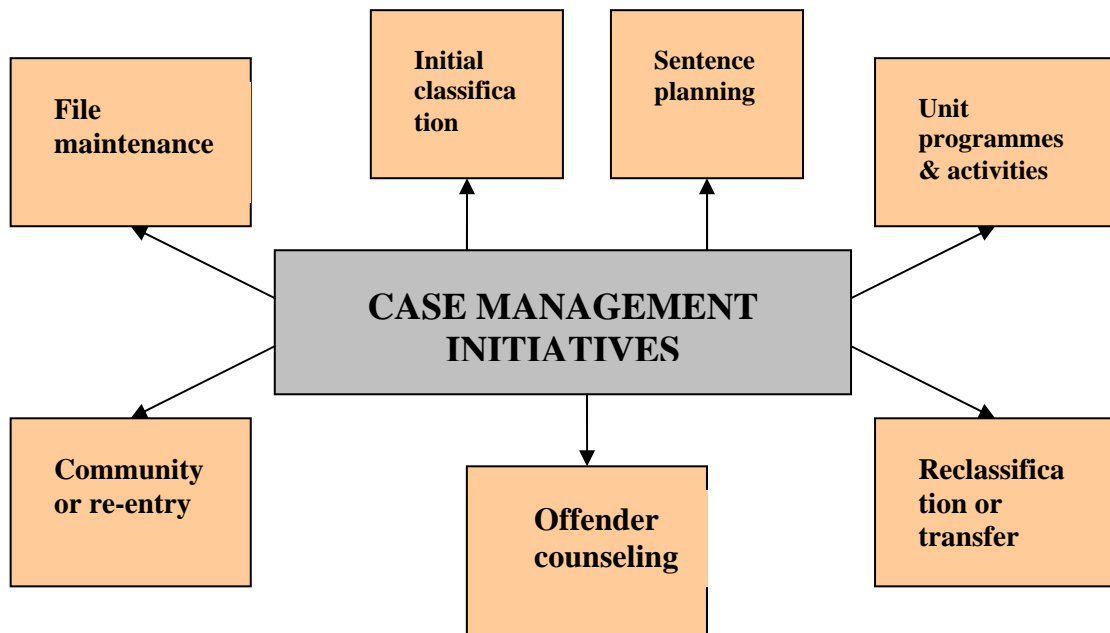


Figure 5: Initiatives of case management

The introduction of case management philosophy in prisons has probably had more of an impact on the role of correctional officials and their relationships with offenders than was anticipated. Previously the correctional official had little interaction with the offender, but under case management the correctional official is now expected to communicate regularly with a small number of offenders, for whom he or she is responsible as a case worker. This communication is both formal and informal. This entails the correctional official seeing the offender in the yard or elsewhere off duty, and also interviewing the offender on a one-to-one basis at least once a month.

2.8 CONCLUSION

This chapter supplies an overview of the history of imprisonment as well as the fundamentals and philosophy of prison management. It is clear that with the emphasis placed on individuals, case management as part of the history of prison management was used in earlier years for the purpose of rehabilitation. The Auburn and Pennsylvania Systems were the beginning of the prison systems that today are showing a resurrection in penal arenas. They made use of single cell confinement

with the idea of rehabilitating the offender in that way. Today a similar approach is seen in terms of the use of new generation prisons and case management.

The purpose of case management in the unit management approach was also discussed in this chapter, as well as the position of case management in the jigsaw puzzle of unit management, with the reminder that case management can function successfully on its own. Case management is a phenomenon that, with the correct implementation should fulfil the purpose of direction and co-ordination of all the activities related to the management of the sentenced offender.

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CHAPTER 3

THE CASE MANAGEMENT PROCESS

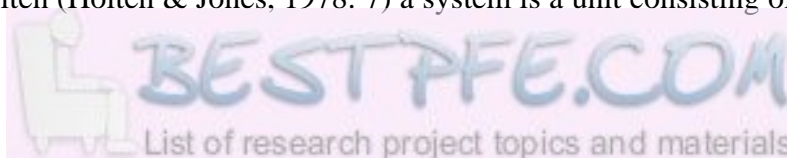
3.1 INTRODUCTION

Prisons, in general, are warehouses in which offenders stagnate and are rendered less and less capable of coping with the community outside. Or even worse, prisons can be cruel and dangerous maxi-prisons where offenders are injured and suffer severely (Austin, 2001: 247). In this kind of environment the treatment of an offender can be less than human, denying them dignity, basic human rights and the necessities of life. Sometimes offenders are physically and mentally abused. The idea behind introducing case management is to bring back humanity to the offender; to make the offender part of a team which is working towards a mutual goal: to promote the well being of the offender.

This chapter is a discussion of the process of case management and where it features in the different correctional systems. The term 'case management' and what it stands for was discussed in Chapter Two, as was the support of case management in the unit management approach. It is not a strange or new phenomenon as was shown, but in this new millennium a new emphasis is being placed on the offender and on ways that can be introduced to help to rehabilitate the offender.

3.2 SENTENCE PLANNING SYSTEM

As was explained in chapter two paragraph 2.4 case management is one of the puzzle pieces in the unit management approach. However, case management can function on its own without unit management being implemented in a prison. Therefore, case management should form part of a system in order to support its implementation. According to Holten (Holten & Jones, 1978: 7) a system is a unit consisting of several



parts. The interdependent components of a system all work together towards a specific common objective.

The following are the most important characteristics of a system:

- Every system forms an identifiable whole.
- The activities, objectives, functions, inputs, outputs and environments of each system distinguish it from another system.
- Every system consists of clearly defined parts and those parts form a specific structure.
- All these parts contribute to the functioning of the system.
- The components of a system are interdependent and affect one another reciprocally.
- A system functions in a specific environment.
- The environment and the system influence one another.
- The system is continually influenced by the support and demands of the environment.
- The system also has certain outputs in the environment in which it functions and it usually initiates reaction.
- The reaction received from the environment is regarded as feedback.
- The feedback received may have an influence on outputs and decision-making in the system.

According to the above characteristics of a system, sentence planning can be seen as a system. The specific environment in which sentence planning functions is the correctional environment. The sentence planning system consists of components or sub-systems that are independent but at the same time affect one another. As can be seen from figure 6 below, the sentence planning system consists of six sub-systems: security, admission assessment, classification, parole release, facilities plan and **case management**. All these sub-systems contribute to the functioning of the sentence planning system.

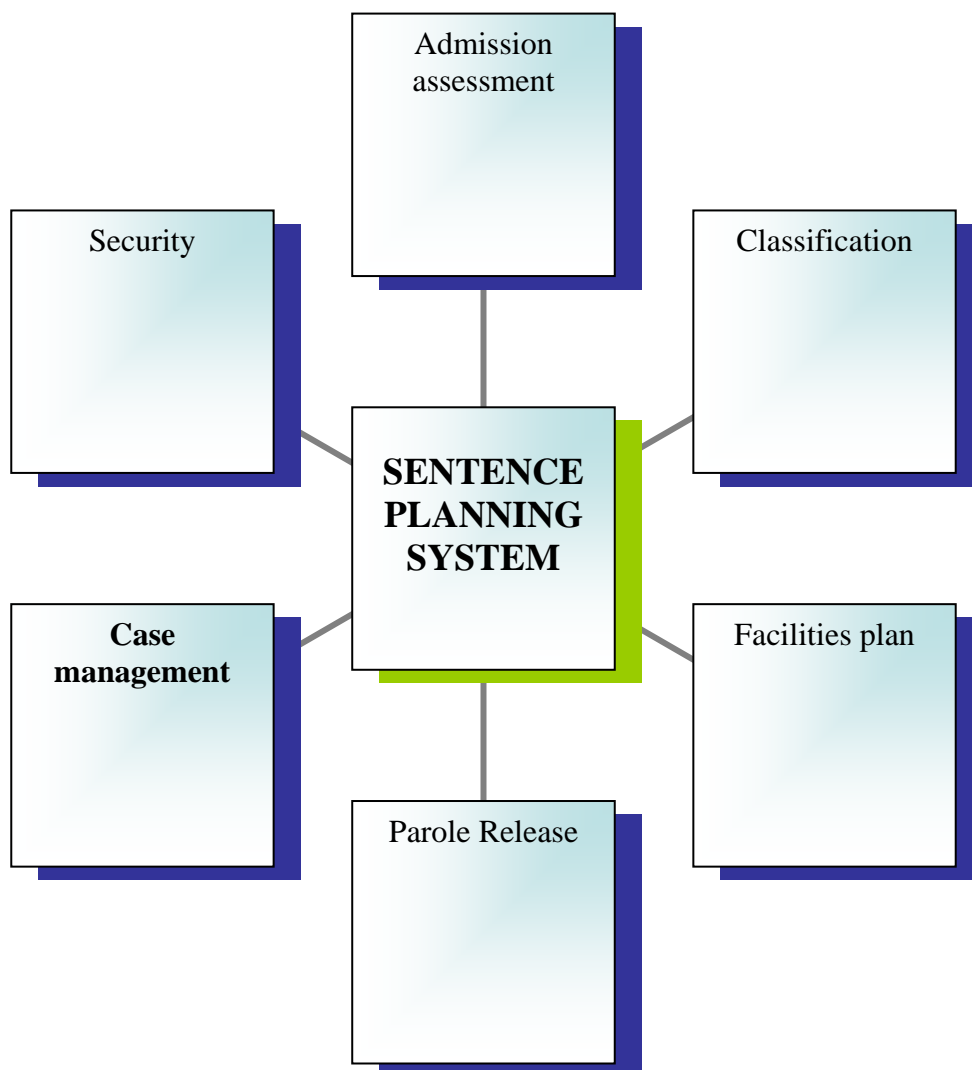


Figure 6: Sentence Planning System

Wormith (1997: 4 of 7; Bruyns, Jonker & Luyt, 2000: 108) stated that the effective management of an offender's sentence depends on the management of the sentence planning system.

The sentence planning system depends on these sub-systems for effective functioning:

- **Admission assessment:**

During admission, an initial assessment of the offender will be made. This admission assessment takes the form of screening the offender in order to obtain

basic information about the offender, which will assist the correctional officials in placing him/her. This assessment is essential for the development of an individual case plan which matches the needs of the offender with the resources of the prison.

- **Classification:**

Information that has been gathered during the admission assessment will assist in the classification of the offender. In sentence planning the classification of an offender plays a very important role. The success of case management lies in the fact that offenders with the same classification are placed in the same housing units. Having the same classification means that offenders can more easily partake in a structured day because of the overlapping of programmes that are presented.

- **Facilities Plan:**

The case worker reviews the case file as compiled by the reception staff for each offender individually and arranges a first formal interview with the offender as soon as possible. During the first interview, the case worker explains to the offender in which unit he/she will be placed, with an explanation of how case management functions and why the offender is in that specific unit. Role-clarification in case management also helps the offender to understand the functioning of case management.

- **Security:**

Based on the offender's current behaviour, adaptation, serious risk of escape, and serious threat to him/herself or other offenders or staff, an offender can be categorised into any of four security classifications:

- Minimum security;
- Medium security;
- Maximum security; or

- Super maximum security.

In each prison, provision can be made for the accommodation of all the security categories in the sentence planning system in terms of unit management. The security level in each unit is determined by the security measures, staff/offender ratio, level of direct supervision and movement control.

- **Parole release:**

Rehabilitation and training programmes for offenders are of a progressive nature, and form part of the sentence planning of an offender. These are subject to the proper co-operation and normal progress of the offender (Nxumalo, 1997: 94). The treatment and rehabilitation commences in a closed prison, from which the offender may progress to the less strict discipline and greater privileges of a semi-open prison, and from there on to the comparative freedom and maximum privileges of an open prison, well before the time of release. Therefore the transition to the free community is not so abrupt and the entire process could be said to be a form of parole release preparation (Rhodie, 1964: 318)

- **Case Management:**

The function of case management is to co-ordinate and direct all the activities associated with the management of an offender's sentence. It also allows for documentation of the interaction of the offender with officials and other offenders. From the day that the offender is sentenced up to the day of release, planning and managing of the offender's sentence will be the goal of case management. In order to maintain the basic standards of case management, the sentence of each offender has to be managed so as to have the best possible outcome for the offender and for the community (Bruyns, Jonker & Luyt, 2000: 82). Through case management, the successful execution of the sentence plan can be achieved.

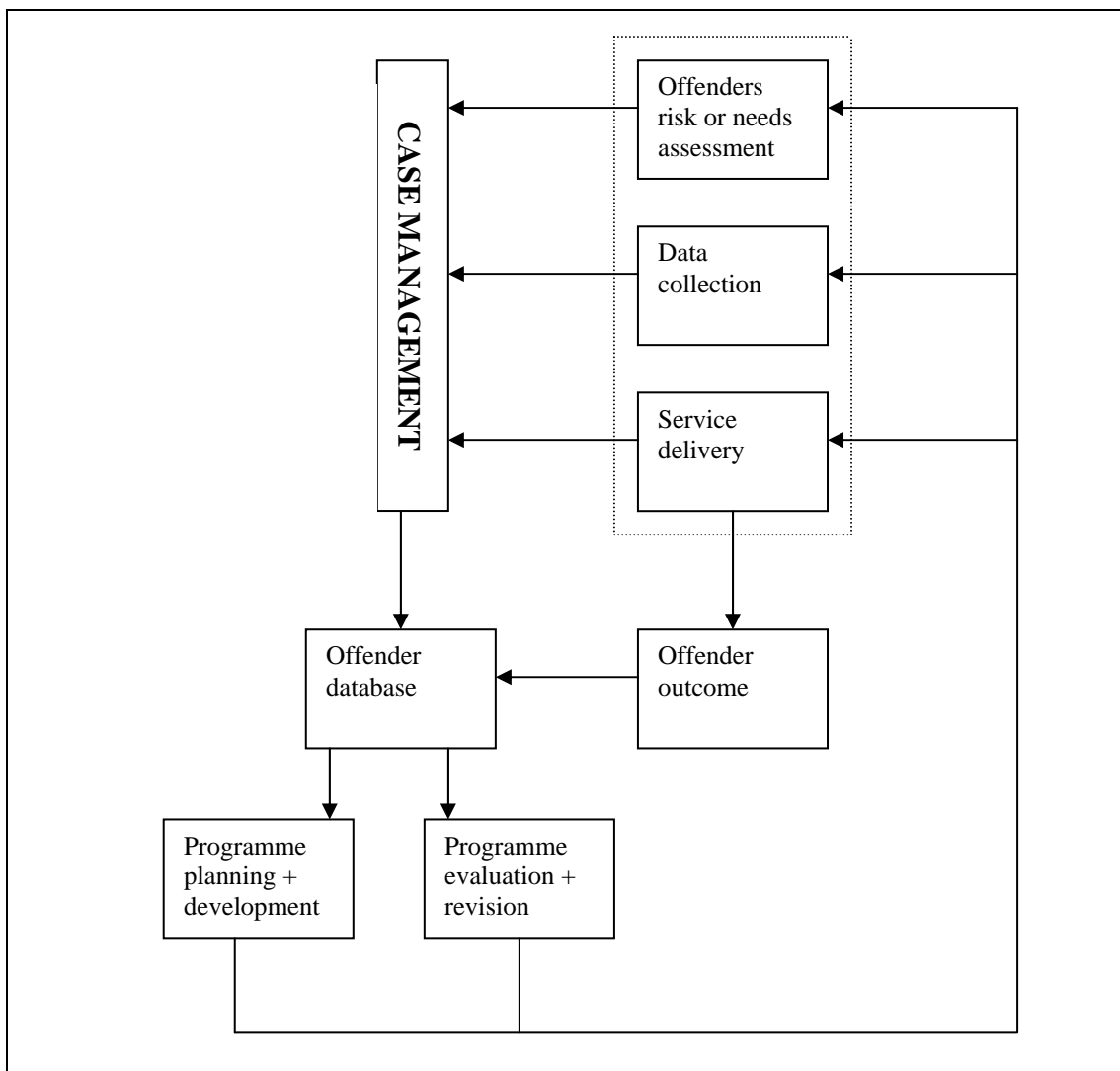


Figure 7: Case Management Sub-System

In figure 7 a flow chart illustrates the case management sub-system. All the activities in the flow chart are linked together, with a specific goal in mind: the successful implementation of case management in the sentence planning system.

These activities can be described as follows:

- **Offender risk or needs assessment:**

Risks and needs are determined during the assessment of an offender. This assessment includes the initial admission assessment and screening, as well as the thorough assessment that is done by the social worker, psychologist and case

manager. The results of the assessment will emphasise all the risks and needs of the offender. The risks will influence the classification of and security necessary for the offender. The information gathered during the assessment forms part of the data collection.

- **Data collection:**

Data collection is a very important activity in the case management sub-system, because it influences decisions that are made concerning the offender. Data is collected during assessment, screening and every action of the offender that is documented. The collected data is filed in the case file of the offender and is used for future reference, determining the need for specific services to be provided.

- **Service delivery:**

Service delivery includes all the services that are provided for the offender by the prison. These services include educational and vocational training and development programmes that are offered to the offenders. Service delivery is directly linked to offender outcome, because the outcome of an offender will determine which services are to be delivered to the offender next.

- **Offender outcome:**

Assessment that has been done will determine the offender outcome. Every detail of the offender will form part of the outcome, for example the offender's physical appearance, previous criminal record, aliases and family commitments etcetera. Once again, the offender outcome is closely linked to the offender data base.

- **Offender database:**

Everything that has been done and any information that has been gathered about the offender up to this point will form part of the database of the offender. By using the database, a case manager can make decisions regarding the sentence

management of the offender. The case file of the offender is the source where the database is stored. The database will also be regularly updated by the case manager with information regarding the offender. The database is closely referred to by the case manager when decisions are made concerning the planning and development of programmes for the offender.

- **Programme planning and development:**

With the information about the offender's needs, which can be found on the database in the case file, decisions can be made concerning the planning and development of programmes to fulfil those needs. Each offender has his/her own unique needs and therefore programmes are planned and developed around those specific needs.

- **Programme evaluation and revision:**

After the offender has completed a programme, revision and evaluation must be done. This will help the case manager to determine whether the programme has been effective and served its purpose.

All these activities have the same goal in mind, which is case management. As was shown by the characteristics of a system, all these activities contribute to the functioning of the case management sub-system. The flow chart also illustrates how all the individual activities are linked.

3.3 CASE MANAGEMENT AS A PROCESS

The case management process as described in this chapter shows the ideal situation if it is implemented in a correctional environment. This process contributes to the constructive execution of an offender's sentence. Case management is therefore a tool for effective management. The main function of the correctional official is to manage offenders effectively and in doing so addressing and reducing the security

risk through the interaction between officials and offenders. As case management is a sub-system of sentence planning, it co-ordinates the processes of assessment, classification, case planning and security while linking the staff members into teams with specific tasks. It is also a vehicle for documenting the offenders' changing needs and security requirements, while providing the framework for addressing problems.

A system is composed of different processes. The aim of this research is to determine the process of case management, since case management is the sub-system of the sentence planning system. Figure 8 below illustrates the process of case management in a prison. Case management starts from the moment when the offender is admitted to prison and continues until the pre-release phase. This whole process is recorded in the offender's case file. This clearly shows that the case file of an offender is the most important document in the sentence because every action is recorded in the case file. In chapter eight the compilation and administration of an individual case file will be discussed in full detail.

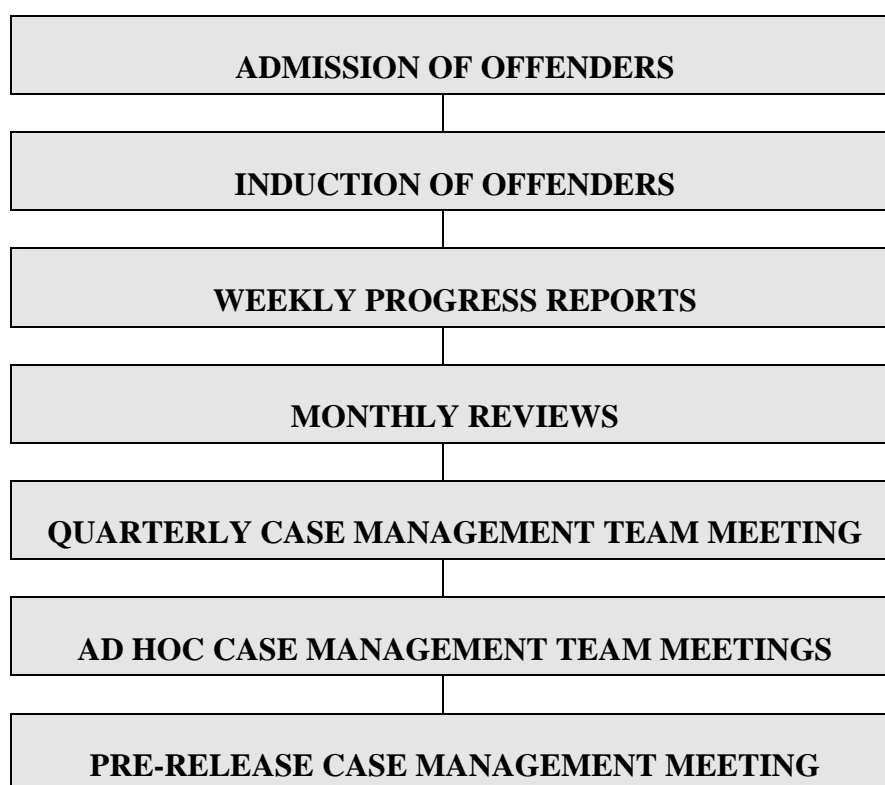


Figure 8: Case Management Process

Case management is regarded as a process, consisting of a series of activities. This begins with the admission of offenders and ends with a pre-release case management meeting to discuss the possible parole or release of an offender. The case management process is usually divided into a number of important steps:

- **Admission of offenders**

The initial assessment is done during the admission of an offender in order to assist in categorising that offender. Initial assessment is also used to allocate offenders to specific units. This means that offenders with the same needs and risks are housed in the same unit.

- **Induction of offenders**

During the induction of offenders the assessment of risks, challenges and strengths of each offender are determined. The result of the assessment will assist in the

identification of special category offenders. Information that is gathered during assessment will help in the classification and allocation of offenders. Offenders with the same classification will be allocated to the same unit. This will help the case manager in drawing up a structured day plan for a housing unit. The assessment of each offender will assist the case manager to identify targets for the time the offender is in prison. After all the offenders have been allocated to their specific units and their assessment concerning their needs and risks have been completed, the case manager will conduct meetings with each offender to discuss his/her individual sentence plans.

- **Weekly progress reports**

Revision of the progress made by an offender will form part of a weekly report to the case manager. These weekly reports state the progress of the offender in meeting the targets that were set during the initial meeting.

- **Monthly reviews**

Revision of the progress made by the offender in meeting targets will form part of a monthly report that is forwarded to the case manager. These reports will form the basis for a meeting between the offender, case worker and case manager. During that meeting, the sentence plan of the offender will be reviewed. This will determine whether the needs of the offender are still the same or whether they have changed. The sentence plan can be adapted to suit the changed needs, if necessary.

- **Quarterly case management team meeting**

The case management team conducts quarterly meetings to make decisions concerning the safe detention of offenders. During these meetings, the discussions are focussed on the integration of offenders into development programmes and the allocation of work to them.



The case manager together with the case worker will evaluate the progress of the offender and determine whether the goals of the sentence plan have been reached. Recommendations are made concerning the status of the sentence plan and the offender's progress.

- **Ad hoc case management team meetings**

During the ad hoc case management meetings, important issues that cannot be kept for the quarterly case management meetings are discussed, such as reintegrating an offender who has been segregated. The sentence plan of such an offender may be reviewed and recommendations made concerning the changed needs of the offender.

- **Pre-release case management meeting**

This meeting is concerned with the arrangements for addressing the risks and needs of the offender after release. Programmes are identified that will prepare the offender for release, which would include lectures and discussions that address the concerns of soon-to-be released offenders, individual counselling that focuses on each offender's particular needs and pre-release visits by parole officers and family members.

3.4 CASE MANAGEMENT INTERVENTION

Every correctional official who has any contact with the offender or even only the offender's case file, forms part of the case management process. One of the important keys of effective case management is information gathering and sharing. This contact between the correctional official and the offender forms part of information gathering. All this information should be documented and filed on the offender's case file. Every other correctional official who has contact with the offender can then gain information from the individual's case file.

For example the case manager needs inputs from other correctional officials regarding:

- **Information about the offender's problems (problem identification)**

The assessment of an offender identifies any needs and problems. Information regarding the needs is filed on the offender's case file and is addressed at case management meetings. Programmes which will address these needs are identified for the offender to participate in. Any problems that the offender experiences during the sentence are documented and filed on the case file for further attention of the case manager.

- **Involvement of the offender in appropriate programming**

The aim of case management is to include the offender in managing his own sentence by becoming involved in appropriate programming. Its success lies in the fact that if the offender has been part of the planning of the programmes, then participation will come more easily. Any information regarding the involvement of an offender in programming should be documented and filed on the case file. In this way it can be communicated to the case manager.

- **Keeping up-to-date with the progress of the offender**

Any action or activity that is done by an offender is documented and filed on the case file of that individual. This means that the case file needs to be updated regularly regarding the progress of the offender.

Therefore it can be seen that the flow of information is one of the most important factors in making the case management process work well.

Prisons are required not only to take offenders that the court has sent to them, but also to take them in whatever shape they are in. Intervention by correctional officials, the case manager and professionals such as counsellors and psychiatrists was introduced

to the programmes to address the individual needs and problems of offenders. The most basic rationale for this kind of intervention is that the law requires prisons to protect the physical and emotional well-being of offenders and to maintain their safety.

Sections 36 and 37 of the South African Correctional Services Act no. 111 of 1998 read as follows:

“36. With due regard to the fact that the deprivation of liberty serves the purposes of punishment, the implementation of a sentence of imprisonment has the objective of enabling the sentenced prisoner to lead a socially responsible and crime-free life in the future.

37. (1) In addition to the obligations which apply to all prisoners every sentenced prisoner must-

- (a) participate in the assessment process and the design and implementation of any development plan or programme aimed at achieving the said objective; and*
- (b) perform any labour which is related to any development programme or which generally is designed to foster habits of industry, unless the medical officer or psychologist certifies in writing that he or she is physically or mentally unfit to perform such labour”.*

Intervention is the term that is used in correctional services to describe the activities, programmes and supervision that the case manager will use with offenders to try to meet their needs. For example, an offender has to undergo counselling to break a suicidal pattern. Very probably, the way the case worker will try to intervene to meet the need of the offender is to set up counselling sessions with a psychiatrist as part of the offender’s case plan.

To deal effectively with the factors that caused an offender’s criminal behaviour, an individualised supervision approach is developed by the case manager according to the offender’s case plan. This approach includes the suggested interventions for helping the offender. The Correctional Services of Canada (1993: 41) has experience in five general strategies, namely: situational intervention, treatment intervention, environmental structure, limit setting and case work, to act as the foundation on which

to build the interventions suited to a particular offender. During the assessment phase, the offender is classified and placed in a specific category. The category will help the case manager to adapt supervision strategies that have proven to be effective with different groups. Offenders with the same category of crime may be dealt with through different strategies because their approaches to life and their responses to supervision differ. The categories are named according to the type of case supervision that is required. It is believed that certain strategies of intervention are more effective than others in working with one type rather than another.

A short description of the strategies is as follows (Walsh, 1997: 107):

- **Selective Intervention:**

Offenders in the category of selective intervention require the least time and present the fewest supervision problems. According to the term, the case manager will intervene in the offender's life only on the basis of "as needed". Most of the time offenders in this category fall into the low-risk category as determined by their risk and needs scales. Generally these offenders have relatively stable, pro-social lifestyles and their current offence is frequently their first involvement with the law. Their offences can be seen as a temporary lapse or suspension of a normal value system. These offenders often show strong indications of guilt and embarrassment.

This kind of offender responds best to a warm and supportive relationship with the case manager and to the use of rational problem-solving approaches to counselling. The case worker should avoid giving an impression to such an offender of trying to run the offender's life or showing a lack of trust in the offender. According to Bonta (1991: 45) there is some research evidence that low-risk offenders may actually become worse if they are overly restricted and "treated" by well-meaning correctional workers.

- **Environmental Structure:**

Offenders in this category who need environmental structure generally fall into the low end of the medium-risk category and require regular supervision. Social, vocational and intellectual deficits contribute considerably to their criminal activities. These kinds of offenders tend to lack foresight, to have difficulty learning from past mistakes and to be overly dependent on like-minded individuals for acceptance and approval. Usually they are not committed to a criminal career and malice as a motivation for criminal activity is rare.

The aim of the case worker is to seek a typical goal with these offenders to develop and improve intellectual, social and work skills, to find alternatives to associations with criminal peers and to increase control of impulses. The case worker has to move slowly in building a success identity for the offenders by balancing expectations with current coping resources. Many of the offenders in this category can become productive community members with the assistance of a warm and accepting case worker who knows the available community resources.

- **Limit Setting:**

Offenders who need strict limits set for them by the case worker are high risk in the risk and needs scales. They are normally quite comfortable in their criminal lifestyles and demonstrate a pattern of long-term involvement with criminal activities. These offenders take delight in their ability to beat the system and tend to minimize or deny any personal problems they might have. They see themselves as normal individuals who have chosen a criminal lifestyle for themselves.

Protection of the community through surveillance and strict control of the offenders is of primary concern for the correctional institution. Offenders like these are very manipulative and frequently will test the case worker's resolve.

Any failure on the case worker's part to act assertively will be interpreted as weakness.

These kinds of offenders respond best to the techniques of reality therapy described in chapter six and to rational discussion. This is because their criminal behaviour is often more a function of choice than of emotional deficiencies. Since these offenders also tend to be quite energetic and to possess adequate intelligence, they have capabilities that can be channelled into profitable and legal endeavours. The aim of the case worker is to attempt to develop challenging and innovative opportunities to provide the offender with satisfying alternatives to a criminal lifestyle.

- **Case work or Control:**

Case work or control means that offenders placed in this category require more intensive case work and that their activities should be more tightly controlled. These category offenders are at the high end of the medium risk and needs scale. These offenders evidence a generalised instability in their lifestyles. They have no goals in their lives and have difficulty with interpersonal relationships as well as finding and keeping employment. These offenders tend to have had chaotic and abusive childhoods which they repeat with their own families. Many of these offenders are alcohol and drug abusers and many of their previous convictions reflect this abuse.

The basic goals for the case worker to achieve with this group of offenders are much the same as those outlined for the environment-structure offenders although it will be more difficult to achieve because of their substance abuse and greater emotional problems. This kind of offender requires a great deal of the case worker's time as well as considerable co-ordination of auxiliary programmes. The case worker should monitor the attendance and involvement of offenders in programmes and they should be allowed to suffer the consequences of their non-compliance. These offenders will try the case worker's patience and professional competence, but they can be turned around by a knowledgeable, caring and no-nonsense case worker.

3.5 THE PHASES OF CASE MANAGEMENT

The Correctional Services of Canada (1996: 12) has divided case management into six phases of which each of these phases has its own tasks and objectives. These phases facilitate the execution of a sentence plan and also reflect the major events in the offender's sentence. These case management phases may however differ in other correctional systems.

3.5.1 PHASE ONE: INITIAL ASSESSMENT AND PLACEMENT

Phase one takes place after an offender is sentenced and usually within the first three months of the offender's sentence. In order to gain a clear understanding of the offender, the first part of the case management process will consist of collecting and organising information. This information will be collected by means of assessment and screening of offenders. The information received from the initial assessment is used to address the immediate needs such as a medical condition of an offender as well as to determine real risk factors such as drug dependency or anxiety. Information that is collected before the sentence is passed is used to determine if the offender may function under community supervision at an early stage of their sentence and which offenders should be incarcerated for a longer period of time (Bruyns, Jonker & Luyt, 2000: 99). Examples of this information are police reports, pre-sentence reports, sentencing judge's comments and probation files. All this collected information will then be organised in the case file of the individual offender. Critical decisions regarding the offender's institutional placement and programme needs will depend on this information.

The Correctional Services of Canada (1996: 12) stated the main objectives of phase one to be the following:

- *“To ensure that an efficient system is in place for collecting all of the necessary information needed to assess and develop the newly-sentenced offender on an ongoing basis;*
- *To ensure that the needs of the new sentenced offender are fully identified and to determine whether these needs can be met effectively;*

- *To identify the factors that contributed to the offender’s offending behaviour;*
- *To ensure placement of the offender at an institution appropriate to the identified security and programme needs, and;*
- *To ensure that a thorough penitentiary placement report is completed for the purpose of initial placement and community release potential.”*

Serin (1997: 4) summarised the initial assessment and placement phase in figure 9 below:

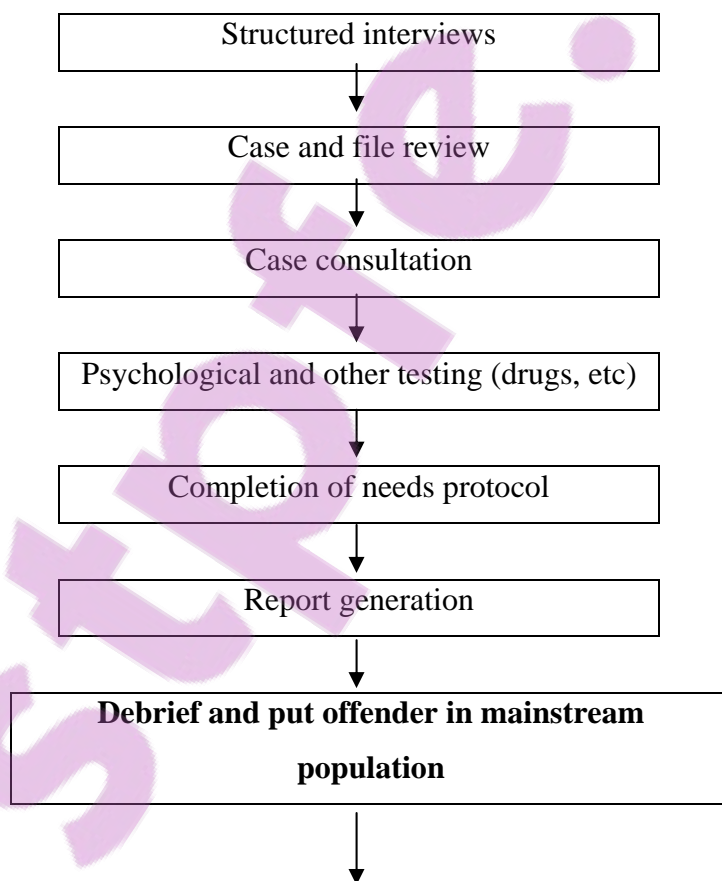


Figure 9: Phase one of the case management system

The activities that form part of phase one can be described as follows:

- **Structured interviews:**

The offender is interviewed to get information about problem areas, interests, attitudes towards authority and willingness to change. There is a need to know as much as possible about the past and current behaviour of offenders, their attitudes towards others, and the possible reasons for their criminal activity.

- **Case and file reviews:**

On a monthly basis the case manager and the case worker formally interview each offender allocated to the case worker's case load to review progress in relation to the relevant case plan on the case file.

- **Case consultation:**

From the information that was gathered significant problems, behaviours and attitudes which may have contributed to the offender's criminal behaviour are identified. These factors are referred to as criminogenic factors or needs. The case management team works with the offender to decide which criminogenic factor to work on first. Offenders are more successful in making the necessary changes when they are actively engaged in every step of the case management process.

- **Psychological and other testing:**

Rehabilitation of an offender relies on the treatment and development of the offender by means of sentence planning. Tests are completed by the offender to determine needs and risks. Psychological tests can include clinical evaluations and psychometrical evaluations. Other tests that are done include tests to determine suicidal risks, sexual disorders, mental disorders and violent

behaviour. The results of these tests will have an influence on the type of programmes that will be offered to the offender.

- **Completion of needs protocol:**

It is important for the development of an individual case plan which matches the needs of the offender with the resources of the prison that the information obtained from the initial assessment and psychological and other tests are taken into consideration. If on reception of the offender, specific needs are identified which require immediate intervention, the appropriate referral must be made.

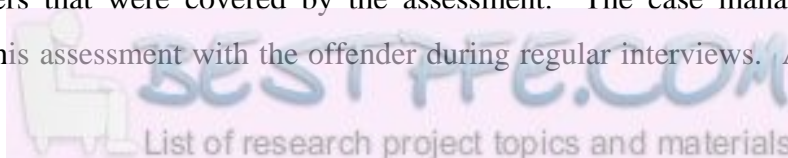
- **Report generation:**

Every action that was taken, every test that was completed and every assessment that was done needs to be documented and filed on the individual case file. The principal reports completed during phase one are the:

- Case Documentation Checklist: To track offender information requested and received for example court documents.
- Post-Sentence Community Assessment: To gather essential information from community at the time of sentencing.
- Criminal Profile Report: To give a clear picture of the offender and crime by synthesising all the relevant information from police, courts, attorney, family and other sources.
- Penitentiary Placement Report: To summarise the results of all reports and assessments that were done during the admission assessment.

- **Debrief of offender:**

When the case manager feels that the offender is ready a meeting will be organised between them. During this meeting the case manager will discuss the matters that were covered by the assessment. The case manager will discuss this assessment with the offender during regular interviews. Areas as



broad as a drug or alcohol problem down to more specific areas such as lack of self-control, inability to cope with stress, aimlessness, inability to plan and family problems, might be covered.

3.5.2 PHASE TWO: SENTENCE PLANNING AND INSTITUTIONAL SUPERVISION

The sentence plan is dealt with during phase two. In addition, the analysis of the needs and the supervision requirements of the offender form the basis for phase two. This phase focuses on the factors that can be addressed during the sentence of an offender. It also identifies long-term goals, specific programmes, resources and supervision techniques for the period that the offender is sentenced.

The following actions will be performed by the correctional officials in phase two:

- The sentence plan, based on the cause of criminal behaviour and the offender assessment report, is developed;
- By making use of these reports it can be determined which of the criminal behaviour factors the offender can start working on and in what order;
- Definitions of long-term goals, specific programmes, resources and supervision techniques are compiled in this phase for the entire sentence;
- Officials in the operational level as well as the specialised level will monitor the offender's progress throughout this phase;
- Some offenders may be given privileges such as permission to leave the prison, have private family visits and join other programmes because of their specific needs and their co-operative participation in programmes;
- The moment it has been established that the risk can be managed in the community, the offender must be prepared for release as soon as possible in the sentence;
- Correctional officials will strive to ensure that the intervention techniques and supervision approach used with each offender are as effective as possible;

- Sentence plans will be implemented and maintained in order to maintain the offender on a course intended to deal effectively with those critical problem areas that contributed to criminal behaviour;
- Correctional officials will ensure that the institution's resources, both human and material, are used efficiently by focusing on areas most likely to reduce further criminal behaviour;
- Correctional officials will make an effort to ensure consistency and continuity in case management throughout an offender's sentence; and
- They will try to establish a behavioural baseline from which to measure progress on problem areas and make future decisions.

In order to make sure that all the needs of an offender are met, the case manager depends on the structuring of days. Every unit has its own set of goals and a mission which should be reflected in the structured day. An offender can participate in a structured day after the needs assessment is completed and a sentence plan has been drawn up. In the case plan certain programmes are identified which should be attended by the offender. In structuring the day the case workers make sure that each offender has the time to attend all the different programmes and sessions that form part of the sentence plan.

According to Alleman & Gido (1998: 121) the structured day allows the case worker to supervise the programme of each offender closely. When the offender has completed a certain section of the case plan, another activity can replace the finished one in the same time slot. This will ensure of continuity in the development of each offender.

The structured day consists of eleven hours of participation from each offender. According to Levinson (1999: 179) the following is an example of structured activities over a period of one week:

Table 3: Structured day

Time	Monday to Friday	Saturday	Sunday
6:00 – 7:15	Early morning unit activities Get ready for daily activities	Free time	Free time
7:15 – 8:00	Breakfast	Breakfast	Breakfast
8:00 – 11:30	Case management sessions Work Educational and vocational training	House duties Leisure time	Church Leisure time
11:30 – 12:30	Lunch	Lunch	Lunch
13:00 – 17:00	Case management sessions Work Educational and vocational training Individual/group counselling Group pre-release sessions	Individual counselling and recreation	Practice religion and outdoor activities
17:00 – 18:00	Visit prison shop according to schedule	Leisure time	Leisure time
18:00 – 19:00	Dinner	Dinner	Dinner
19:00 – 21:00	Leisure time Sport tournaments Unit team meeting Town hall opportunities (once a week)	Leisure time Watch television or movie	Leisure time
21:00 – 22:00	Lockup and counts	Lockup and counts (could be earlier)	Lockup and counts (could be earlier)

According to Ramsland (1996: 330) the aim of a structured day is to ensure that all offenders are continuously gainfully occupied in employment, education and recreational activities. Unfortunately, not all prisons can afford to implement

structured days. In order to do this, there should be adequate staff to assist in all the activities and adequate funding to support all the activities. Also, overcrowding in the prison will hamper the programme. Lastly, a structured day is impossible unless a fully implemented sentence planning system is in place. However, the researcher visited the Mangaung private prison in South Africa that was managed by the unit management approach, where the structured day was functioning successfully, with adequate and well trained staff.

3.5.3 PHASE THREE: PREPARING INDIVIDUAL CASES FOR DECISIONS

Information which dates from the offender's initial arrest and which is also obtained from different internal sources, is gathered, organised and analysed. The internal sources are the results from the assessment and the initial screening of the offender as well as information that is documented and filed on the offender's case file. It is very important for the offender and the overall management of the offender that this information is of good quality and consistent.

Phase three consists of the following actions:

- When an offender applies for a transfer to another institution, an institutional transfer interview takes place;
- Before the institutional transfer interview takes place both the offender's request and the case file are reviewed;
- The purpose of this interview is to realise the goals and needs identified in the sentence plan and to discuss whether the transfer will benefit the offender's progress; and
- Cases should be reviewed regularly, in order to make sure that the offenders are serving their sentence at the lowest level of security as well as in line with the needs identified in the initial sentence plan.

3.5.4 PHASE FOUR: CASE MANAGEMENT TEAM MEETINGS

The following actions take place during the recommended six-monthly Case Management Team meetings:

- Decisions are made concerning the safe detention of offenders;
- Progress that has been made in reaching targets is reviewed;
- Further needs and targets are assessed; and
- Incentives and earned privileges are reviewed.

The following actions take place during ad hoc Case Management Team meetings:

- The reintegration of offenders that have been segregated is discussed
- Recommendations are made concerning the temporary release, parole etc. of offenders.

3.5.5 PHASE FIVE: DECISIONS ON PAROLE AND RELEASE

Parole is a treatment programme in which an offender, after serving a part of the sentence in a correctional institution, is conditionally released under supervision and treatment by a parole worker (Nxumalo, 1997: 8). However the release of the offender is conditional, contingent upon satisfactory behaviour. The offender will be under supervision and treatment by a correctional official trained in parole work. The case management process prepares the offender for parole. All the programmes that form part of the offender's case plan aim to prepare the offender for the day that he is back in the community.

Most of the offenders reintegrate successfully when they serve part of their sentence under supervision in the community. Parole or releases must meet two needs: the offender's needs and the needs of the community for safety. The decision-making process surrounding parole is based on assessment of the offender's needs and of the risk to the community.

The following activities form part of phase five:

- According to Luyt (Bruyns, Jonker & Luyt, 2000: 104) the quality of the information as well as a well-prepared case will assist the parole boards in deciding whether or not to grant conditional release to the offender.
- The level of risk that the offender will present to the community will form the core element when the decision is made. This is where complete and accurate information plays a very important role.
- This information will also be used to determine the risk of the offender in a pre-release report. Incomplete or inaccurate information can distort this picture completely.
- A hearing will be held where the case manager and the offender are present. At this meeting, any additional substantiated information may be presented, that is not included in the written submission.

3.5.6 PHASE SIX: COMMUNITY SUPERVISION

Community supervision involves all those activities related to reintegrating and monitoring the offender after release into the community. When a sentence plan is developed for an offender, this plan outlines the expectations of the community supervision period. Community supervision is provided by case management officials, private organisations such as the Salvation Army and the community.

The offender who is conditionally released is required to report to a community corrections official at stipulated intervals. If any of these conditions is breached by the offender, the appropriate authorities will review the offender's case. This will ensure that the case remains a manageable risk within the community.

3.6 ELEMENTS OF EFFECTIVE CARE

Effective care can only be ensured by correctional institutions if a framework exists that establishes and supports service delivery. Six elements are necessary for

effective care. These six elements, as identified by Singletary (1997: 204), are the following:

- **Assessment:**

Assessment is a diagnostic process that forms part of case management. This process is used to determine specific treatment needs of the offender. It also includes risk factors and individual requirements that have been identified. Every action taken to rehabilitate the offender depends on the results of the individual assessment.

- **Programming:**

After assessment, the needs of the offender are provided for by the different programmes offered by the prison. Programming should ensure that there is a range of quality services tailored to suit specific needs. The programmes selected will form part of the individual's case plan.

- **Linkage:**

Linkage should provide easy and appropriate transmission of information, effective communication in upward, downward and lateral directions, and co-ordination of services, both at policy and operational level. In the case management process each correctional official who is in contact with an offender has decision making powers. The case worker can decide if an offender has done a good job and in return file a positive case note on the offender's file. The case manager decides, in conjunction with the offender, on the case plan for the duration of the offender's sentence. It is therefore important that communication is good between all the levels and that information is transparent and is distributed to all relevant parties.

- **Resources:**

For case management to function successfully there is a need for sufficient resources. These resources should make provision for:

- Recruitment of qualified staff to work in a case management environment;
- Diversity amongst the correctional officials working in the case management process. This includes custody officials as well as professional officials, who all work together;
- Execution of services. Running all the programmes to meet the needs and provide for the risks of offenders is a responsible job and adequate trained staff is required;
- Retaining qualified staff. Professional staff, for example educationalists, social workers, chaplains and psychologists can easily obtain employment outside the prison institution. Competitive remuneration is one of the methods to retain staff. Market-related salaries will assist in keeping the staff at the prison institution; and
- A positive work environment. This can be accomplished in a prison where case management is implemented. A positive environment will benefit both the correctional official and the offender, because if the case worker has a positive attitude, it will have a positive influence on the offender.

- **Environment:**

The daily environment for programme delivery should be secure with appropriate hardware and lighting as well as safe for the public, staff and offenders with orderly established routines and expectations.

- **Accountability:**

Accountability should be accomplished through monitoring and evaluating programme needs, which determine whether specific programmes meet specific needs. This can be done firstly through measurable goals which should be integrated into each programme, and secondly through programme integrity, which includes the manner in which the programme is implemented.

3.7 ADVANTAGES OF CASE MANAGEMENT

The implementation of the case management system has advantages as well as disadvantages. According to Luyt (1999: 129) the advantages of case management can be divided into three categories namely:

- **Advantages of case management for offenders**

It supports and encourages the offender to obtain the maximum benefit from the imposed sentence. This is done by presenting programmes to satisfy the needs of the offender that were identified by the assessment report.

It also ensures stable contact with somebody who knows the background of the offender. This can be a person with whom they can have discussions about very private matters. The case worker has daily contact with the offender and a relationship of trust can develop between them. This is an ideal situation because it gives the offender access to a safe person.

Regular contact occurs between the offender and a variety of officials, for example the direct supervision officer, the case worker and the case manager as well as professionals such as educationalists, the social worker and psychologist.

Case management creates a safer environment for the offender. The offender has a purpose while imprisoned and this will result in a more stable group of offenders.

- **Advantages of case management for correctional officials**

Case management provides for a challenging, interesting and more fulfilling career for the correctional officials. As a result of the variety of work expected from correctional officials, they become multi-skilled and more professional.

The correctional officials have more control over offenders and the environment. The case plan of each offender on the case load is known to the case worker and therefore the control is more easily applied.

- **Advantages of case management for the correctional system**

When a relationship of trust is built up between the offender and at least one correctional official, the offender's problems will be discussed so that the need for protection will decrease as will the incidents of suicide and assault.

Security risks are reduced because correctional officials have the opportunity to manage aspects that could develop into risk situations. Because of the daily contact between the offender and the case worker, any peculiar behaviour of the offender will immediately be noticed by the case worker. Another example of risk reduction is when the conduct of aggressive offenders can be rectified by providing appropriate anger management programmes.

The enhancement of dynamic security is an advantage because correctional officials are in the position to intercept problems and prevent incidents before they escalate into uncontrollable situations.



Case management has another advantage, namely **improved security**.

Case management can be described as the driving force behind dynamic security because of the following factors:

- After admission to the prison, the offender's security risk is determined during the initial assessment;
- The staff members have a better understanding of the offender and the security risk because all elements of offender management are linked;
- Because staff members are able to understand mood and extraordinary behavioural changes of offenders, they can predict behaviour more accurately;
- A realistic case plan, with achievable goals involving staff members and offenders, can be developed;
- The case management meetings allow more staff members to give input regarding ongoing offender management. This will allow the staff members to gain knowledge of each individual offender and they will see the bigger picture in terms of security risks;
- Staff members are required to visit the cells on a regular basis. During these visits, changes in attitudes and standards can be detected. This will enable the staff members to predict behaviour and to improve assessments, and;
- Offenders and staff members are in a position to establish an understanding which facilitates improved relationships and information flow.

3.8 DISADVANTAGES OF CASE MANAGEMENT

Looking at the advantages case management, it is difficult to accept that there might be **disadvantages**. It is however true that wherever there are advantages, disadvantages will follow, especially where people are involved.

Some of the disadvantages of the implementation of case management are as follows:

- Since imprisonment is about the offender, one of the disadvantages is attached to the rights of the offender that are at risk when case management is not applied with care. According to Jonker (Bruyns, Jonker & Luyt, 2000: 267) the staff members could intrude too much on the offender's privacy, if the professional distance is not kept. A result of the trust relationship between the offender and the staff member could be that the offender might feel that he or she is forced to share information of a too personal nature. This could have a hampering effect on the successful integration of case management because both parties, the offender and the correctional official, must be committed in their participation.
- Another disadvantage is the cost of implementation. Because one case worker cannot give the required attention to too many offenders, the implementation of case management would necessitate the employment of more staff members than in a traditional prison, in order for a unit to function successfully, thus increasing costs.
- People who are used to dealing with the staff members in an autocratic way in the traditional prisons may have difficulty in accepting this new approach. Such people do not want their authority or position of seniority challenged and may object to the decentralised, participative way of managing prisons.

3.9 CONCLUSION

The role of case management in the sentence planning system was explained in this chapter. Any system is supported by individual activities and sub-systems. Case management is a sub-system of the sentence planning system. The case management process was outlined in order to establish the different activities that are part of the process.

In order to facilitate the execution of a sentence plan successfully, members of the case management team need to follow certain phases in the case management process. Although these phases can differ between various correctional systems, it can be considered as fundamental to case management. By going through these phases, the

correctional official can assist the offender in advancing through the correctional system. Although these are disadvantages in the proposed system case management, if applied in the correct manner, the advantages of case management will exceed the disadvantages.

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CHAPTER 4

TRADITIONAL AND CONTEMPORARY OFFENDER ADMINISTRATION

4.1 INTRODUCTION

Offender administration emerged from humble beginnings to the point where many international correctional systems today place sole emphasis on the individual offender. This individual focus became the cornerstone for case management. Improved treatment of offenders received more attention against the background of growing involvement from organisations such as the United Nations. Since the Standard Minimum Rules (United Nations, 1955) were agreed upon during 1955, many other United Nations instruments contributed to enhanced human rights and dignified treatment of offenders. Some of these instruments have a direct influence on offender administration and case management, and will be discussed. In addition, traditional and contemporary offender administration in selected correctional systems will also be investigated.

4.2 TRADITIONAL OFFENDER ADMINISTRATION

Bartollas and Miller (1978: 51) stated that prison authorities over the past 75 years have developed a traditional management style. This traditional style is founded on the principles of militarism and classical bureaucracy. Since organisational development in the field of corrections, demands on correctional managers have increased. Change in prisons during the past 150 years is the result of new approaches to punishment from outside the prison environment and is seldom initiated by correctional officials (Duffee, 1980: 11). Since the 1960s there has been an increase in the involvement of correctional managers in the process of change. As a result the traditional prison management era has had to make way for new management approaches.

4.2.1 CHARACTERISTICS OF PRISON MANAGEMENT

The functions and objectives of prison institutions are unique and therefore the management of prisons differs from the management of other institutions in the following ways:

- **The profit motive:**

Prison institutions do not have a profit motive as an objective. The objective of prisons is the protection of the community by the safe custody, treatment, correction and the successful re-integration of the offender into society. According to Katz and Kahn (1966: 117) institutions working with people require a different kind of process of decision-making from those institutions that do not work with people.

- **The division of authority:**

Nearly all authority within correctional institutions lies with the correctional staff and the co-operation and compliancy of offenders are enforced (Etzioni, 1961: 20). When offenders are involved in the decision-making process, their contribution will be limited to decisions which will not increase the security risk of the prison.

- **Distribution of management responsibilities:**

The responsibilities in most other institutions are limited to a selected management group. In prisons however, the lowest correctional official is a manager, according to Cressey (1969: 494). The control that a correctional official must exercise over offenders makes high management demands on the officials.

4.2.2 TRADITIONAL PRISON MANAGEMENT

A characteristic of traditional prison management is bureaucracy. Bureaucracy signifies the division between the legal authority and power of the managers and the use of it to achieve objectives (Neser, 1997: 81). The implication of this is that the managers are empowered to enforce productivity and the attainment of objectives by subordinates. This can be achieved even by means of punishment.

It was believed by Weber (1958: 229) that a prescribed work procedure ensures that personnel know exactly what is required from them, thus ensuring that no crises will arise. According to Archambeault and Archambeault (1982: 69) the bureaucratic management model on which Weber's and Fayol's principles of organisation and management are founded, is still implied by most prison authorities.

4.2.3 PRINCIPLES OF THE BUREAUCRATIC MANAGEMENT MODEL

Weber's principles of organisation and Fayol's principles of management form the basis of the bureaucratic management model. These principles are as follows:

Weber's (1964: 236) principles of organisation can be summarised as follows:

- **The organisation's legal authority**

An organisation has the legal authority to determine areas of responsibility in order for the staff to fulfil their duties according to their authority. For example the South African Correctional Services Act 111 of 1998 stated the following section:

*“2. : The purpose of the correctional system is to contribute to maintaining and protecting a just, peaceful and safe society by –
(b) detaining all prisoners in safe custody whilst ensuring their human dignity;.....”*

- **The delegation of authority**

Authority is divided according to the hierarchical structure of the organisation. In doing so control can be exercised from the highest to the lowest levels of functioning. For example the Commissioner of a prison has the authority to detain an offender at any prison. The Commissioner however delegates this power to the Head of the Prison who appoints a correctional official who will be responsible for the admission of offenders.

- **Management through written rules and documents**

The management of organisations takes place through the enforcement of established rules which all staff are compelled to study. The management of subordinates is effected by means of written instructions and warnings. For example prisons make use of Departmental orders and post descriptions to enable staff to fulfil their duties. These orders can be as follows: A-order for personnel, B-order for prison matters, C-order for financial matters and D-order for logistical matters.

- **Training as a managerial requirement**

Thorough training by experts is a prerequisite for efficient management. For example all correctional officials have to undergo a basic training of six months before permanent appointment is possible.

- **Use of full-time managers**

Management is a full-time job, so it must be executed by persons who can devote themselves fully to it. For example area managers are appointed at each prison. An area manager is a correctional official appointed by the Commissioner, and is in charge of all correctional officials who are on the establishment of a management area or office.



Based on Weber’s theory, Henri Fayol (1949:20) formulated the principles of management:

- **Specialisation**

Related tasks are grouped together to promote specialisation and to accomplish greater efficiency. For example provincial commissioners are in charge of all the prisons in the respective provinces of a country. The correctional officials are assigned to perform safe custody and related custodial functions. Other specialised staff includes nurses, educationalists, social workers etcetera.

- **Span of control**

Each supervisor has control over a limited number of subordinates not exceeding the number the supervisor can effectively control and be accountable for. Diagram 1 shows the hierarchy in the correctional services system. The higher the level, the more people that supervisor has control over.

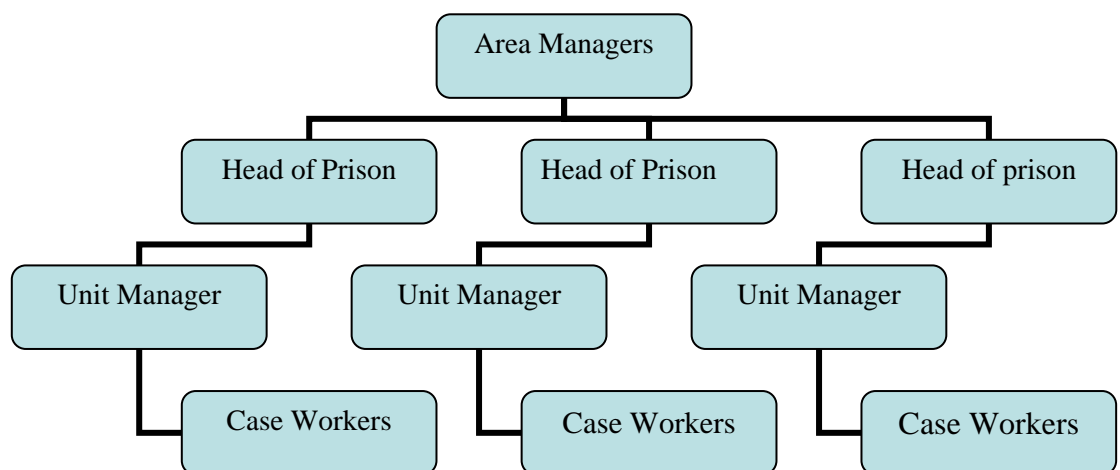


Diagram 1: Span of control

- **Subordination of individual interests**

The individual interests of personnel must never be placed above the interests of the institution.

- **Management and initiative**

Management must motivate personnel to use their own initiative within the set rules. For example a prison must make use of performance bonus and promotion systems in order to motivate personnel.

- **Delegation of authority**

Each member of the institution must be given sufficient authority to execute tasks properly.

- **Sufficient remuneration**

Personnel must receive sufficient remuneration through market-related salaries and compensation for additional services such as working overtime.

- **Team spirit**

The success of an institution depends on the team spirit that exists amongst the workers.

- **Discipline**

For consistent discipline there is a need for prescribed rules and regulations which apply to all in the institution. For example most prison systems have disciplinary systems in place for offenders (example solitary confinement) and for correctional staff (example dismissal).

- **Centralised decision-making and communication channels**

The decisions that will affect the policy of the institution must be taken from a central point of authority. These decisions must be conveyed through standardised channels of communication. For example the highest authority or Head Office makes policy, while lower levels have to implement that policy.

- **Unity of command and levels of supervision**

A subordinate must only be responsible to one supervisor for the tasks delegated to him or her. Institutions where management plays an important role such as a prison will have more levels of supervision than an institution that is production-orientated, such as a factory.

- **Personnel provision, training and utilisation**

Personnel should be given the necessary training and be placed in positions where their skills can be used to the full.

- **Equality**

All the members of an institution must have equal benefits and be treated as equals. For example the conditions of employment are normally the same for all employees and are dictated by legislation. These conditions should also comply with the labour unions.

- **Unity of objectives**

The objectives of the institution must be the direction towards which all the personnel will pursue their activities.

- **Order**

Order must be maintained with regard to procedures, actions and the appearance of personnel.

4.2.4 BUREAUCRACY IN THE PRISON CONTEXT

Archambault and Archambault (1982: 58) stated that the prison authorities believe that the bureaucratic management approach ensures control and permits fewer personnel to be employed in the guarding of a large group of offenders. The following four aspects will be considered in manifesting bureaucratic principles in prison management:

- According to Archambeault and Archambeault (1982: 58) prisons are a punishment-orientated bureaucracy. This is because control is exercised according to bureaucratic principles to create a predominantly coercive climate.
- The principles of bureaucracy are accorded high priority in the attainment of objectives and are enforced in penal institutions by means of rule observance.
- The organisational structures in prisons have a strong military character and the incorporation of ranks increases the bureaucratic powers of prison personnel at different levels of management.
- In the bureaucratic environment of the prison, Henning (1976: 258) differentiates three types of managers namely:
 - a. Bureaucratic managers:** They believe in the principles of classical bureaucracy and have a militaristic management style.
 - b. Idiosyncratic managers:** They give preference to work areas with which they are familiar and they will do anything to achieve their objectives.
 - c. Technocratic managers:** They are regarded as ‘all-knowing’ experts because of their broad knowledge of the activities of the institution.

4.2.5 THE IMPLICATIONS OF BUREAUCRACY

Bureaucracy within the prison can lead to inhumane actions towards offenders and malpractices between offenders and correctional officials. It also has damaging effects on the attitude and performance of correctional officials. With the application of the bureaucratic principles it is required that 'birds of a feather' should be dealt with in the same way. By doing so the individuality of the offender is disregarded.

There are possible consequences of bureaucracy in prisons namely:

- The stigmatisation of offenders. Because of stigmatism and their experience in the prison, many offenders lose the hope that they will ever be accepted as fully-fledged citizens by the community after release.
- The deprivation of autonomy and subsequent adjustment problems in social integration of the offenders.
- The relations between correctional officials and the offenders. Brutality towards offenders often develops from the way correctional officials are expected to act towards offenders, namely to regard them as objects without rights who can even be physically forced to follow the rules.
- The morale and loyalty of the correctional officials. Because of the supervision required to ensure that correctional officials attain the objective of safety, they often feel that all their actions are scrutinised. The result of this is that the correctional officials tend to express their frustrations by aggressive actions towards the offenders.

4.3 CONTEMPORARY OFFENDER ADMINISTRATION

Management approaches which were initially developed in the private sector and adjusted for the public sector were the origin of contemporary offender administration. The following management approaches had a direct influence on offender administration in prisons:

4.3.1 SCIENTIFIC MANAGEMENT

The views of Taylor (1960: 78), who is regarded as the father of scientific management, are increasingly making inroads in modern management, although his ideas were too radical for the early 1900's.

His views are summarised as follows:

- Move away from management that is based merely on authority.
- Make use of scientific principles in management practices and worker activities could eventually lead to increased productivity.
- Emphasise the relationship between personnel and the physical structure of their working environment.
- Utilise personnel according to their abilities and aptitudes to promote specialisation.
- Remunerate personnel according to their productivity.
- A group of experts should do the supervision rather than having one person in charge of a group of subordinates, i.e. unity of command.

4.3.2 HUMANITARIAN BUREAUCRACY

The humanitarian bureaucracy was developed in the 1930's. It had its origin in the "discovery" of people in organisations. The application of the humanitarian bureaucracy was particularly noticeable in the following areas (Behling, 1969: 40):

- The personnel of an organisation were considered to be just as important as the aims of the organisation.
- The abilities of personnel were developed to the maximum by measures such as improved working conditions and the correct placement of personnel.
- Because the needs of personnel were taken into account, productivity increased and the quality of labour outputs improved.

- Various innovations in management practice were developed, such as group courses in conflict-handling, sensitivity training, human relations, group therapy and role play.

However the humanitarian management approach was not received with open arms by the people who supported the classical bureaucratic management approach. It was clear that the pure humanitarian approach would lead to problems such as familiarity and carelessness would develop amongst personnel.

4.3.3 THE SYSTEMS THEORIES

The management core of the systems theory is that an organisation consists of different interdependent components that must be co-ordinated and directed to attain set objectives. During the 1950's and 1960's the systems theories had a great influence on management trends in the public sector. This management approach shifted the emphasis in goals from mere authority and control to goal achievement.

There are three systems theories, namely:

- **POSDCORB:** The acronym stands for planning, organising, staffing, directing, co-ordinating, reporting and budgeting (Archambault & Archambault, 1982: 83). The personnel must know the purpose of their tasks and where they fit into the institution. Methods to do tasks must be demonstrated to personnel and they must be informed about the people and rules that they will be involved with. The circumstances under which the personnel will work must be explained to them.
- **The Programme, Planning and Budget System:** This system was developed from the POSDCORB system. According to this system four components in the management programme are differentiated. In a prison set-up the components refer to the following relevant aspects:
 - i. **Input:** The offender is referred by the courts for custody.

- ii. Process:** This is the process of observation, classification, training and treatment during custody and is directly linked to case management.
 - iii. Output:** This is the offender that is released.
 - iv. Feedback:** An example of this is the reports by social workers assessing the success of re-integration of the released offender into society.
- Zero-Base Budgeting:** The financial implications of planned programmes should also be determined for budgeting purposes. Zero-Base Budgeting can therefore be regarded as a management tool which can be applied in the following seven steps, namely:
 - i.** Important objectives and functions of the company are identified and controlled to eliminate overlapping.
 - ii.** The lowest level at which the company can function is determined.
 - iii.** A zero-base budget is compiled in compliance with the determined lowest level of functioning of the company.
 - iv.** A series of alternative budgets is compiled based on increased services in the institution or by an increase in the number of offenders in custody.
 - v.** The cost-effective budget that provides the company's important priorities is then determined.
 - vi.** After the budget is submitted for consideration the necessity for increased services within divisions must be defended.
 - vii.** At the start of a new budget, the budgetary requirements must be justified on the basis of the spending of the previous year. This takes place annually.

4.3.4 ORGANISATIONAL DEVELOPMENTS THEORIES

According to Duffee (1980: 32) the organisational developments theories developed from the work of Kurt Lewin. These theories had a great influence on management trends within the public sectors during the 1960's and 1970's. These theories required

that the institution be structured around the processes of human interaction in order to attain stated objectives most efficiently. According to the National Advisory Commission Report on Criminal Justice Standards and Goals (1973: 332) prisons work with 'people' as 'raw materials' and their 'products' are the 'conduct' of the offenders who are released.

The organisational development theory '*management by objectives*' had the greatest impact on the management of prison institutions. Management by objectives is based on the following suppositions (McConkie, 1975: 34):

- When people understand *what* they are *doing*, *why* they are doing it and what *results* can be expected, then they will work at their best.
- People exercise initiative with and control over work that is entrusted to them personally.
- The involvement of people in their work is heightened and they can identify themselves with the set objectives when they participate in the determination of these objectives.

According to Archambault and Archambault (1982: 93) the management of objectives can only succeed if:

- The supervisors are approachable and able to accept criticism by subordinates.
- The supervisors are prepared to share authority without abandoning it and are sensitive to change.
- The structure of authority in the institution is adaptable enough to accommodate change.

However there is no consensus between penologists about the possibility of applying management by objectives in prison institutions. The assumption is that offenders are responsible and disciplined human beings and therefore their participation in organisational activities is necessary and desirable. Archambeault and Archambeault (1982: 92) disagree with this assumption and state that many offenders are in prison because they lack discipline and a sense of responsibility. Therefore the participation of offenders should be treated with great circumspect.

4.3.5 UNIT MANAGEMENT

Chapter two of this study gave a thorough discussion on unit management, therefore it is only mentioned in this chapter as it forms part of contemporary prison management. Decentralised management can be described as the management of divisions or sections in prisons as independent units. A 'permanent' team of personnel manage an offender unit of anything from ten to seventy prisoners. Unit management offers the correctional official the opportunity to improve the living conditions of offenders by the establishment of a safe and humane environment. Provision should be made for opportunities for consultation, education and training programmes, in other words case management.

4.4 GENERAL PRISON MANAGEMENT

Fayol was the first to identify the management functions, namely planning, organisation, command and control as central to the management process. Allen (1964: 67) defined a management function as a group of related types of management activities that have common qualities derived from the essential nature of the work that is done. These functions of management have a logical sequence that form an integrated whole. There is a differentiation between the various management functions, namely:

- Planning and organisation form the **mechanics** of management,
- Command and control form the **dynamics** of management.

De Villiers (1982: 11) draws this distinction between the mechanics and dynamics of management. The mechanics of management are related to certain prerequisites which must be fulfilled before the use of resources can be efficient, while the dynamics of management refer to the people who do the work.



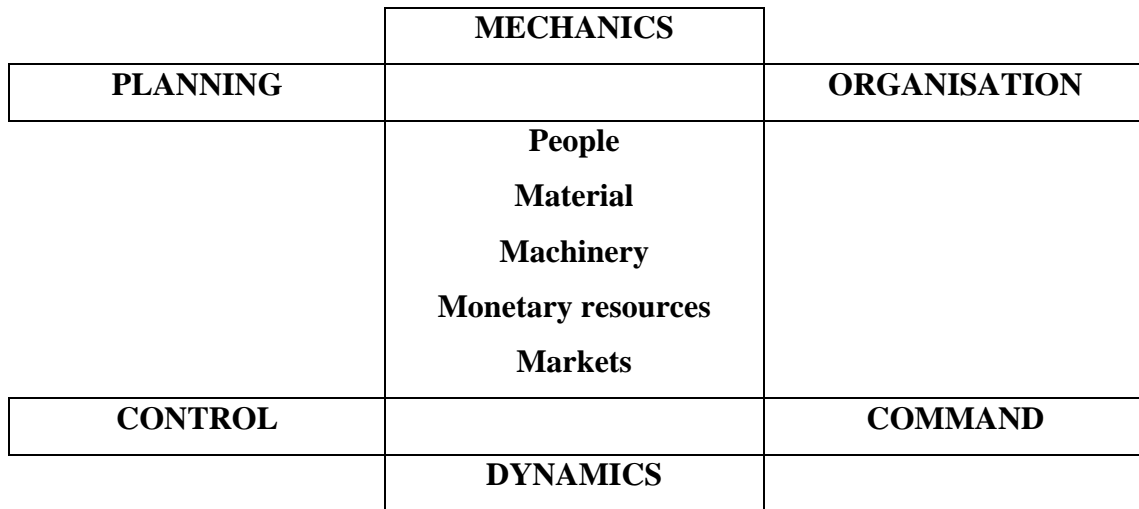


Figure 10: The management process

All the management functions illustrated in figure 10 are directed towards the realisation of the aims and objectives of an organisation.

4.4.1 PLANNING

Kroon (1986: 5) describes planning as the careful development of aims and objectives which are subjected to time constraints. Planning also entails considering the resources and activities involved, as well as drawing up a plan of action for the effective realisation of the envisaged aims and objectives.

Accordingly, the following deductions can be made about planning (Kroon, 1986: 111; Naser, 1997: 97):

- Planning is anticipating the future.
- It requires the setting of long-term objectives.
- It is directed at promoting the effective utilisation of resources.
- It requires the setting of short-term aims.
- Planning requires decision-making on the most suitable action to attain an objective or aim.
- Planning ends when a determined aim or objective has been attained.
- It is carried out according to a systematic process.

Planning forms part of the daily activities in case management. The whole sentence of an offender depends on the planning that is done beforehand by the case manager and the offender. The planning is not done solely by the case manager or the offender but in working together they can achieve a meaningful case plan.

4.4.2 ORGANISING

Marx and Gouws (1983: 62) describe organising as “the management task which concerns itself with the arrangement of the activities and resources of the organisation by allocating duties, responsibilities and authority to persons and divisions”.

According to the above description, organisational activity includes the following activities:

- **Development of organisational structure:** this includes the arrangement of activities and resources.
- **Delegation:** this includes the allocation of duties, responsibilities and authority to persons and divisions.
- **Development of relationships (co-ordination):** this is about forming of relationships in order to promote co-operation to make the systematic execution of the work possible.

In the case management process the case manager takes over the role of organising the case plan of an offender. All activities in the case file of the offender are organised by the case manager. Duties and responsibilities are delegated to responsible persons. Organising is a skill that should be part of the correctional official's work in a case management environment.

4.4.3 COMMAND

De Villiers (1982: 64) describes command as the core of the management process and according to him the task of command is to bring into action, provide the motivation and ensure the execution. To achieve this, an interrelationship between the activities of command, i.e. leadership and motivation, is required.

• **LEADERSHIP**

There are two aspects of leadership behaviour: people-orientated leadership and task-orientated leadership.

Table 4: The two types of leadership styles

PEOPLE-ORIENTATED	TASK-ORIENTATED
<ul style="list-style-type: none"> • The leader finds time to listen to subordinates 	<ul style="list-style-type: none"> • The leader schedules the work to be done.
<ul style="list-style-type: none"> • The leader is willing to implement changes. 	<ul style="list-style-type: none"> • The leader assigns a task to a particular employee.
<ul style="list-style-type: none"> • The leader takes an interest in the personal welfare of subordinates. 	<ul style="list-style-type: none"> • The leader maintains definite standards of performance.
<ul style="list-style-type: none"> • The leader is friendly and approachable. 	<ul style="list-style-type: none"> • The leader asks the group members to follow standard rules and regulations.

Source: Bedeian & Glueck (1983: 499)

Considering the tasks of the correctional official as a case manager both these styles of leadership are applicable. Dealing with an offender requires the people-orientated style of leadership, while compiling the case file of the offender requires a task-orientated kind of leadership.

• **MOTIVATION**

Motivation refers to the behaviour in which a person does something because he or she has a motive to do it. According to Nesor (1997: 127) motivation consists of three characteristic qualities, namely:

- i. It is the result of a need that is felt.
- ii. It results in behaviour and also sustains behaviour.
- iii. It is directed at a goal.

Bedeian & Glueck (1983: 134) describe motivation as follows, “*Motivation is therefore firstly the trigger that impels the person to action. Secondly, it is the incentive that channels behaviour in a specific direction which moves toward the fulfilment of an identified need. Thirdly, it persists until satisfaction occurs.*”

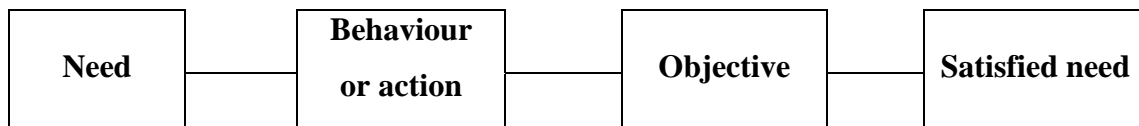


Figure 11: A general model for motivation

Source: Flippo & Munsinger, 1982: 310

Not only should the correctional officials be motivated, but in order for the case management process to succeed, the offender must have the necessary motivation as well. The correctional official must act as a motivator by urging the offender to participate in his or her sentence management.

4.4.4 CONTROL

The task of every manager, from the highest to the lowest level, is to control. According to Bedeian & Glueck (1983: 610) control can be defined as the process that ensures the attainment of the objectives of the firm as well as the efficient use of resources. The first objective of control is to make sure that activities are executed according to plan and that objectives are reached. The second objective is the

provision of information that can be used during the revision of objectives. Therefore there is a close connection between control and planning. Kroon (1986: 562) indicates that during *planning* objectives and actions are formulated and *control* makes sure that those actions take place in accordance with the set plans and that those objectives are optimally striven for.

The case manager takes control of the whole case management process and makes sure that the set objectives are reached. In the situation of the case worker not only is the planning of the sentence is important as well as persuading or motivating the offender to take part in the whole process. It is therefore clear that general management and its components form a very important part of case management and in order for a correctional official to succeed in the case management process, a sound knowledge of management in the general is needed.

4.4.5 GENERAL PRINCIPLES OF MANAGEMENT

Pugh (1984:135) stated that the general principles of management as outlined by Fayol are still seen as important today. Certo (1985:34) who describes Fayol as the father of the administrative theory, emphasised this statement. The general principles of management are present in the day to day management of prisons worldwide.

The fourteen principles are summarised below (Luyt, 1999: 29):

- i. Division of labour:** The aim is to produce more and better work with the same effort. Specialising promotes accuracy, skill and confidence.
- ii. Responsibility and authority:** This is seen as two sides of the same coin. The meaning of responsibility is accountability and the meaning of authority is the right to give orders and the power to exact obedience.
- iii. Discipline:** This is essential in the normal running of any institution.
- iv. Unity of command:** This implies the receiving of orders from only one person, because dual command can be a source of conflict.
- v. Unity of direction:** A group of activities must have the same objective.

- vi. Individual interests are subordinate to general interests:** The interests of the institution as a whole should take priority.
- vii. Remuneration of personnel:** Remuneration should be fair in consideration of services rendered, cost of living and general business conditions.
- viii. Centralisation or decentralisation:** This decision must be taken according to the highest productivity.
- ix. The chain of supervision:** This should work from the top to the bottom. The higher the level the more authority should be granted.
- x. Social order and material order:** Every person and item should have an appointed place in the institution.
- xi. Fair and equal treatment:** Employees of an institution should be treated fair and equally.
- xii. High stability and low staff turnover:** Retaining of good employees should be a high priority for a manager.
- xiii. Freedom to initiate, propose and execute:** Employees should be given the freedom to initiate, propose and execute ideas.
- xiv. Esprit de Corps:** The management should be free to promote a good team spirit and in so doing prevent conflict among subordinates.

4.5 INTERNATIONAL GUIDING PRINCIPLES FOR OFFENDER ADMINISTRATION

The philosophy of case management is based on the human rights of the offender as well as on legal principles. Throughout prison history, human dignity and humane treatment of offenders have always been low priorities. Since the adoption of the Universal Declaration of Human Rights in 1948 and the Standard Minimum Rules for the Treatment of Offenders in 1955, international bodies, such as the United Nations and Prison Reform International, have been campaigning to ensure more dignified treatment of offenders.

Various international instruments influence offender administration. Many of these came about through the intervention of the United Nations, although various

individual countries also promoted effective offender administration within their own systems. The aspects mentioned below are important in terms of effective offender administration.

4.5.1 THE STANDARD MINIMUM RULES FOR THE ADMINISTRATION OF JUVENILE JUSTICE

In November 1985, the United Nations adopted the Standard Minimum Rules for the Administration of Juvenile Justice, also known as the “Beijing Rules”. These rules represent the minimum conditions for the treatment of juveniles who come into conflict with the law. As in the case with the Standard Minimum Rules for the Treatment of the Offender, certain areas of the “Beijing Rules” are linked to case management and unit management. According to Luyt (Bruyns, Jonker & Luyt, 2000: 374) the areas of the “Beijing Rules” that are linked to case management can be illustrated as follows:

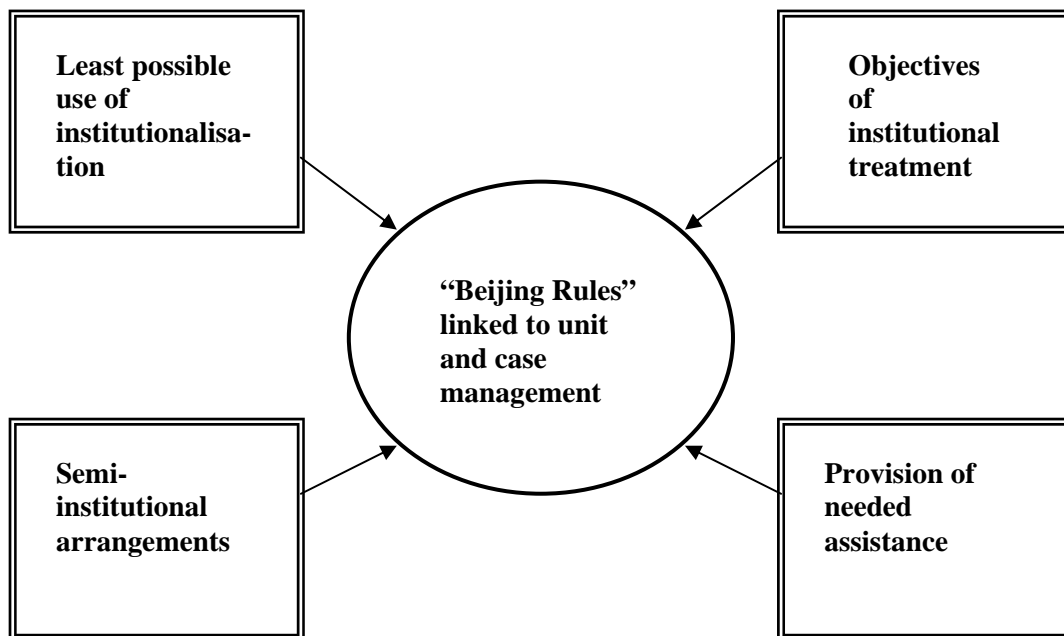


Figure 12: The “Beijing Rules” linked to case management and unit management

4.5.1.1 OBJECTIVES OF INSTITUTIONAL TREATMENT

The following can be derived from the above mentioned “Beijing Rule”. The objective of institutionalisation is to assist juveniles to take on socially constructive and productive roles in the community. While the juveniles are in an institution they should receive social, educational, vocational, psychological, medical and physical assistance. Specific reference is made to the problems and needs of juvenile female offenders who should receive the same care and assistance as their male counterparts. Inter-ministerial and interdepartmental co-operation is encouraged for the purpose of providing sufficient academic or vocational training to institutionalised juveniles in order that they do not leave the institution at an educational disadvantage. Case management fulfils the need of this particular “Beijing Rule” by providing adequate institutional training.

4.5.1.2 PROVISION OF NECESSARY ASSISTANCE

The Rule is quoted as follows: *“Efforts shall be made to provide necessary assistance, such as lodging, education, vocational training and employment, to facilitate the rehabilitation process. Help from volunteers shall also be sought”.*

The case management mission is to rehabilitate the offender by means of the necessary education, training and providing of life skills. Volunteers are drawn into the rehabilitation process because they can also help to facilitate the rehabilitation process through case management. Making use of non-custodial influences such as volunteers, regular leave to visit family members, cultural programmes and decorating living areas should form part of the sentence plan of a juvenile.

4.5.1.3 SEMI-INSTITUTIONAL ARRANGEMENTS

According to the “Beijing Rule” semi-institutional arrangements such as educational homes and daytime training centres should be established to assist juveniles in their reintegration into society. In the sentence plan of each juvenile offender visits to daytime centres can be incorporated. Everything possible to promote the

rehabilitation of juveniles should be done through careful planning and sentence management.

The differences between life inside and outside the institution need to be minimised in order to enhance the respect due to the dignity of the juvenile offender as a human being.

4.5.1.4 LEAST POSSIBLE USE OF INSTITUTIONALISATION

The particular “Beijing Rule” is quoted as follows: *“The placement of a juvenile in an institution shall always be a disposition of last resort and for the minimum necessary period”*.

Case management must be in line with the level of development of every juvenile. The staff who work with juveniles are very important and therefore the selection of staff should be done with great care. Role-modelling and positive interaction are invaluable when staff is in contact with delinquent juveniles. Through case management, juveniles can be placed in the most appropriate environment to fulfil their needs. Programmes can be presented more easily and more specifically.

4.5.2 THE STANDARD MINIMUM RULES FOR THE TREATMENT OF OFFENDERS

The Standard Minimum Rules for the Treatment of Offenders were compiled in Geneva in 1955 (United Nations, 1992: 95). These rules have laid the foundation for positive interaction with offenders. In the terms of case management, the Standard Minimum Rules have more meaning in some areas than others. The following figure summarizes the various articles of the Standard Minimum Rules that could be linked directly to unit management and more specifically to case management: (Bruyns, Jonker & Luyt, 2000: 369)

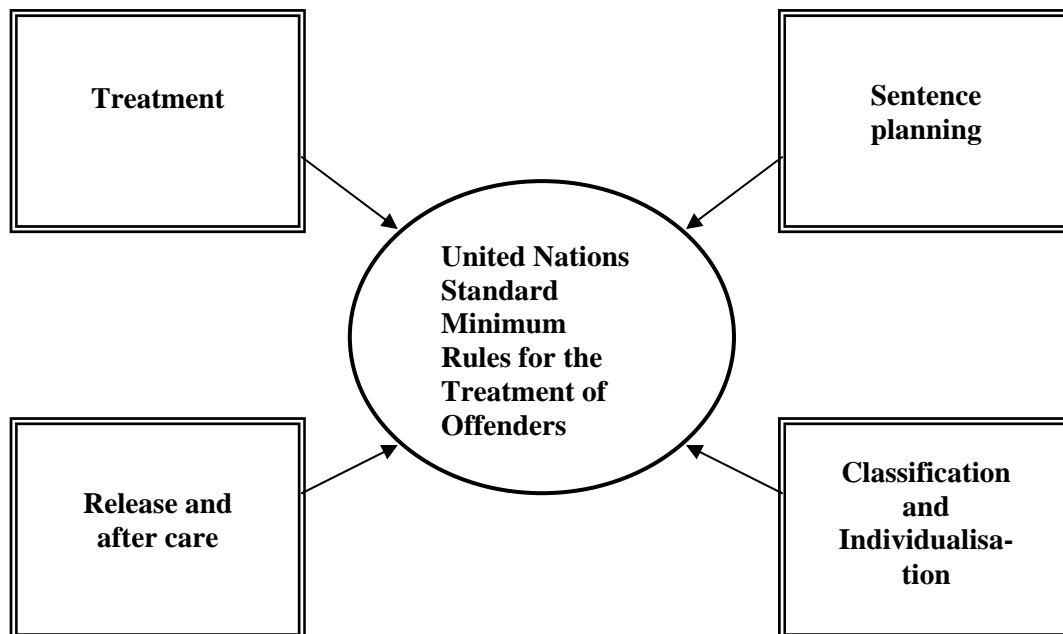


Figure 13: Standard Minimum Rules linked to case management

4.5.2.1 TREATMENT

Articles 65 and 66 of the Standard Minimum Rules for the Treatment of Prisoners (United Nations, 1955: 21) clearly state that offenders should receive treatment in various ways for various purposes.

The articles read as follows:

Article 65: *“The treatment of persons sentenced to imprisonment or a similar measure shall have its purpose, so far as the length of the sentence permits, to establish in them the will to lead law-abiding and self-supporting lives after their release and to fit them to do so. The treatment shall be such as will encourage their self-respect and develop their sense of responsibility.”*

Article 66 (1): *“To these ends, all appropriate means shall be used, including religious care in the countries where this is possible, education, vocational guidance and training, social case work, employment counselling, physical development and strengthening of moral character, in accordance with the individual needs of each prisoner, taking account of his social and criminal history, his physical and mental*

capacities and aptitudes, his personal temperament, the length of his sentence and his prospects after release.”

Article 66(2): *“For every prisoner with a sentence of suitable length, the director shall receive, as soon as possible after his admission, full reports on all the matters referred to in the foregoing paragraph. Such reports shall always include a report by a medical officer, wherever possible qualified in psychiatry, on the physical and mental condition of the prisoner.”*

Article 66(3): *“The reports and other relevant documents shall be placed in an individual file. This file shall be kept up to date and classified in such a way that it can be consulted by the responsible personnel whenever the need arises.”*

It is clear that case management fulfils the requirements of these articles. The treatment of various categories of offenders with a sentence of a suitable length is one of the core features of case management. The function of keeping a case file on each offender is described in article 66(3) which is a fundamental activity in case management.

Offender administration fulfils many needs. The first responsibility of correctional regimes is to protect society and to promote the well-being and development of all members of society (United Nations, 1990:2). In doing so, the correctional system shall comprise treatment of offenders with the aim to bring about social reformation (United Nations, 1966:4). This means that correctional regimes should aim at eventually releasing a person willing and able to lead a law-abiding and self-supporting life (United Nations, 1955:19).

4.5.2.2 CLASSIFICATION AND INDIVIDUALISATION

This process starts with the all-important classification of offenders. Article 67 of the Standard Minimum Rules for the Treatment of Prisoners (United Nations, 1955: 22) describes the classification of offenders as follows:

Article 67: *“The purpose of classification shall be:*

(a): To separate from others those prisoners who, by reason of their criminal records or bad characters, are likely to exercise a bad influence;

(b): To divide the prisoners into classes in order to facilitate their treatment with a view to their social rehabilitation.”

According to Article 63 of the Standard Minimum Rules for the Treatment of Prisoners (United Nations, 1955:21) classification of offenders should be done through a flexible system that allows for the individualisation of treatment.

Article 63 reads as follows:

Article 63(1): *“The fulfilment of the guiding principles requires individualisation of treatment and for this purpose a flexible system of classifying prisoners in groups; it is therefore desirable that such groups should be distributed in separate institutions suitable for the treatment of each group.”*

Article 63(2): *“These institutions need to provide the same degree of security for every group. It is desirable to provide varying degrees of security according to the needs of different groups. Open institutions, by the very fact that they provide no physical security against escape but rely on the self-discipline of the inmates, provide the conditions most favourable to rehabilitation for carefully selected prisoners.”*

Article 63(3): *“It is desirable that the number of prisoners in closed institutions should not be so large that the individualisation of treatment is hindered. In some countries it is considered that the population of such institutions should not exceed five hundred. In open institutions the population should be as small as possible.”*

Article 63(4): *“On the other hand, it is undesirable to maintain prisons which are so small that proper facilities cannot be provided.”*

For effective case management, institutions should not be so large that effective offender administration is hampered. In contrast, one should avoid institutions that are so small that proper facilities can not be provided. Offenders should have a suitable length of sentence to obtain maximum benefits from case management. In

addition, it would be ideal to divide offenders into classes to enhance case management. Although security considerations should be important in terms of separation, Article 68 of the Standard Minimum Rules (United Nations, 1955:22) pleads for the enhancement of treatment and development through utilising separate institutions or sections within an institution.

Article 68: *“So far as possible separate institutions or separate sections of an institution shall be used for the treatment of the different classes of prisoners.”*

4.5.2.3 SENTENCE PLANNING

In terms of Article 69 of the Standard Minimum Rules (United Nations, 1955:23) a programme of treatment (sentence plan) has to be prepared to address individual needs, capacities and dispositions.

Article 69: *“As soon as possible after admission and after a study of the personality of each prisoner with a sentence of suitable length, a programme of treatment shall be prepared for him in the light of the knowledge obtained about his individual needs, his capacities and dispositions.”*

Institutions should utilise all remedial, educational, moral, spiritual and other resources to execute the sentence plan to the full. Constitutional and other dictates, such as the right to education, have to be taken into consideration. Social relations and maintenance of the sentence plan throughout the duration of the sentence are of utmost importance for successful case management.

4.5.2.4 RELEASE AND AFTER-CARE

Most correctional systems today make provision for conditional release. In some countries, aspects such as poverty contribute to the limitation of conditional releases, due to a lack of fixed addresses and employment. In terms of Article 60 of the

Standard Minimum Rules (United Nations, 1955:20) pre-release planning should be incorporated into sentence plans.

Article 60 reads as follows:

Article 60(1): *“The regime of the institution should seek to minimize any differences between prison life and life at liberty which tend to lessen the responsibility of the prisoners or the respect due to their dignity as human beings.”*

Article 60(2): *“Before the completion of the sentence, it is desirable that the necessary steps be taken to ensure for the prisoner a gradual return to life in society. This aim may be achieved, depending on the case, by a pre-release regime organised in the same institution or in another appropriate institution, or by release on trial under some kind of supervision which must not be entrusted to the police but should be combined with effective social aid.”*

However, in cases of conditional release, case management should continue beyond release from a correctional facility and should continue in the community.

4.6 OFFENDER ADMINISTRATION IN CORRECTIONAL SYSTEMS

When studying international criminal justice systems, more can be learned about the international character of the modern crime scene. From a theoretical point of view, discussions in this chapter will focus on the position of case management within the criminal justice system in Australia, Canada, United States of America and the United Kingdom. All these countries operate prisons along the lines of unit management and offender administration according to case management.

4.6.1 AUSTRALIA

Australia is the only country in the world where the population was established by means of a penal colony. The final structure of the Australian criminal justice system was influenced by this historical heritage. Each of the six states in Australia is responsible for its own criminal justice system and criminal law. Reichel (1994: 278)

stated that the correctional service system is entirely the responsibility of these six states. Therefore there is limited involvement on federal level in the criminal justice system of each state. There are nearly eighty (80) prisons in Australia of which the most (21) are in New South Wales and the least (3) are on the Island State of Tasmania. It is difficult to describe the management of the Australian correctional system because of the decentralisation at state level and the amount of autonomy each state has.

Offender administration in Australia will therefore be discussed against the background of the corrective system of New South Wales. The latter system is the oldest and biggest in Australia and is a leading role player in terms of case management implementation within the region.

Transportation of convicted persons to Australia started in 1784, turning the whole vast country into one big prison. The early convicts worked during the day and were housed in huts at night. In 1797 the first Sydney gaol, or prison, was built. It only served as secure accommodation for the convicts. Transportation to New South Wales stopped in 1852, but the way in which offenders were managed paved the way for the centralisation of prison control (Tomasic & Dobinson, 1979: 10).

In 1840, Alexander Maconochie was appointed superintendent of the Norfolk Island prison in Australia. From the discussion to follow one could perhaps derive that Maconochie introduced what is today described as case management. However, such a conclusion will be an over-simplification of developments in and outside prisons since 1840. Nevertheless, Maconochie carried out some of the most far-reaching penal experiments of the time.

Central to the point of departure of Maconochie was the belief that, as he put it, the criminal must be treated (Tomasic & Dobinson, 1979: 9). In addition, Eriksson (1976: 83) reported that the aim of the treatment was to restore the criminal to society after he had undergone his punishment. Within this framework he introduced the task system according to which each offender was allotted a specific task while in prison. Completion of the work was rewarded by marks, which were accumulated to receive

more privileges. The third stage of the privilege system made the offender eligible for release. This also became the foundation for parole (Tomasic & Dobinson, 1979: 9).

In the period up to the mid 1960's Australian prisons were very much aligned with the rest of the world. Prisons were managed according to relatively simple principles. The authority of an officer was clear and not to be questioned. Prison life was regimented and offender rights did not receive any discussion at all. Prisoners were called by their number, they were allowed very little personal property, no physical contact was allowed during visits and the writing of letters was under strict control. Maintaining order and discipline was high on the agenda (Grant, 1988: 1).

After the Bathurst Gaol was burnt down in riots during 1974, the Nagle Royal Commission was appointed and various changes were introduced into the prison system. Offender rights received more recognition. After 1984 censoring of mail ceased and offender programmes were developed. However, Grant (1988: 4) pointed out that there was no model for managing offenders who received extensive rights but no appropriate training. This has led to a redefined offender role, but the role of officers was not aligned accordingly.

In 1997 an Independent Commission Against Corruption investigated various aspects, including a review of case management and the implementation of a revised case management system. Since 1999/2000, case management has become more effectively in New South Wales with the implementation of Throughcare. Throughcare aims to co-ordinate all areas of the New South Wales Department of Corrective Service in providing services that reduce offending attitudes and behaviour before, during and after custody. Throughcare changes the planning for programmes and services dramatically, as offender services and program planning now form part of the business plans of regions (NSW Department of Corrective Service, 2000: 9).

Case management in New South Wales is described as the process to individually monitor and assist in the reform and welfare of offenders. It is seen as the cornerstone of offender management and is defined as *“a collaborative, multi-disciplinary process that assesses, plans, implements, co-ordinates, monitors and evaluates options and*

services to meet an individual's needs" (NSW Department of Corrective Service, 2001: 9).

Initial case plans are developed for each offender coming into the corrective system on arrival at the reception centre. The case plan is developed with inputs from classification staff, offender services and programme staff, custodial staff and the offender. It determines security classification, placement, management plan and programme interventions. The case plan is reviewed every six months (NSW Department of Corrective Service, 2000: 9).

The next development in case management in New South Wales is the introduction of participation in external leave programmes to include the Probation and Parole Management System into case management. This will enhance the case management practice and the implementation of Throughcare. Participation in external leave programmes will be limited to selected offenders who are due to return to community life (NSW Department of Corrective Service, 2000: 9).

It is remarkable that Australia has developed into a very successful nation that excels in many aspects given its unpromising start.

4.6.2 CANADA

Traditional offender administration in Canada started during the Colonial period (1849-1870), when the criminal justice system emerged on the Canadian west coast, or the present day province of British Columbia. In terms of the Royal Charter, sanctions could be imposed to assure good government, as long as these sanctions were in line with the laws of England (Doherty & Ekstedt, Undated: 2).

After some developments, the Prison Report of 1892 underlined the importance of respect for authority in maintaining prison discipline. Behaviour was controlled and restricted with rules like strict silence in cells (Doherty & Ekstedt, Undated: 39). Twenty-three clauses dealt with offences such as disobedience, common assaults, using profane language, behaviour or language towards officers or other prisoners, idleness or neglect at work, refusal to keep himself or cells clean, wilfully destroying

property or any subordination of any sort. People in detention were viewed as insolent, idle, negligent and disrespectful (Doherty & Ekstedt, Undated: 39).

Canada started to struggle with overcrowding in the prison system by 1923. As part of a solution to overcrowding, 1923 saw a major development regarding incarceration, namely the separation of female and male offenders. For the first time in the history of British Columbia fourteen female offenders were transferred to Vernon (Doherty & Ekstedt, Undated: 55). In terms of case management, this was a major development.

Cohen (1985:14) pointed out that a transition in North American corrections policy occurred during the 20th century. Canada shifted from a punitive model to a treatment model after recommendations by the Royal Commission on Penal System of Canada. Although the Archambault Report was issued in 1938, principles of treatment and rehabilitation were only introduced in the 1950s. However, changes did not proceed rapidly due to overcrowding and a lack of programming (Doherty & Ekstedt, Undated: 78).

After the rehabilitation era, Canadian Corrections experienced the reintegration era (1970-1978) and the reparation era (1979-1988). Since then a new focus was placed on the institutions themselves. This era included attention to reception, classification, standards of practice, sentence management and the development of specific institutions (Doherty & Ekstedt, Undated: 179). Today, Canada uses case management to plan and execute the sentence of offenders.

In Canada case management is a continuous process that starts with entry into the system, extending through the period of detention to supervision after release (Cunningham & Griffiths, 1997: 263). The process starts off with classification after an offender is sentenced. Through classification it is determined in which prison the sentence will be served and what programme opportunities the offender will have.

The case management team is responsible for co-ordinating all administration related to managing the sentence of an offender. Case management officers conduct regular interviews with offenders, starting during intake. After release on parole, case management continues through the services of a parole officer. Case management

tools include determining the risk and needs of the offender, as well as establishing readiness to be transferred to a lower level of security (Cunningham & Griffiths, 1997: 263).

Apart from general administrative aspects, case management includes exposure to treatment programmes offered by federal and some provincial authorities. However, in many cases sentences in provincial prisons are too short to ensure meaningful intervention, although treatment programmes are available. Treatment programmes include education, living skills, sex offender programmes and family violence programmes (Cunningham & Griffiths, 1997: 264).

4.6.3 UNITED STATES OF AMERICA

In America many facilities have claimed to be the first prison in the American colonies. However, according to Reichel (2001: 71) early American facilities cannot be called prisons in the same sense as they are called today. Those old prison facilities were under local jurisdiction and incarcerated both convicted and unconvicted persons. The local jurisdiction status and population made the facilities more like the modern day American jails, rather than prisons. In 1630 the Massachusetts Bay Colony was established by English settlers. After about two years, time, the colony's General Court decided that Boston needed a house of correction. These early jails had various functions, namely the housing of prisoners of war and political prisoners. A non-criminal role of these jails was the confining of people who had not paid a debt, taxes, fines or court costs. The Boston House of Correction dates back to 1630 and is said to be the first such facility in the United States (Reichel, 2001: 72).

In 1776 the Walnut Street jail opened as the first place to house offenders in dormitories rather than single cells. Petty offenders and debtors were housed in one part of the prison and more serious offenders awaiting trial or sentence were housed in the other. Males and females were housed together and various malpractices were reported (Reichel, 2001: 73).

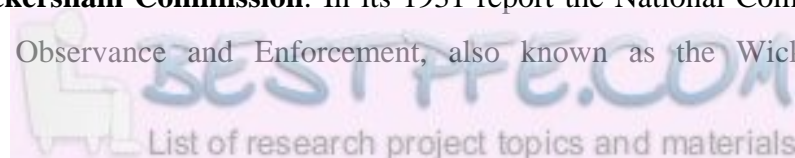
The penitentiary era started in the early 1800's and continued until round about 1860, during which time the merits of two competing penal systems were debated. On the one hand the Pennsylvania system emphasised separation and complete isolation of offenders during the day and at night. Although the opposing Auburn system agreed to silence amongst offenders, the essential difference between the two systems was that the latter supported the idea of offenders working together during the day. The Auburn system ended up as the preferred system in most of the American states (Reichel, 2001: 90).

The penitentiary era was followed by the reformatory era, ranging from the 1860's to the 1900's. Many ideas from Europe and particularly from the Irish prison system were implemented. These developments included indeterminate sentences, the mark system and early release from prison (Reichel, 2001: 90). One could argue that these procedures became the fore-runners of modern probation and parole.

Although labour has played a major part in American prisons since the early days, the 1900's to 1930's are known as the industrial era. During the industrial era the focus moved from labour to benefit the state to labour that would benefit the offender. Dramatic changes were experienced in the form of labour used, the profitability of labour and the purpose of labour. One of the biggest challenges was to employ convicts without unduly competing with labour outside penal institutions (Reichel, 2001:95).

The rehabilitation era started in the 1930's and would continue until the 1970's. Several agencies played a role in promoting the rehabilitation era. These progressive role players included the following (Reichel, 2001: 110):

- **American Prison Association:** The annual congresses held by the American Prison Association during the 1930s played a very important role in propelling United States prisons into the rehabilitation era.
- **The Wickersham Commission:** In its 1931 report the National Commission on Law Observance and Enforcement, also known as the Wickersham



Commission, confirmed offender complaints by the means of documents on the idleness of offenders in almost all state prisons. The Commission did not only provide complaints, but they argued that the crime problem could and should be responded to by rehabilitating the criminal.

- **The Federal Bureau of Prisons:** The federal government was clearly in the lead position when it came to implementing new prison methods such as rehabilitation during the 1930s. The Federal Bureau of Prisons established a training school for correctional officials upgrading educational, disciplinary and industrial programmes and also implementing an inclusive classification programme.

The rehabilitation era was built on the medical model that viewed criminals as persons who are ill and need treatment. The medical model was followed where offender intervention strategies were decided upon after examination and diagnosis, normally followed by treatment (Austin & Irwin, 2001:92). The medical model was discussed in full in chapter two of this study.

Since the 1970's America experienced the retributive era in the correctional domain. More and more voices criticised rehabilitation. In 1976 Von Hirsch (1976: 47) argued that offenders gain unfairly from other citizens because they cannot constrain their own behaviour. Social events (assassinations of John F Kennedy, Robert Kennedy and Martin Luther King during the 1960's), political events (crime as a social problem) and academic events (social science studies criticising treatment of offenders) supported the move away from the rehabilitation era towards the retributive era. Aspects that impacted the retributive era included just deserts and deterrence. Today, the retributive era is still continuing and even though it does not actively promote rehabilitation, it does not prevent it from occurring (Reichel, 2001: 121). The criminal justice system of the United States of America adopted a system called the "three strikes and you're out" movement. According to Austin (2001: 195) as of 1996, twenty four states and the Congress had adopted some form of the three strikes legislation. There are variations amongst the states in how they decided the rules of the three strikes game.

In terms of what constitutes a strike, most of the states included the following list of “strikeable” offences. Violent offences such as:

- murder;
- rape;
- robbery;
- arson; and
- assaults.

Different numbers of strikes are required to be ‘out’ in the different states. It varies from two, to three and four strikes, although three strikes are the most common. The state of California is unique in the sense that it allows for any felony conviction for any felony crime to be counted if the offender has a prior initial conviction for its list of strikeable crimes. The laws of each state also differ regarding the length of imprisonment that is imposed when the offender “strikes out”. However most of the laws are designed to incapacitate the offender for a very long period of time.

The use of case management came about through unit management in American prisons. Unit management, in turn, originated because of many independent developments in particularly the Federal Bureau of Prisons. The Federal Bureau of Prisons was established in 1930 due to a rise in transgressions of Federal laws (Reichel, 2001: 111).

According to Levinson (1999: 7) unit management developed over a period of time, but was introduced in Federal prisons in 1988 to fulfil some vital functions, namely:

- Proper classification to promote institution and public safety
- Evaluation of offender needs and appropriate recommendations for programmes to meet the identified needs
- Making staff accessible to offenders
- Ensuring proper staff training, and
- Ensuring quality case management and unit operations

With the policy of retribution still having controlling influence in American prisons in the twenty-first century (Reichel, 2001: 122), one wonders if case management will

receive even more emphasis against the background of a global swing in the direction of restorative justice. A discussion on restorative justice will follow at 4.8 of this chapter.

4.6.4 UNITED KINGDOM

The United Kingdom as a region comprises more than one prison jurisdiction namely England, Wales, Scotland and Ireland. Only England will be discussed. According to Thomas and Pooley (1980: 18) the English prison system is a very traditional organisation where a normative order (or a way of behaving) has developed over the last hundred years. The central component of this normative order is an emphasis on order and discipline for both offender and staff.

Through the years England has tried to reform her prison system. Laws were passed to ensure that prisons were kept clean, offenders were being looked after and that doctors were appointed. Nevertheless, ill-treatment is well documented to include beating of offenders, detention after being acquitted, sexual abuse and even murder (Thomas & Pooley, 1980: 20). Some cruel practices ceased when the management of prisons was transferred from local level to central government level in terms of the 1877 Prison Act. This centralisation brought advantages for offenders, but the system was not free of trouble.

The Gladstone Committee was requested to report on the administration of prisons and the treatment and classification of offenders, in 1894. The Gladstone Report of 1895 brought about radical changes in prison policy (Coyle, 1994: 149). The report included the famous dictum: “.....we start from the principle that prison treatment should have as its primary and concurrent objects, deterrence and reformation.” The most important recommendation was that reform should take place alongside deterrence. This paved the way for fifty years of attempts to make English prisons less unpleasant. Obvious repressive features of the Victorian system started to disappear after 1900. From 1920 to 1930 many reforms were initiated, like abolition of the “crop” haircut, better education and the appointment of specialists such as psychologists (Thomas & Pooley, 1980: 24). The introduction of privileges assisted

in obtaining good offender behaviour. By 1950 the English prison system became a model to be studied in other parts of the world.

During the early 1960's the offender population changed completely. This was the result of the partial abolition of the death penalty. The death penalty was abolished completely during 1967. For the first time the system had to cope with persons who had no chance of being released. Today they are commonly known as lifers. Lifers were not interested in the incentives ensuring good behaviour that existed at the time. In the mean time, the offender population grew to the point where the centralised system could not be managed effectively from London anymore. The system increased not only in size, but also in complexity, which has led to regionalisation with the establishment of four regional offices (Thomas & Pooley, 1980: 33).

The prison system underwent thorough scrutiny after riots broke out in various prisons during 1990. This has led to an inquiry by Lord Justice Woolf, who published his report in February 1991. It is important to know that Woolf was not a committee of inquiry. He was a judge who conducted a departmental inquiry, in other words, a judicial inquiry. Lord Justice Woolf alone was responsible for the first part of the report (Coyle, 1994: 157). This part examined in detail the disturbances at six penal institutions. In September 1991 the Government White Paper, Custody, Care and Justice: The Way Ahead for the Prison Service in England and Wales was published (Her Majesty's Chief Inspector of Prisons for England and Wales, 1993: 3).

The following recommendations of the Woolf Report had a fundamental influence on case management:

- Increased delegation of responsibility
- An enhanced role for prison officers
- A "contract" for each prisoner setting out the prisoner's expectations and responsibilities
- A new prison rule to prevent overcrowding
- A division of prisons into small more manageable and secure units, and

- Giving reasons to every prisoner for any decision that materially or adversely affected him

Sentence management became a major issue in English prisons. A Sentence Planning process was introduced. This process was reviewed in 1997 and re-launched as Sentence Management within a National Framework of Throughcare of Offenders (Gravett, 1999: 28). Both the Prison and Probation Services administer the National Framework jointly. This means that sentence management continues even after release from prison.

The aim of sentence management is to:

- Develop an approach which reduces the likelihood of further offending and subsequent return to prison
- Assist offenders make the best use of their time in custody
- Devise a successful plan to resettle back into the community
- Counter the harmful effects of being imprisoned
- Provide continuity when offenders have to be transferred to another prison during their sentence (Gravett, 1999: 28).

The case management process starts with initial assessment, categorisation and allocation procedures to gather all available information and utilise it to predict and assess risks regarding the offender more accurately. In addition it serves as a basis to provide a range of programmes related to identified needs.

The stages in the Sentence Management process are the following (Gravett, 1999: 28):

- Categorisation in terms of male and female young offenders, and male and female adult offenders
- Preparation of an initial sentence plan for Category A prisoners and the sentence plan for all other categories of prisoners (Category A prisoners are those for whom escape would be highly dangerous to the public or police, or to the security of the nation)

- Sentence plan review
- Assessing risks involved in approving release on temporary licence
- Preparation of parole assessment
- Preparation of pre-discharge and discharge reports, and
- Release on licence under supervision

4.7 COMMON CASE MANAGEMENT FACTORS IN CORRECTIONAL SYSTEMS

In considering the case management process in the various countries discussed above certain common factors comes to the fore, which is summarised in the table below:

Table 5: Common case management factors in correctional systems

	THROUGH-CARE	CASE PLAN	CLASSIFI-CATION	CASE MANAGEMENT
Australia	Throughcare provides services that reduce offending attitudes and behaviour before, during and after custody.	Case plans are developed for each offender coming into the corrective system on arrival at the reception centre.	Classification determines security classification, placement, management plan and programme interventions.	Case management is the process in which the offender is monitored and assists in his or her own reform and welfare.
Canada	Throughcare is a continuous process that starts with entry into the system, extends through the period of	Case plans include treatment programmes such as education, living skills, sex offender programmes and	The process starts off with classification after an offender is sentenced.	Case management is the co-ordination of all administration related to managing the sentence of an offender.

	detention and continues with supervision after release.	family violence programmes.		
United States of America	Throughcare was made possible by ensuring proper staff training and making staff accessible to the offender.	Throughcare ensured identification of offender’s needs and recommendations for appropriate programmes.	Proper classification to promote institutional and public safety.	Case management came about through unit management because of the many independent developments, particularly in the Federal Bureau of Prisons.
United Kingdom	Case management includes assessment, categorisation, allocation to a range of appropriate programmes and continues throughout parole.	Initial sentence plans are prepared for different categories of offenders and are always reviewed. The purpose is to assist offenders in making the best use of their time in custody.	Classification ensures that Category A offenders (those whom escape would be highly dangerous to the security of the community) are separated from other offenders.	Sentence management as a process was launched within the National Framework of Throughcare of Offenders. This means that sentence management continues even after release from prison.

4.8 RESTORATIVE JUSTICE

Crime, in essence, is a violation of a person by another person (Johnstone, 2002: ix). Therefore our primary concern should be to make offenders aware of the harm they have caused. According to Cunningham (Cunningham & Griffiths, 1997: 206) the primary goal of sentencing is the protection of the community; the harm done to the individual victims can be forgotten. Restorative justice however focuses on the need to regain a balance, which was tipped by the commission of the crime, to heal both the victims and the community while encouraging offenders to confront the consequences of their actions. Many restorative sentences focus partially on the need to address the

victim's loss. One motivation is that offenders will be helped by the attainment of victim empathy and by making financial restitution to the victim. Compensation need not be limited to financial payments but can include the offender doing work or performing a service for the victim that is equivalent to the value of the stolen or damaged property. Restorative justice helps restore the victims to their pre-offence condition and it holds the offender accountable to the parties he or she has wronged.

According to Reichel (2001: 123) restorative justice focuses on the areas of interest common to the victim, the community and the offender. This process provides a response to the crime that addresses the needs of all three components. Figure 14 illustrates the common ground between offender, victim and community.

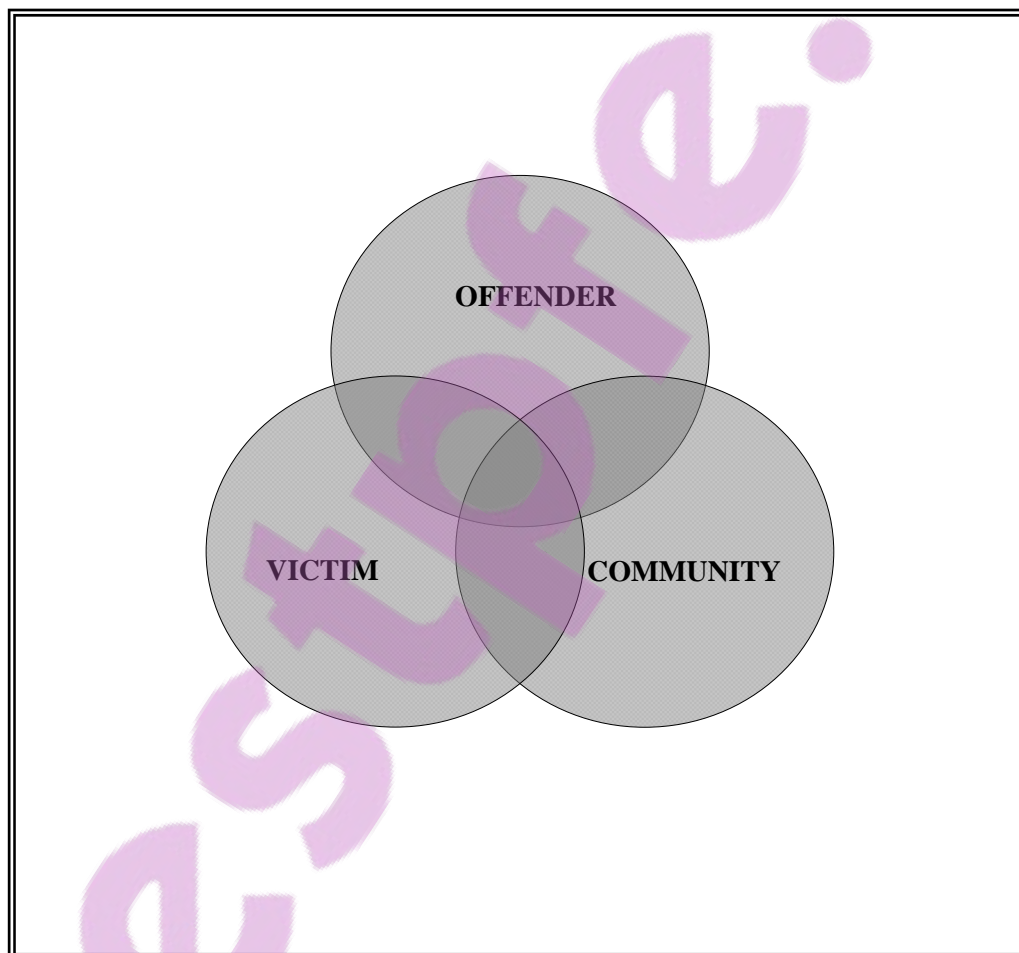


Figure 14: Restorative Justice: Common ground between offender, victim and community

Case management contribute towards restorative justice by helping to determine the form and controlling the amount of reparation from the offender to the victim. The measures to be taken to prevent re-offending should be decided collectively by the offender, the victim and members of the community, through constructive dialogue in an informal and consensual process. The case manager of the particular offender should facilitate the whole process, by encouraging them to tell their stories, express their feelings, ask questions of each other, talk about the impact and implications of the crime and eventually come to an agreement about what the offender will do to make the restitution (Johnstone, 2002: 3). These efforts should be made to improve the relationship between the offender, the victim and the community and to assist the offender into reintegration into the law-abiding community. Therefore the role of the case manager is very important in the successful completion of the whole restorative justice process.

The general aims of the case manager in facilitating restorative justice are:

- The offenders should be confronted with the consequences of their unacceptable behaviour;
- They should commit themselves to changing their lifestyles in order to decrease the risk of their re-offending;
- The case manager should persuade the offender to apologise to his or her victims and to agree to a reactive action plan;
- Also the case manager should give the victims an opportunity to express their feelings about what happened and to meet the offender; and,
- The case manager should very gently encourage the victims to take some first steps towards forgiving the offenders.

If this is what is expected from the correctional official in a case management system, it is very important for the correctional institution to see to it that the correctional official is trained thoroughly for this new responsibility which will form part of his or her position. Restorative justice being a new concept to both the offender and the victim, it demands a steady hand in support from the case manager.

4.9 CONCLUSION

Each country discussed above shows a different evolution of the criminal justice system in general and imprisonment in particular with a broadly similar outcome. One major identifiable tendency is the reform of the harsh measures that prevailed in so many systems over a long period. It is also significant that the best practices of our time have circled the world and had a cross-influence on systems in other English-speaking countries.

During the last two decades, there has been a significant shift towards individualisation of sentences and acceptance of the Standard Minimum Rules, which the United Nations agreed to and called for in 1955. Although the concept of case management is growing in its application, the tendency to overpopulation in prisons throughout the world poses a serious threat to its effective implementation.



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CHAPTER 5

THE SOUTH AFRICAN CASE MANAGEMENT SCENARIO

5.1 INTRODUCTION

This chapter will focus on the legal and policy requirements for South African corrections. The South African Department of Correctional Services (SADCS) is faced with the daunting task of managing one of the largest prisoner population systems in the world containing approximately 320 prisoners to every 100 000 of the normal population.

The South African Department of Correctional Services is managing 227 prisons in 9 provinces with 35 320 officials. These prisons have designed accommodation for 110 175 prisoners with a population of 177 620 prisoners (of which 50 758 are unsentenced) as on 31 July 2002. This constitutes an average overpopulation rate of 61% with an accommodation capacity need for 67 445 prisoners. The national staff to prisoner ratio (including those on parole/ under correctional supervision) is 1:7 whilst the international norm is 1:3,5 (Department of Correctional Services, undated: 23). Conditions of overcrowding, gangsterism, staff that are not adequately trained to deal effectively with the transformation process and low job satisfaction, necessitated the introduction of a more effective management tool to manage prisoners.

In 1996, the South African Department of Correctional Services demilitarised completely in order to align itself with more acceptable correctional practices in the leading countries of the world. It is therefore engaged in the massive task of developing a culture of human rights in a correctional system damaged by the legacy left behind by the apartheid years. According to the Department of Correctional Services (1999: 2), “the decision to demilitarise was premised on and occasioned by the pressing need for the Department to move away from a punitive to a more humane and rehabilitative approach to corrections”. The aim of case management is the

rehabilitation of offenders and is therefore in line with the new approach in corrections.

Former President Nelson Mandela had this to say about the South African Department of Correctional Services:

"The way that society treats its prisoners is one of the sharpest reflections of its character. In the prisons of apartheid the inhumanity of that system was starkly evident. We have inherited a system ill equipped to serve the needs of a democratic society founded on a culture of human rights. We recall these facts, not to dwell on the past, but to underline the fact that as we transform our society, the South African Department of Correctional Services faces a very great challenge."

(Nelson Rolihlala Mandela 1998)

In this chapter, the actions that are taken by the South African Department of Correctional Services to gear itself towards rehabilitation will be discussed. One of the biggest transformation acts that took place in the South African Department of Correctional Services was the adoption of the new Correctional Services Act 111 of 1998. The Act dictates that case management be implemented in South African prisons. Sections 38(1), 38(2), 42(1) and 42(2)(d) directly regulate case management and these sections are used in this chapter to strengthen the argument for the implementation of case management in South African prisons.

5.2 THE APPLICATION OF CASE MANAGEMENT

The Department of Correctional Services had decided to run a pilot project on the concept of unit management (Department of Correctional Services, 2002: 69). All new prisons constructed after 1994 were to be designed according to the unit management principle. Luyt (1999: 159) stated that the first unit management prison to be erected in South Africa was the Malmesbury Prison in the Western Cape. The Goodwood Prison outside Cape Town also implements unit management. The design and the manner in which these prisons function are centred on the unit management

approach. Case management, as one of the pillars of unit management, is also implemented, to ensure better integration of security and programmes for offenders.

The aim of the application of case management in South African prisons is to provide a custodial, developmental and treatment programme, as well as religious care, in an environment which will be conducive towards motivating the offenders to participate and develop their potential. The implementation of unit and case management were motivated by broad principles.

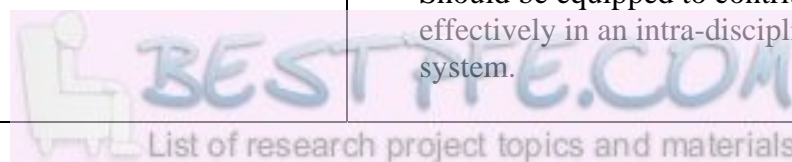
These principles are described in table 6 below (Department of Correctional Services, undated: 5):

Table 6: South African case management principles

PRINCIPLE	ACTION
1. Unit and case management approach	<ul style="list-style-type: none"> • A unit management approach or an intra-disciplinary basis will be established. • The principle of dividing the institution into management units is ideal for ensuring better management, control, direct supervision and interaction between case officer/unit manager and offenders. • Each unit will make provision for offenders to be accommodated in single cells. • Greater reliance on dynamic security inside the units. • Unit management facilitates the introduction of case management. • Case management facilitates the introduction of the structured day. • House rules will be drawn up according to each unit's own circumstances.
2. Academic education or/and vocational or occupational skills training	<ul style="list-style-type: none"> • Offenders will be subjected to either academic education or/and vocational or occupational skills training.

PRINCIPLE	ACTION
3. Integrated approach	<ul style="list-style-type: none"> • An integrated approach will be valid as far as integration with education and training is concerned.
4. Effective and efficient treatment	<ul style="list-style-type: none"> • All actions with regard to offenders should be executed in the most effective and efficient way possible. • A holistic approach, aimed at the total development of the offenders. Provision of programmes addressing recreational activities, religious activity, physical work, life skills training and socio-psychological intervention. • The fostering of personal responsibility by emphasising personal responsibility, job performance and self-care.
5. Work ethics	<ul style="list-style-type: none"> • A principle of self-activity/employment will be important. “Work before you can survive”.
6. Combined agricultural and industrial skills development	<ul style="list-style-type: none"> • A combined agricultural and industrial skills development concept will be introduced. The focus will be on training.
7. Market-related training	<ul style="list-style-type: none"> • Market-related training and preparation for the labour market will be given priority.
8. Accountability	<ul style="list-style-type: none"> • Everyone intervening with offenders should be held accountable. • To meet the Department’s responsibility towards the creation of a safe community and the completion of sentences. • Offenders should also be encouraged to acknowledge their offensive behaviour and take responsibility for such behaviour. • The fostering of a culture of learning and labour as equipment for modelling their own futures. • Emphasis will be placed on taking responsibility for the self, developing potential, job performance, agricultural activities and self-care.

PRINCIPLE	ACTION
9. Fostering monetary knowledge	<ul style="list-style-type: none"> • If possible all offenders to undergo a basic course in financial management skills to manage their own personal budgets and to comprehend basic economics. • A standard course in basic entrepreneurial skills training should be introduced for offenders with the required aptitude.
10. Participation of spouse/parents/peers/families	<ul style="list-style-type: none"> • Offenders and their parents/families should be actively involved in all stages of the intervention process. • The fostering of co-responsibility of parents/peers/families. The maintenance of current social structures to counteract institutionalisation and consequently prevent recidivism e.g. the maintenance and strengthening of family ties.
11. Rewarding of achievements with concrete incentives	<ul style="list-style-type: none"> • Earning of credits.
12. Visiting facilities	<ul style="list-style-type: none"> • Visiting facilities will as far as possible be provided for contact visits. • Consulting rooms where offenders in conjunction with their parents/families can consult internal professionals should be made available.
13. Establishing corps, values and discipline	<ul style="list-style-type: none"> • Strict daily structured programme which will also make provision for group recreational activities, religious activity, physical labour, life skills intervention periods, etc.
14. NGO's participation	<ul style="list-style-type: none"> • Need directed incorporation of external human resources, technical assistance and services. • Partnerships to enhance utilization of community resources to facilitate reintegration process and family reconstruction.
15. Specially screened and trained personnel	<ul style="list-style-type: none"> • High level of maturity, responsibility and commitment should be present. • Should be equipped to contribute effectively in an intra-disciplinary system.



Levinson (1999: 110) stated that the case management approach to managing offenders in a wide variety of institutions leads to a better facility or interpersonal climate - one which is safe, humane and minimises the detrimental effects of confinement for both staff and offenders. In line with the business philosophy of the South African Department of Correctional Services, it has been decided to implement the concept of case management as it has proved to ensure better integration of security, offender programmes, administration and industries in many countries.

In view of the above it can be stated that the process of case management should be carried out within the unit management system by:

- Developing sound working relationships between correctional officials and offenders based on consistency and clarity of roles and expectations of each other;
- Identify and assess offenders in order to establish their needs and problem areas;
- Developing, coordinating and implementing realistic case plans and programmes to meet these needs;
- Formally monitoring and reviewing the case plans of offenders on a regular basis; and
- Assisting with the present incarceration of offenders in order to make their sentences as productive as possible.

5.3 THE CASE PLAN

The South African Correctional Services Act stated that a sentenced offender needs to have a case plan. A fundamental part of a case plan is the assessment of the offender. The Correctional Services Act 111 of 1998 sections 38(1) and 38(2) read as follows:

“38.(1) As soon as possible after admission as a sentenced prisoner, such prisoner must be assessed to determine his or her-
(a) security classification for purposes of safe custody;

- (b) health needs;*
- (c) educational needs;*
- (d) social and psychological needs;*
- (e) religious needs;*
- (f) specific development programme needs;*
- (g) work allocation;*
- (h) allocation to a specific prison; and*
- (i) needs regarding reintegration into the community.*

(2) In the case of a sentence of imprisonment of 12 months or more, the manner in which the sentence should be served must be planned in the light of this assessment and any comments by the sentencing court.”

An initial case plan is to be developed by the Case Management Committee that is established at every prison utilising assessment information gathered during the induction and assessment process. The case plan is to be developed in consultation with the offender.

The case plan includes the following:

- **The identified mix of programmes in which the offender will participate**

The offender will recognise some of the problem areas noted by the case officer or will come to accept them when confronted by the case officer. In the case of needs or problem areas the case officer and the offender will work together on long- and short-term goals to try to meet these needs. For example if the offender accepts that he or she is illiterate, the long-term goal could be to complete an Adult Based Educational Training (ABET) course. The short-term goal could be for the offender to see the Education Officer within two weeks to discuss enrolment in such a course.

The case plan of each offender will cover all areas of needs such as the need for vocational training. Therefore the programmes will a variety to cover all areas of need.

- **Special accommodation needs**

During the admission of an offender the unit manager will receive the case management files. Thereafter the case management file and the offender is referred to the case management supervisor for the reviewal of the case management file to identify the issues that need immediate attention or follow up, and for the placement of the offender.

The following aspects must receive attention:

- Safe custody;
- prevention of, *inter alia*, - attacks on correctional officials and offenders;
 - suicide attempts or self abuse; and
 - escapes.
- structured daily programme;
- intensive programme involvement.

- **The nature and frequency of supervision contact**

The case officer will formally interview each offender on his or her case load, on a regular basis, such as fortnightly or even monthly, depending on local conditions unless a crisis situation calls for more frequent interaction and follows up. In addition there will be the usual interaction between all offenders and correctional officials in a unit.

The first priority of the case worker is to overcome the offender's suspicion and resistance and to develop trust and rapport and a sound working relationship based on clarity of roles, and consistency.

- **Recommendations regarding the classification and placement of the offender**

As mentioned in chapter 3 paragraph 3.2. offenders are categorized into four security classifications namely:

- Minimum security;
- Medium security;
- Maximum security; and
- Ultra maximum security.

The classification is based on the offender's current behaviour, adaptation, serious escape risks, serious threat to themselves, to other offenders or to correctional officials.

- **A date on which the plan must be formally reviewed**

The progress of the case officer with the offender will be reviewed formally by the case review team, consisting of the Case Management Supervisor and case officer using the Case Review Form that is designed for this purpose. The aim is that these reviews will be done monthly. The Case Management Supervisor will inform the case officer of the review date at least one week in advance.

While the Case Review Team in the unit should review the progress of the offender in relation with the case plan once a month, there is a minimum expectation that the Case Management Committee will formally review it at least every six months.

5.4 THE CASE FILE

There are two files on each offender: the first being an institutional file which is kept at a central point and deals with general issues such as requests, appeals and warrants; and the second, is the offender's case file, which is kept in the housing unit of the offender. The documents in the case file are concerned with progress in the

development and treatment of the offender. Using the information gathered regularly from the offender, educationalist, welfare, psychologist, other correctional officials, the warrant, observation and any other relevant source, the case officer is able to make assessments of the offender’s needs or problems. This information, and the results of the assessment, must be recorded in the case file.

The case file is compiled of five documents (Luyt, 2000: 92):

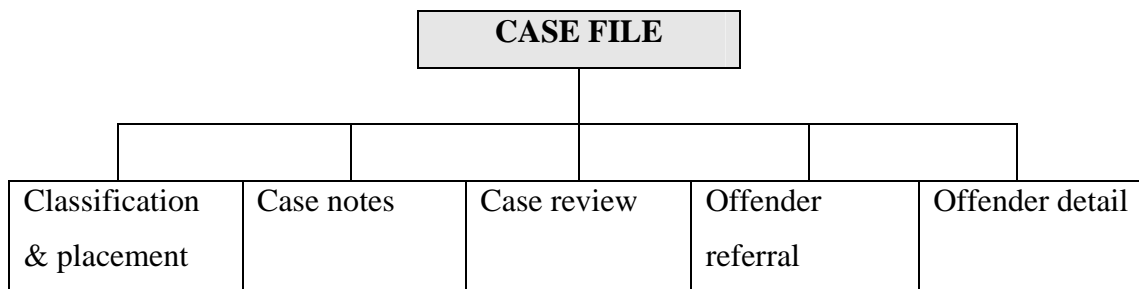


Diagram 2: The South African Case File

- **Classification and placement**

Details of the offender are included on this document such as:

- surname and full name
- aliases
- date of birth
- offences
- sentences
- decisions on classification and placement
- offender’s prison number

- **Case notes**

The case officer will make use of this document. Case notes are the way by which contact between the case officer and the offender is recorded and filed in the case file. This contact may occur through formal interviews or day to day interaction. All incidents concerning an individual offender are

documented. Incidents that are negative are recorded in red. If an incident occurs which requires attention it is underlined. The offender agrees to the objectives on how these incidents will be addressed, and the objectives are documented.

Because case notes are used to record both positive and negative behaviour, they provide an accurate picture of an offender's day to day behaviour in the prison. They also form an essential part of the documentation required for the purpose of programme reviews, crisis intervention and dealing with instances of prison misconduct.

- **Case review**

Case review is a monthly recording of the progress of the offender by the case officer. The offender will be interviewed by the case officer and the case management supervisor to review the mutually agreed upon objectives. These objectives are then documented in the case review form together with the next review date.

- **Offender referral**

The offender referral is made up of documents that contain summaries of discussions with the offender. It will include recommended actions to assist the offender with his or her set objectives. Referrals made by the case manager to specialists such as social workers will also form part of these documents. Any observation that was made by the case officers is important when an offender is being referred with particular problems and needs. Any actions that were taken by the case manager to address the needs of the offender must also be document.

- **Personal details of offender**

These documents will contain all the personal details of each offender for example:

- personal particulars such as name, age, gender etc.
- telephone numbers of contacts
- addresses
- escape status
- involvement in gang activities
- offences and type of crime
- sentences
- warrants
- police district in which the offender was arrested

5.5 CASE MANAGEMENT AND SECURITY

The role of the correctional official in the management of security is to create a safe, secure and humane correctional environment for offenders and staff. Specific security responsibilities of the correctional official are:

- Maintaining custody and supervision of offenders
- Responding to institutional disturbances and emergencies
- Participating in general guard and patrol duties
- Conducting visual and physical searches of offenders and their work and living areas for contraband
- Resorting to physical control in violent and hostage situations or escape attempts

The basic principles of security are very important and should always be kept in mind by the correctional official. These eight principles are shown in diagram 3.

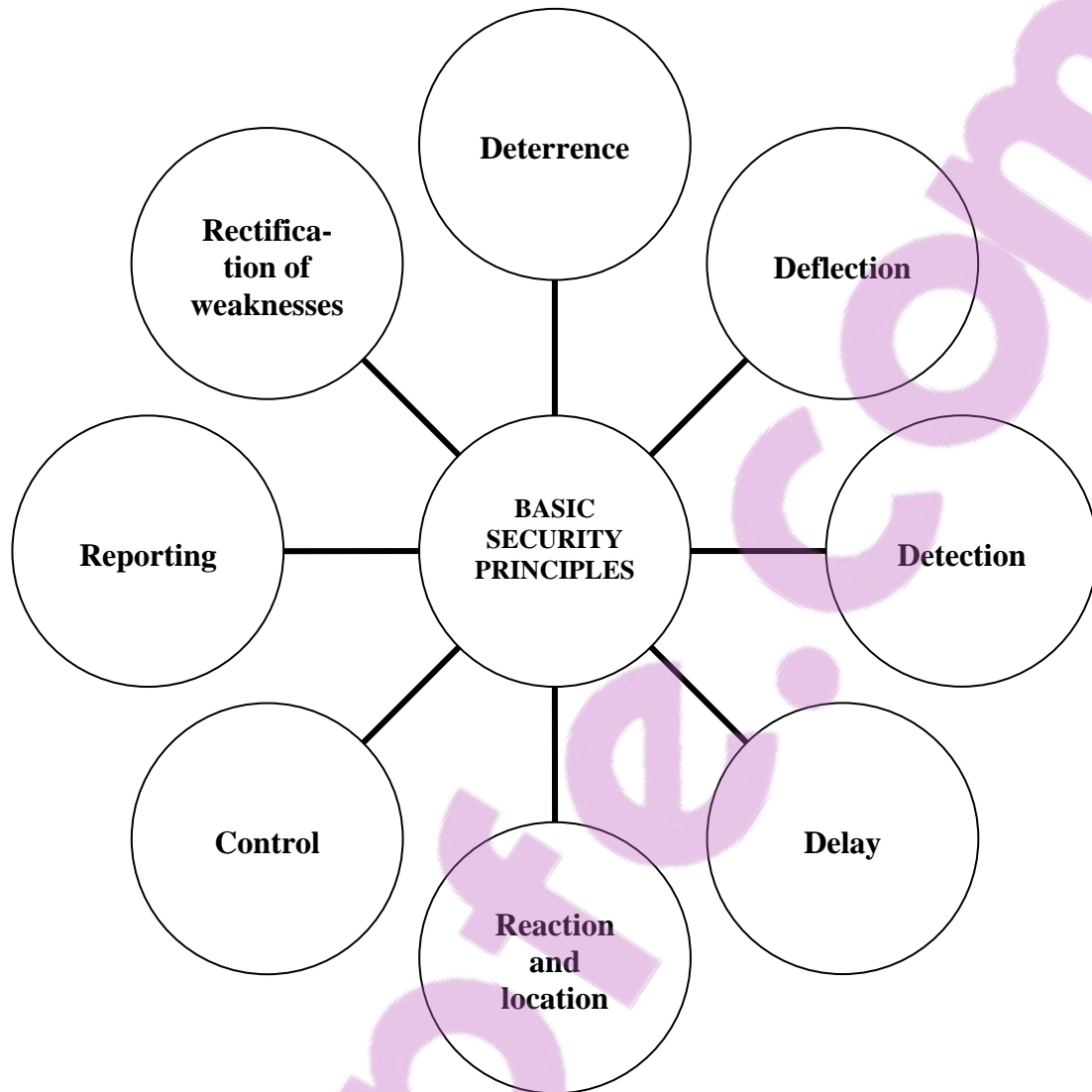


Diagram 3: Basic security principles

Here is a short description of each of the basic principles (Bruyns, Jonker & Luyt, 2000: 233):

- **Deterrence**

Security measures such as well-secured buildings, electrified barbed wire fences and direct supervision could make potential offenders think that the risk of committing an offence is too high and just not worth it. Offenders do not like to draw attention to themselves or be observed. Case management relies

on privileges and therefore offenders do not want any action taken against them that may influence their privileges or release date.

- **Deflection**

Deflection occurs when an attempt is made to commit an offence, which fails because of the security system. For example in unit management institutions, offenders are housed in single or dual cells with doors which are centrally operated from a control room. Because of this, mass action and riots are not so easily orchestrated by the offenders.

- **Detection**

For security reasons it is very important to be able to detect any attempt to commit an offence when it is still in the planning stages. Detection refers to physical security such as electric fencing as well as dynamic security such as searches. Case management can contribute effectively for example if the case worker has built a relationship of trust with an offender, it could happen that the offender would confide in the case worker, who would detect the plans.

- **Delay**

The use of delay as a security principle is kept in mind when security plans, systems and procedures are designed, developed and implemented. When an attempt to breach security is detected, the offender should be delayed from reaching the target. Delays can be achieved by the following:

- Physical barriers for example fences, bars, door and guards.
- Procedural barriers can be used effectively as a delaying device in case management for example when offenders are assessed before allocating them to a housing unit, during programmes or when offenders are considered for release, parole or probation.

- **Reaction and location**

When an attempt to commit an offence is detected, correctional officials must **react** immediately to make sure that other offenders, colleagues and the community are safe. The correctional official needs to identify the **location** where the offence is taking place in order to secure the environment for example the place where the offender tried to climb over the fence in an escape attempt.

- **Control**

Control is used to evaluate activities in order to ensure that such activities are carried out as planned and to take corrective action where necessary as soon as possible. A discussion on the contribution of case management to control in the prison environment can be found in paragraph 5.5.1.

- **Reporting**

It is very important for a correctional official to report anything that has taken place. The accurate recording of incidents is very important:

- When taking a risk analysis exercise.
- When developing contingency plans.
- During an inquiry or when it can be used as evidence in a court of law.

- **Rectification of weaknesses**

After a breach of security has taken place it should be evaluated to identify the weaknesses in the security system. On identification of the weakness, it can be rectified. The security system should be inspected regularly and not only when damage, harm or losses have occurred. The causes of the incident and not merely the symptoms should be identified and rectified.



Case management adds an extra layer of security to a unit in a number of ways:

5.5.1 PREVENTIVE SECURITY

By collecting and, as importantly, recording information on offenders and identifying and assessing their needs and problem areas, officials can anticipate the reactions of offenders, recognise changes which could pose security risks and intercept problems before they escalate out of control. This kind of security is also called pre-control or feed-forward control. This means that correctional officials can be proactive in preventing the breach of security measures. For this type of control, contingency plans can be formulated for medical emergencies, escort emergencies, fire, natural disasters, violence, riots and hostage situations, throughout the unit preventive security is also known as dynamic security.

5.5.2 REDUCING SECURITY RISKS

The use of relevant groups and programmes in case management allows correctional officials to deal with problems common to a number of offenders who have been, or could become, security threats. For example, if there are a number of young, easily-led, aggressive offenders in the unit, the case officer assigned to these offenders could try to organise an activity or could work with Offender Development Staff (e.g. the Psychologist) to run a programme aimed at redirecting or minimising that sort of behaviour.

Diagram 4 shows strategies and tools that can be used by correctional officials in reducing security risks:

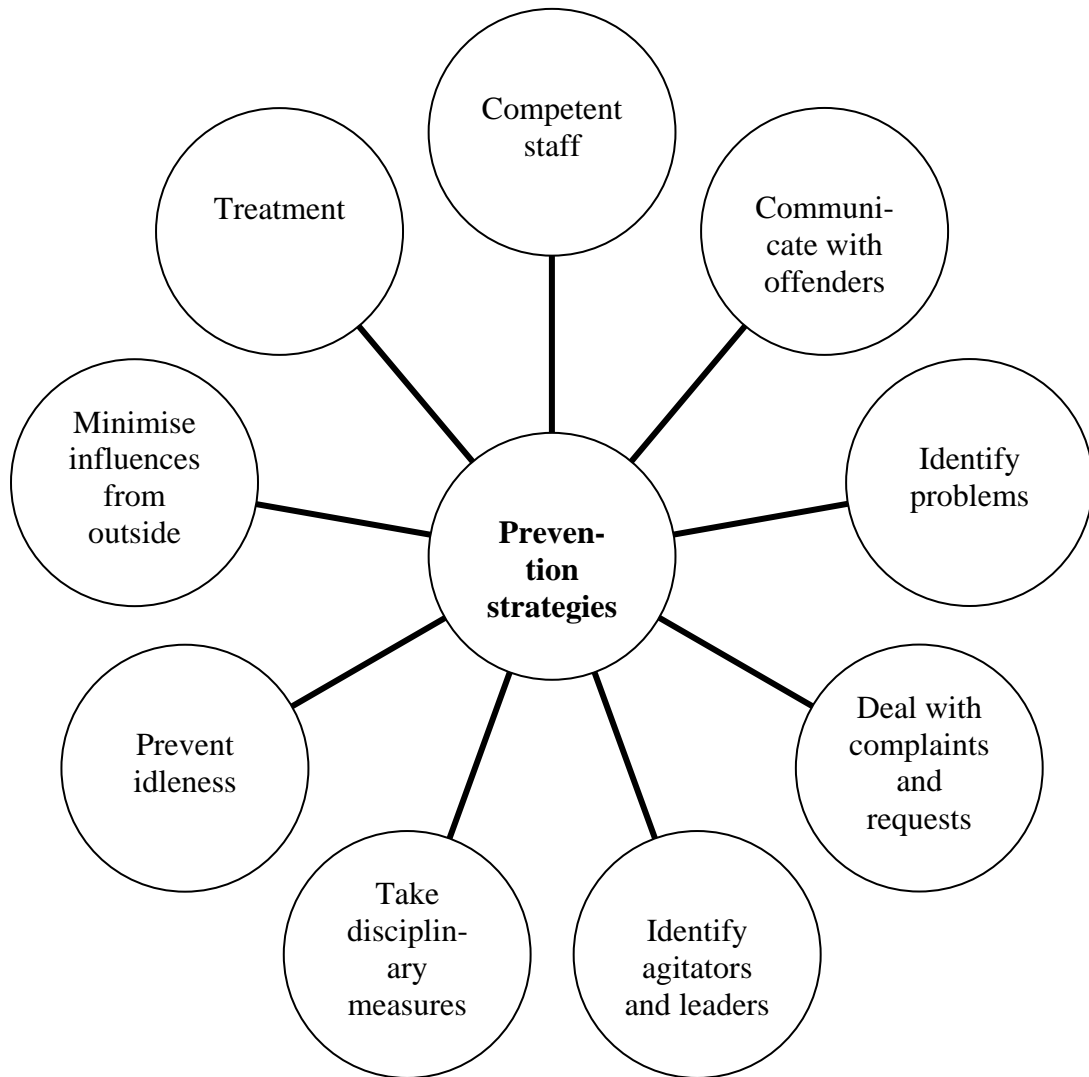


Diagram 4: Strategies and tools for reducing security risks

The following are strategies and tools that a correctional official can use for reducing security risks (Bruyns, Jonker & Luyt, 2000: 197):

- **Competent staff**

A positive attitude and competent case management staff can promote stability in prisons. All case management staff should have a sound knowledge of procedures, rules and regulations regarding offenders, the content and availability of treatment programmes and the causes of deviant behaviour.

- **Communicate with offenders**

In case management, time must be set aside for horizontal communication so that offenders can freely discuss their problems with the case worker.

- **Identify problems**

Because of the direct supervision that is part of case management, changes in behaviour patterns and the prison atmosphere can be easily detected. Aspects such as group formation, ethnic or gang-related segregation are early indicators that trouble is in the air.

- **Deal with complaints and requests**

In the case management scenario, complaints and requests are easier to deal with. If a complaint or request is received from an offender, it can be directed to the case worker in whose case load the offender is included. This means that the timeframe in which complaints and requests are handled is much shorter and the success rate much higher.

- **Identify agitators and leaders**

Because of direct supervision the agitators and leaders can be identified at an early stage. Leaders and agitators should be removed and isolated from the rest of the group.

- **Treatment**

Offenders should be treated in a humane manner. The aim of case management is to treat offenders as human beings with their own expectations. Offenders should never be belittled or humiliated in front of other offenders or correctional officials because this gives rise to feelings of oppression and promote offender solidarity.

- **Disciplinary measures**

Discipline should be fair and just and problem makers should be brought to justice. Case workers should never force their authority onto offenders as this can be seen as an abuse of power. Positive behaviour should be praised, encouraged and rewarded.

- **Prevent idleness**

The implementation of offender case plans will create work opportunities and involve offenders in recreation and development programmes. This will prevent idleness which normally leads to illegal activities.

- **Minimise influences from outside**

If possible, offenders should be allowed to read only approved newspapers, books and journals. The case worker will have access to the list of visitors allowed to an offender via the offenders' case file. The case worker should be aware of the influence that released offenders can have on seeing offenders whom they visit, and should be prepared for that kind of situation.

5.5.3 BUILDING RAPPOR

The greater the extent to which offenders accept the goals and norms of the prison subculture, the less the chances are that building rapport with correctional officials will occur. Prison subculture is a way of obtaining control and power over situations and people in authority. This status is achieved in negative and intimidating ways. In South African prisons, the subculture cultivates typical prison phenomena such as gang activities, unrest and riots, sexuality and escapes.

For an offender to be part of a gang gives rise to (Coetzee & Gericke, 1997: 120):

- **A prison code:** This means that gang members do not have any rapport building with their case worker or any other correctional official.
- **Negative attitude among offenders:** When the attitude of an offender is negative it is impossible for the case worker to build rapport with that offender.
- **Status among offenders:** Being a gang member gives status to an offender and that status has no place for rapport building with a correctional official.

As long as the prison subculture is in force it will have a negative influence on the rapport building between the offender and the correctional official. Unit and case management can be of assistance in the rapport building because of the composition of case management. Case management means that every offender has at least one official with whom he or she has some sort of rapport and a measure of trust. The offender has someone he or she knows to talk about problems and in time of crisis etc.

It is envisaged that there will be less need for protection in a unit-managed, case-managed prison and also fewer suicides, assaults, etc. It is only reasonable to surmise that in a well-managed unit the need for these and other such behaviours should diminish.

5.6 ROLES AND RESPONSIBILITIES WITHIN THE CASE MANAGEMENT PROCESS

In many ways, unit management is a shift from a depersonalised and centralised approach to a personalised and decentralised approach. In the unit management system, a prison is broken down into defined units, each of which may contain a number of prisoner accommodation sections and static posts. Teams consisting of disciplinary officials, educationists, social workers, psychologists, religious care workers and nurses service each defined unit. These are called multi-disciplinary teams. Gericke (Coetzee & Gericke, 1997: 285) described a multi-disciplinary team as a team which consists of officials from various work areas who have different

experiences and possess different knowledge and skills. Individual team members have responsibility for both security and offender development outcomes. Everyone who deals with the specific offender under discussion forms part of this team to ensure that they all have the same goals and objectives for the upliftment and rehabilitation of that offender.

See diagram 5 for a representation of the place of unit management in the organisational structure of a prison and a lay-out of the multi-disciplinary teams.

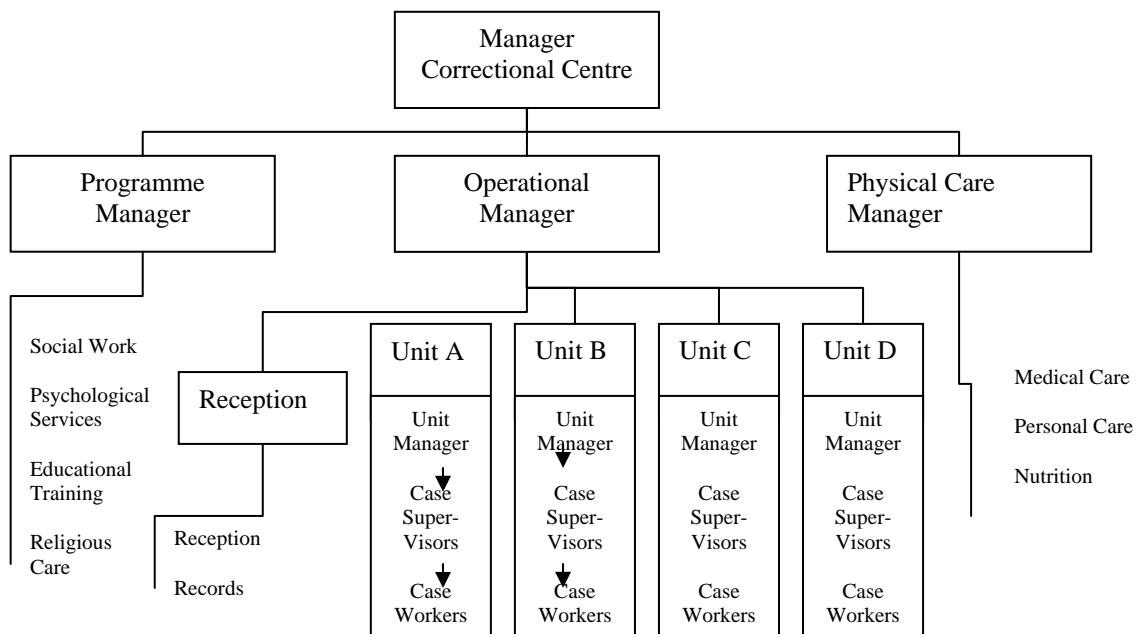


Diagram 5: Organisational Structure

5.6.1 CASE REVIEW TEAM

The Case Review Team consists of the following officials: the Case Officer and the Case Management Supervisor. On a monthly basis the Case Officer and the Case Management Supervisor formally interview each offender allocated to the case officer’s case load to review progress in relation to the relevant case plan.

5.6.2 CASE MANAGEMENT COMMITTEE

The Case Management Committee is the central body responsible for the management of offenders. This Case Management Committee consists of officials representing practitioners of various disciplines such as social workers, educationists, etc., the case manager and the case worker. The multi-disciplinary Case Management Committee is primarily responsible for:

- Co-ordinating the management of all offenders in the prison from admission to release;
- Dealing with the more complex management issues and behavioural problems and arranging or co-ordinating appropriate programmes or services for offenders.

Offenders should appear before the Case Management Committee at least once every three months.

The relevance of the Case Management Committee can be found in section 42(1) and 42(2)(d) of the Correctional Services Act 111 of 1998. This section reads as follows:

“42. (1) At each prison there must be a Case Management Committee composed of correctional officials as prescribed by regulation.

(2) The Case Management Committee must-

(d) submit a report, together with the relevant documents, to the Correctional

Supervision and Parole Board regarding-

(i) the offence or offences for which the sentenced prisoner is serving a term of imprisonment together with the judgment on the merits and any remarks made by the court in question at the time of the imposition of sentence if made available to the Department;

(ii) the previous criminal record of such prisoner;

- (iii) *the conduct, disciplinary record, adaptation, training, aptitude, industry, physical and mental state of such prisoner;*
- (iv) *the likelihood of a relapse into crime, the risk posed to the community and the manner in which this risk can be reduced;.....”*

5.6.3 UNIT MANAGER

The Unit Manager is responsible for the overall management of his or her designated unit. This includes the planning and administration of financial allocation, production of the unit's personnel roster, oversight of case management and the overall supervision of personnel and offenders. The Unit Manager is recommended to hold regular weekly team meetings with the personnel in his or her unit to discuss resolve and plan local issues within the unit. Chapter four of this study describe the processes of management and chapter 6 discuss the qualities that a correctional manager should have to manage a prison or a unit in a prison. The basic management principles: planning, organising, control and command are very important to the unit manager.

The Unit Manager is also required to participate in the Case Management Committee Meetings when this Committee is reviewing the case plan of one of the offenders in his or her unit.

5.6.4 CASE MANAGEMENT SUPERVISOR

Case management Supervisors organise the case management at unit level. This will involve the day-to-day administration of case management within the unit. The Case Management Supervisor allocates case loads to case officers and ensures that offenders are involved in programmes as planned. He or she also ensures that programmes continue when designated case officers are absent for either short or lengthy periods. As can be deduced from the responsibilities of a Case Management Supervisor, knowledge of the basic management principles is also important.

The Case Management Supervisor will identify personnel training needs and arrange appropriated ongoing training. He or she will convene meetings of the Case Review Team on a monthly basis, to monitor the progress of offenders in relation to their case plans, as well as meetings with other members of the multi-disciplinary team.

The Case Management Supervisor is directly responsible to the Unit Manager. Even though the Case Management Supervisor is responsible for case management and primarily performs case work duties, he or she is still a custodial officer and needs to address security issues as they arise. The Case Management Supervisor is also responsible for ensuring that the case file is managed properly.

5.6.5 CASE OFFICER

The Case Officer is directly responsible to the Case Management Supervisor, who allocates a number of offenders in a specific cell to the Case Officer to monitor. These allocated offenders are called the case load of the case officer.

5.6.6 OFFENDER DEVELOPMENT STAFF

Offender development staff is allocated to specific unit(s). They provide specialist technical expertise, deliver programmes to offenders and participate in Case Management Committee meetings.

They are actively involved in the assessment of sentenced offenders as well as promoting the development and monitoring the progress of offenders in relation to their case plans, through their participation in the Case Management Committee and Case Review Teams.

Offender Development Staff are also required to assist in developing the skills of officials with a view to presenting programmes to prisoners.

5.7 ADVANTAGES OF CASE MANAGEMENT

Advantages of case management for **offenders** in the South African Department of Correctional Services include the following:

- Encouragement and support to obtain maximum benefit from their sentences;
- Good control and direct supervision as well as early detection of problems of offenders;
- Positive relationship between staff and offenders;
- Co-ordinated services through multi-disciplinary approach;
- Special arrangements for high-risk offenders;
- Contact with somebody who knows their cultural background, with whom they can discuss long- term and crisis situations and with whom they have developed a rapport; and
- A safer environment and regular contact with officials.

Advantages for **correctional officials** in the South African Department of Correctional Services include the following:

- Challenging, interesting and fulfilling career for the correctional official;
- Optimal utilisation of staff;
- Better control over offenders and over the normal prison environment in comparison with the situation in traditional prisons; and
- Opportunities for officials to become multi- skilled. (Luyt, 1999: 128)

Generic benefits associated with case management in South African prisons:

- Primary contact point between offenders and the administration is established through case officers;



- Increased frequency of contact and enhanced quality of relationships between offenders and staff;
- Better communication and programme planning;
- Increased programme flexibility;
- Decisions about offenders made more quickly by people on lower levels who really know them;
- More effective observation of offenders activities resulting in early detection of problems for timely intervention;
- Development of correctional and managerial skills of staff;
- Improved co-operation through utilisation of a multi-disciplinary team; and
- Improved and more co-ordinated approach to rehabilitation and development programmes.

5.8 STATUS OF UNIT AND CASE MANAGEMENT

The Department of Correctional Services decided to implement unit management in the prisons in 2000-2001. This was called the first phase of implementation in which ±550 Officials were trained. The concept is currently being introduced at 101 prisons. Levels of implementation vary between 20% and 80% (Department of Correctional Services, undated: 25).

The first phase of the implementation focused on restructuring the prisons into units and included the following:

- Marketing the concept amongst staff members and offenders;
- Dividing prisons into units;
- Developed structured day programmes;

- Compiling operational Procedure Manuals within the parameters of the unit management concept;
- Drawing up duty sheets for each member of staff occupying specific positions;
- Opening case files for offenders;
- Developing the necessary forms and registers (Department of Correctional Services, undated: 69).

During the current second phase, the following aspects are receiving attention in order to get to a higher level of implementation (Department of Correctional Services, 2002: 70):

- **Developing post establishment and chain of command**

More correctional officials are involved on different levels in the case management process than in ordinary prison management. Correctional officials need clarification as to the chain of command, which will lead to retraining of current staff members.

- **Defining a policy and developing operational procedures**

Develop a formal policy on unit and case management with accompanying formal operational procedures. There is a need to draw up a formal policy, which should be accompanied by planned operational procedures to facilitate the task of the correctional officials working in case management.

- **Designing a method of evaluation**

A comprehensive evaluation tool to assess the results and the functioning of unit and case management in practice needs to be developed. As with any new implementation there is a need to evaluate its success. Therefore a method of

evaluation to measure the success of the implementation of unit and case management needs to be developed.

- **Developing assessment tools**

The developing of functional tools to assess sentenced offenders. Case management relies on the assessment of offenders in order for it to succeed. These tools need to be developed to suit the need of the case management process. If offenders are not assessed in the correct way it could negatively influence the result of case management.

- **Developing mechanisms for national, provincial and local levels of monitoring and reporting**

Unit and case management will eventually be implemented in all nine provinces. Therefore a sound monitoring system and consequently a reporting mechanism needs to be established in order for the Department to keep abreast of the implementations countrywide.

- **Retraining of frontline staff**

The frontline staff needs to be retrained, with a view to increasing the number of multi-skilled staff. Case management requires correctional officials to become multi-skilled and more professional.

- **Redefinition of the roles of all disciplines**

In unit and case management, the correctional officials have more control over offenders and the environment. Therefore the roles of all disciplines need to be redefined. For example, direct supervision in unit management means that the correctional official on duty is physically in the unit, unlike the custodial official in a traditional prison.

- **Participation in rehabilitation programmes**

With case management in place there are expectations from the Department of Correctional Services of an increase in the participation in rehabilitation programmes by offenders. Rehabilitation is the core of the business of the Department and their aim is to rehabilitate as many offenders as possible. With the individual case plan each offender is evaluated and allocated to rehabilitation programmes and the case worker is monitoring the progress of the offender.

- **Development of relevant curriculums**

In order to retrain current correctional official and new correctional officials the curriculum needs to be developed to suit the requirements of unit and case management. This will result in the development of relevant curriculums, including basic training, in order to address the training and retraining of staff.

- **Support structure at the national office**

When unit and case management are formally implemented in the Department of Correctional Services, a permanent support structure at national office should be introduced. The function of this structure will be to render support and assistance to the different prisons which have implemented unit and case management.

5.9 CONCLUSION

Until recently, corrections in South Africa had always been operated along the lines of the management of the organisation based on the typical management principles outlined in chapter four. Little attention was paid to the offender as a human being. Case management however, can serve as a vehicle to facilitate the personalised and decentralised approach.

The Department of Correctional Services is gearing itself for the rehabilitation of offenders in a number of ways. Although it is still in the inception phase, it is certain that unit and case management is the appropriate vehicle to utilise in transforming prisons from punitive to rehabilitative institutions. Each country has its own unique way of implementing case management, although certain aspects apply in every case. The aspect that is universal in the implementation of case management is the role of the correctional official and the offender.

The role of the correctional official and the offender will be discussed in more detail in the succeeding chapters, as will the role of the community as a significant other.

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CHAPTER 6

THE ROLE OF THE CORRECTIONAL OFFICER IN CASE MANAGEMENT

6.1 INTRODUCTION

Correctional officers should always remember that they work on behalf of the community. Prisons exist because the community has decided that they should. If this is true, it makes the job of the correctional officer very difficult. The correctional officer not only has to keep the community safe from criminals but has to train and develop those same criminals to make them more acceptable for rehabilitation into the community. In the criminal justice system, the correctional officer is asked to collect a great deal of information about offenders. This information will shape their decisions and recommendations because each piece of information is potentially useful to educational, medical and psychological profiles. Case management as a sub-system is there to assist the attempts of the correctional officer to rehabilitate and develop the offender. This is a sub-system with specific activities that must take place at certain times during the offender's imprisonment. It has a chronological progress which makes it highly accessible for the correctional officer as well as the offender. But as with all team efforts, each one has to participate and contribute for the system to be successfully implemented. Case management is an ongoing process in which the staff members become involved and while each utilising their own specific skills and knowledge, facilitate a desired change in the offender.

“Justice consists of treating equals equally and unequals unequally according to relevant differences.”

Aristotle (Anthony Walsh p 105)

The statement made by Aristotle signifies the philosophy of individual treatment underlying the effort to make justice operational by assigning numeric scores on assessment scales. The “relevant differences” mentioned by Aristotle are determined

by these methods of assessment, in order for justice to be done as equitably as possible. Both the community and the offender benefit from the more structured and reasoned approach to decision-making made possible by using methods of assessment, as will be seen in this chapter. The offender also will benefit by being treated more consistently and justly than was previously the case. Finally, the community will be better served by a more accurate assessment of the risks posed by offenders.

This chapter will explain the role that the correctional officer is required to play in each of the three phases of case management outlined in chapter three. Case management will engage the correctional officer in a partnership to work towards the development of an effective method to administrate and manage the integration of the offender into the community. Since case management provides a position with more responsibilities than mere custodial duties, it is important to have a sound knowledge of what is expected. Also in this chapter certain aspects of case management will be addressed. One should bear in mind that the mission of aspects such as assessment, classification, treatment and counselling cannot be accomplished independently or in isolation within the prison. Because the aim of these aspects is the resolution of problems to prevent recidivism we must also take into consideration the problems of the other aspects in case management, such as security, custody and discipline.

Introducing case management into the prison system is not only for the benefit of the offender but also for the benefit of the correctional officer. Treating people like animals just because they are kept behind bars is not part of today's imprisonment ideology. There were times in the past when correctional officers used physical force on an offender because it was considered to be a deterrent. It was so bad that Thompson (1847/1969: 358-359) described it as follows: *".....officers feast themselves in seeing their own species act the part of wild beasts and witness with ecstatic delight scenes which would make an angel weep and put humanity to blush."* Case management changes the role of the correctional officer.

6.2 ROLE CLARIFICATION IN CASE MANAGEMENT

The roles in case management are filled with the involvement of staff and offenders. The involvement of the offender lies in linking the offender's needs to all the elements involved in the managing of each offender within the structure of correctional resources. Staff involvement is an ongoing process and it utilises specific knowledge and skills to facilitate the desired change in offenders in order to improve security and reduce recidivism. (Bruyns, Jonker & Luyt, 2000: 77; Luyt, 1999: 128)

The case management team normally consists of every staff member who has contact with the offender. The case managers and the case management team make use of case management as the framework within which they structure their work. The correctional officers who are directly involved in a particular case will form the core team. According to Luyt (Bruyns, Jonker & Luyt, 2000: 79) the case management team will also determine the style and level of case management that will be suitable for each offender's circumstances and needs. Each case is tailor made to suit the needs and status of each offender and to comply with the resources available in the unit or prison.

The nature of the relationship between the case manager and the offender is the key factor in terms of achieving successful results. "Relationship" can be defined as the development of trust and confidence between the case manager and the offender; according to Enos & Southern (1996: 41) this relationship is developed through the process of professional encounter and interaction between offender and case manager. Through the process of professional encounter, the offender comes to recognize the nature of the offence, accepts his role in the offence and understands the personal and legal consequences that flow from the offence.

The objective of today's correctional officer is to be a 'professional correctional officer'. The emphasis is placed on the training of correctional officers and the ongoing promulgation of a code of ethics expressed in a statement of values emphasising the central importance of integrity and the pursuit of excellence in carrying out all aspects of their duties (Ramsland, 1996:334). Case management is part of the unit management approach which is designed to enhance dynamic security

and ensure interactive offender management. Therefore it will be important for both the correctional officer and the offender for the correctional officer to be trained in case management.

Case management entails a change in the process, terminology and job description of the correctional officer and dynamic participation from the offender. For example the case worker observes the offender informally in the yard as well as in the unit. Once a month, the case worker should have a one-to-one interview with the offender. In this interview they discuss how the offender is coping with life in custody and the progressing with his program. During this interview the offender can complain about any problems he is experiencing. In general the case worker's role is to be a point of contact or referral for the offender should he have a problem, need advice or information or wants to talk to someone. Under case management the correctional officer and the offender establish a situation whereby the correctional officer knows the offender's history and understands why the service or advice is being sought. Because the case worker gets to know the offender they can help sort out small problems before they become big ones. They can also anticipate where problems might arise.

The type of individual needed to fulfil the role of today's correctional officer is very different from that of some of the current correctional officers. Good communication skills are now more important than ever for correctional officers in managing offenders. Case managers are the primary communication link between offenders and other staff, as well as being an important connection to the individual offender's future life in the community. Case management is about oral and written communication. Training should provide the correctional officer with the necessary skills to function effectively in the position of case manager, with its duties and responsibilities.

6.3 DUTIES AND RESPONSIBILITIES OF CORRECTIONAL OFFICERS

The duties and responsibilities of correctional officers in a case management sub-system are:



6.3.1 DUTIES AND RESPONSIBILITIES OF THE CASE MANAGEMENT COMMITTEE

Every prison has its own case management committee. Primarily, the case management committee is responsible for decision making concerning the safe detention of offenders, their integration into individual, subgroup or group programmes, and the prompt reward of positive behaviour and discouragement of negative behaviour. The committee also has the function of making recommendations regarding the placement of sentenced offenders.

The case management committee has certain decision making competency and is, furthermore, called upon to communicate with offenders individually on at least a six monthly basis with a view to guidance, evaluation and support. In the process special attention is given to assessment after admission. The case management committee is also involved with every individual offender as far as scheduling and re-scheduling of programmes according to the offender's sentence plan, in order to ensure the successful re-integration of the offender in the community.

The offenders must appear individually before the committee. The committee is responsible for the co-ordination of goal-orientated strategies with set objectives within a multi-disciplinary team context which must be attained by every individual offender within specific periods. The Case Management Committee reviews and approves or revises the placement and classification recommendations of the Case Management Team. They make sure that sentence plans have been developed for offenders. Each offender must have their security classification reviewed at least once every six months

6.3.2 DUTIES AND RESPONSIBILITIES OF THE CASE MANAGEMENT TEAM

Case management cannot be successfully conducted without the co-operation of the offender. The basic principle of case management is to manage each offender's sentence in the best possible way. The outcome should therefore be a positive

experience not only for the offender but also for the community. The typical case management team is illustrated in figure 15.

In the typical case management team, the heart of all the activities is the offender. The correctional officers who will work very closely with the offender are the unit manager, case manager, case worker and correctional counsellor. They form the inner circle nearest to the core which represents the offender. The offender will form part of the correctional officer's case load. The "other staff" who forms part of the daily interaction with the offender, are for example the direct supervision officers who are assigned to the same unit as the offender. The other members of the case management team are educators, instructors, volunteers, chaplains, psychologists, social workers, medical staff and correctional officials (safe custody). These members of staff form the outer circle. This represents the staff that has interaction with the offender less frequently. For example, the offender only sees the social worker once a week and the educator three times a week. These members of staff will compile a progress report on the offender which they will present at case management team meetings.

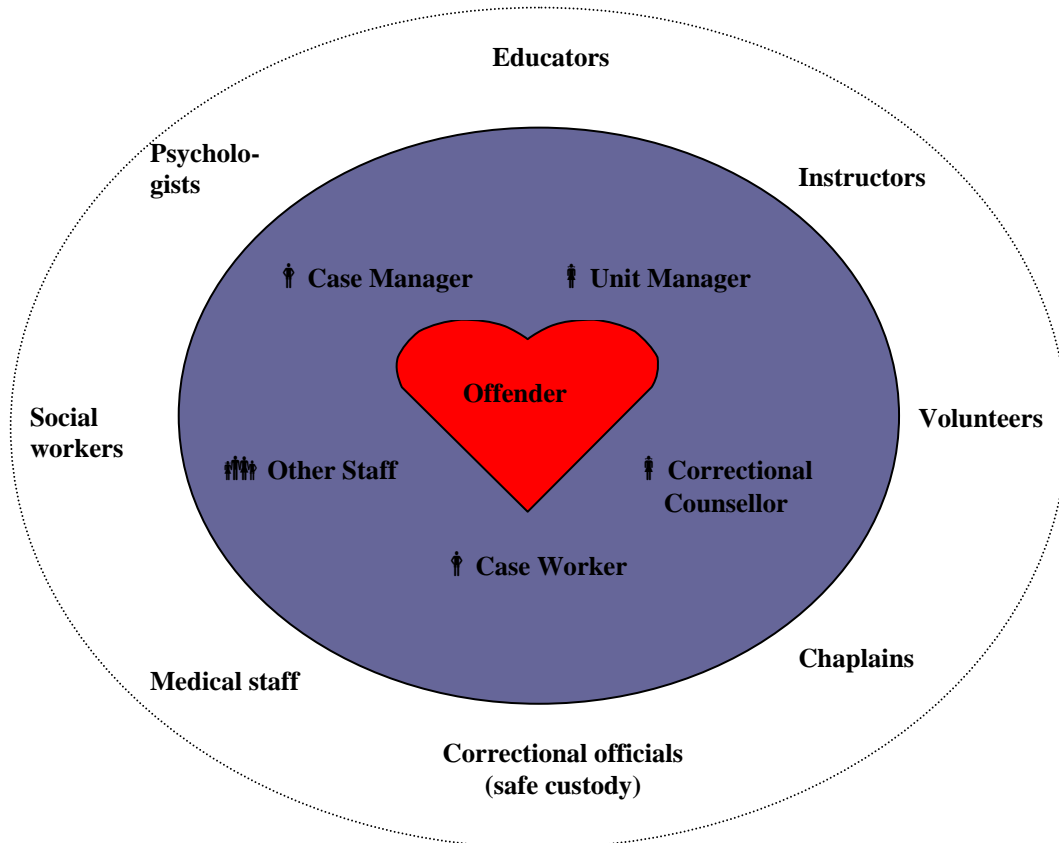


Figure 15: The Case Management Team

The case management team is chaired by the case manager. The team assists in placing the offender according to his classification and needs assessment. Based on the results of the assessment, the team can pin point the expected changes from the offender and decide on the time-frame within which these changes should be expected to take place. The case management team will make sure that offenders participate in sentence planning and that they agree to the proposed sentence plans. This is done by including the offender at the meetings when the case plan is discussed. These sentence plans should be reviewed at least every three months or as stipulated in the directives regarding the interval for reviews. The case management team should ensure that each offender has an initial sentence plan. This includes offenders with a sentence period of less than twelve months. The sentence plan assists in managing the offender's progress through the correctional system according to the goals set out.

The case management team will conduct an intake screening of newly admitted offenders. According to that screening, offenders can be classified for security and custody level as well as work and housing. This will assist the case management team in making recommendations about offender placement and classification. The case management team will also participate in tracking the progress of offenders with regard to reclassification. A review of the progress made by the offender in reaching and meeting targets, forms part of the duties of the case management team. On completing an assigned programme the offender is assigned to a new programme. Therefore the case management team has to continually assess the offender's needs.

Disciplinary hearings of offenders will be conducted by the case management team. Any misconduct of an offender that is not of a too serious nature can be referred to the case management team. The case management team will also review the incentives and privileges of offenders. Positive case notes will lead to an increase in incentives or privileges and negative case notes will lead to a reduction in incentives or privileges.

The case management team will approve an offender's visitors. They also co-ordinate the complaints and requests of offenders and forward them through the correct channels. The team is also responsible for referring the offender for counselling

support and co-ordinating its success. All of these different duties form part of the goal of the case management team which is to assist the offender in preparation for eventual release.

6.3.3 DUTIES AND RESPONSIBILITIES OF THE CASE MANAGER

The case manager will complete the initial classification of the offender and present it to the case management committee. The case management committee will then confirm or change the classification of the offender. If this happens, the case manager completes the necessary reclassification documents and presents them to the case management committee. The case manager conducts debriefing sessions with offenders after they have had a meeting with the case management committee. The case manager has to attend the meeting and provide written information when they make decisions regarding an offender on their case load.

The case manager initiates and conducts individual interviews with each offender on their case load. Checking the offender's visiting list in collaboration with the correctional counsellor also forms part of the duties of the case manager. The case manager prepares a sentence plan for each offender regarding their treatment and presents it to the case management team. Monthly reports regarding the progress of the offenders in their programmes are reviewed by the case manager.

The case manager also conducts formal individual or group counselling sessions with the offenders of the unit on the case manager's case load. The implementation of in unit programmes also forms part of the duties of the case manager. The case manager attends and chairs any formal case management team meeting, which involves an offender in the relevant case load. Making referrals and co-ordinating them is the duty of the case manager.

Part of the duties of the case manager is to form a liaison with relevant others, for example the family of the offender. Every six months, the case manager should initiate and conduct an individual interview with every offender. The case manager processes the applications for re-assessment for presentation to the Case Management

Team. The case manager is also responsible for ad hoc administration tasks such as keeping the case files up to date with all the new and relevant documents pertaining to the offender.

The case manager should visit any offender on his case load whose stay in the infirmary exceeds five days. He should also provide back-up to assist the offenders on the case load of another case worker of the unit when that individual is absent (Levinson, 1999:34). The case manager also fulfils an intelligence function during the release phase, as the case manager has worked closely with the offender and can retrieve a great deal of information.

The programme of the case manager is very full because of co-ordinating activities regarding every action that takes place with an offender. A typical work day of a case manager is illustrated in table 7:

Table 7: A typical working day of a case manager

WORKING DAY IN THE LIFE OF A CASE MANAGER	
TIME:	ACTION:
7:30 to 8:00	<ul style="list-style-type: none"> • Determine if new offenders were added to the case load. • Review applications for new assignments to the unit. • Complete approved visitation lists.
8:00 to 8:15	<ul style="list-style-type: none"> • Receive request slips from offenders who want to see the case manager. • Sent passes for those offenders.
8:15 to 8:25	<ul style="list-style-type: none"> • Discussed job transfer with an offender.
8:25 to 8:40	<ul style="list-style-type: none"> • Changed approved visitation list for an offender.
8:40 to 9:15	<ul style="list-style-type: none"> • Chaired Case Management Team meetings.
9:15 to 9:25	<ul style="list-style-type: none"> • Discussed an offender's complaints about the hospital.
9:25 to 9:35	<ul style="list-style-type: none"> • Talked with an offender's family.
9:35 to 10:00	<ul style="list-style-type: none"> • Completed an offender's sentence plans.
10:00 to 10:15	<ul style="list-style-type: none"> • Completed a monthly sentence plan review of an offender.
10:15 to 10:30	<ul style="list-style-type: none"> • Received notice of a death in an offender's family. • Initiated a temporary leave process.
10:30 to 11:30	<ul style="list-style-type: none"> • Led tour for a class of criminology students.
11:30 to 12:00	<ul style="list-style-type: none"> • Lunch
12:00 to 12:20	<ul style="list-style-type: none"> • Completed ad hoc meetings with offenders.
12:20 to 12:30	<ul style="list-style-type: none"> • Referred an offender for psychological evaluation.
12:30 to 12:45	<ul style="list-style-type: none"> • Saw an offender in the unit.
12:45 to 13:15	<ul style="list-style-type: none"> • Attend Case Management Committee meeting.
13:15 to 14:00	<ul style="list-style-type: none"> • Discussed an institutional transfer with an offender.
14:00 to 14:35	<ul style="list-style-type: none"> • Completed a progress report on an offender.
14:35 to 14:45	<ul style="list-style-type: none"> • Checked on an offender's missing money order.
14:45 to 15:15	<ul style="list-style-type: none"> • Conducted a training seminar concerning the use of some new forms.
15:15 to 15:40	<ul style="list-style-type: none"> • Reviewed work for the next day.
15:40	<ul style="list-style-type: none"> • Left the institution.

6.3.4 DUTIES AND RESPONSIBILITIES OF THE CASE WORKER

The central purpose of the case worker is to reinforce the principle that offenders are sent to prison as punishment and not for punishment. The case worker explains case management and the role of a case worker to the offender. The case worker also manages each of the offender's the case load, regardless of their nationality and in accordance with their individually assessed risk and needs.

The case worker will conduct an interview with the offender after admission to the housing unit. In instances where offenders do not speak, or have difficulty with, English, the services of an interpreter should be used. This is necessary for the better understanding of the offender and helps the offender to feel that his needs are respected. With regard to the sentence plan, the case worker monitors the offender's progress by observing and talking to the offender and recording observations in the case file.

Day-to-day activities of the offenders on the case worker's case load are monitored to see if they keep up with their individual sentence plan. In case management, there is more personalised interaction between the offender and the case worker which creates the opportunity for normal behaviour for the offender. Small issues which trouble the offender can be resolved by the case worker, which will shorten the time in which problems are solved. The case worker is in very close contact with offenders on his case load, which provides the opportunity for the case worker to identify additional areas of needs for the offender.

The case worker should make contact with the offender at least every second week. The focus of these sessions is:

- To remind offenders of the requirements of their sentence plan.
- To encourage offenders to engage in the activities provided by their structured day programme.
- To assist offenders in reviewing their sentence plan.

The case worker submits a monthly summary of the offender's progress to the case manager. This is done at case management team meetings in which the offender is also present. Documentation created by the case worker on the offender should be filed on the individual's case file.

6.4 ASSESSMENT OF THE OFFENDER

In the criminal justice system, the fundamental goal of assessment is the identification of relevant offender characteristics from which to formulate different responses. The correctional officers and other staff who interview offenders and assess information should be aware that their written assessments will be seen by, and will usually be discussed with, the relevant offender. It is therefore important that the assessments are factually accurate, and that conclusions drawn about individuals are reasonable in the light of information available at the time. According to Walsh (1997: 105) the offender as well as the community will benefit from the more structured and reasoned approach to decision-making made possible by the assessment process.

The techniques of assessment have moved out of the subjective, highly discretionary dominion into a more objective, empirically based approach. This trend is highlighted by the following improvements: (Walsh, 1997: 115)

- Important risk and need factors of the offender can be identified by the case manager and the case management team. These factors are:
 - Age of offender at first adjudication or conviction.
 - Criminal history i.e. number and types of arrests, incarcerations, probation and parole periods prior to the current offence.
 - History and extent of drug and alcohol use.
 - Education and vocational skills.
 - Employment history and potential.
 - Stability of family life.
 - Emotional stability.
 - Intellectual ability.

- Those features can be evaluated, by the relevant role players, against outcomes;
- If the assessment is done correctly, the information will point to a preferred response across a range of offender management issues; and,
- Assessment results can be assembled for large groups of offenders. This will allow the unit manager to know his offender base and the related need for particular correctional resources.

When the offender is sentenced he or she will go through an assessment process to determine how he will serve his or her sentence. According to the Correctional Services of Canada (1993: 31) the assessment process consists of certain components. These components, which are:

6.4.1 COLLECTING INFORMATION

After sentencing the offender will arrive at the prison with a warrant. An interview between the correctional officer and the offender will take place during which the case manager begins collecting information.

The duty of the correctional officer during the interview is to tell the offender what to expect generally during the sentence. They will also discuss the placement decision that was made concerning the offender. That will include the reason for an offender being placed in a specific unit, for example the offender may be placed in the housing unit in which the offenders attend vocational skills training, such as leather work. Offenders following the same programmes are housed together in the different housing units. This makes it easier for the case manager to compile a structured day programme for a housing unit. During this interview the case manager should make notes about suicide, risk security, medical condition or any personal concerns of the offender. These concerns will be documented on the case file of the offender and will form part of the formal assessment that is going to take place. At this stage the case manager also begins a case documentation checklist to verify the information on the offender that has been requested and/or received. This also assists the case manager in making sure that all the relevant documentation that is supposed to be part of the

offender's case file at this stage is indeed on the case file. During this interview the case manager will also gather preliminary information for parole options for the case management committee. This can be done by doing a brief social and criminal history, making preliminary institution and/or community plans and taking notes about the offender's version of the offence.

The information obtained in the community by the correctional officer should arrive with the offender at the reception centre. This information will be useful in the overall assessment of needs and will be used in case management meetings. The offender is also interviewed by the correctional officers when he arrives at the assessment unit. Important information about the offender and the committed crime may be sent back to the correctional officer who is gathering preliminary information for parole options for the case management committee.

6.4.2 ADDRESSING THE OFFENDER'S IMMEDIATE NEEDS

After the initial interview all new offenders are involved in an orientation process at the prison. This includes a medical check-up, clothing distribution and a suicide screening. The suicide screening is done through an oral discussion during an interview with the offender to establish any immediate need for the case manager to be alerted about a possible suicide attempt by the offender. During an interview the psychologist will make an assessment of the offender regarding the possibility of committing suicide. The suicide assessment and screening will contribute to the decision making process concerning the offender's placement. The orientation process includes an initial interview between the offender and a correctional officer of the case management team. During this interview the immediate concerns of the offender will be determined. This will result in immediate identification of suicidal offenders, violent offenders and those whose personal safety may be at risk.

6.4.3 ANALYSING THE CRIMINAL RECORD AND ASSESSING RISK

The offender is then interviewed specifically about the current crime that was committed. Any important information provided by the offender is verified wherever possible. During the assessment process it is important for the correctional officer to

know the crime and the risk the offender poses. The correctional officer must be clear about the circumstances which brought the offender to prison. This includes past criminal involvement and the cycle of offending.

6.4.4 IDENTIFYING CRIMINOGENIC NEEDS

Results from interviews with the offender as well as the information in the file will permit the correctional officer to look closely at basic areas of need. The seven areas which have a direct impact on criminal actions are: employment, associates, community functioning, attitudes, marital/family status, substance abuse and personal/emotional situation. Each area is fully explored by the correctional officer with the offender and in some cases referrals are made for additional specialist input.

6.4.5 ASSIGNING OFFENDER SECURITY

All the information that has been obtained during the admission assessment is now summarised in a report. This report will form part of the assignment of an initial security classification (minimum, medium or maximum) to each offender.

At this stage the institution has a great deal of information about the offender. Factors that contributed to the criminal behaviour have been identified and a recommendation for placement in a prison suited to the offender's security and programme needs are made. All the documentation that has been generated during this initial assessment process will form part of the offender's case file. This initial assessment process is critical to the successful compiling of a sentence plan for the offender which will assist in the planning the sentence.

6.5 CLASSIFICATION OF THE OFFENDER

All over the world for many years, offenders have been imprisoned for crimes or offences that they have committed against society. The basic principle for dealing with these offenders has essentially been that of punishment. In general, this is no longer the basis of the present-day treatment of the offender. Those individuals who

are responsible for the care of the offender have come to realize that if the community is to be served well, it is the offender and not the offence that must be given the primary consideration. This has led to a method known as classification. Classification can be defined as a method of ordering the way in which we relate to or deal with objects, situations or people. According to Cunningham (Cunningham & Griffiths, 1997: 263) classification is a continuous process through which the treatment needs of an offender are identified and assessments are made regarding the offender's progress in altering behaviours and attitudes.

The primary principles of classification are:

- Offenders are individuals and should be treated as individuals. No two persons are the same and that applies to offenders as well. Each offender should be treated as a unique individual with unique needs and problems. Classification makes it easier to group together offenders with the same kind of problems and needs. In doing so the offenders can identify with each other.
- Rehabilitation of the offender should be planned in such a manner that the offender will fit in well in the community when the sentence is completed. The kind of programmes that are presented should equip and train the offender to use the skills productively when back in the community.
- All the available facilities should be utilised in the correction of defects and retraining of those who are to be released. The facilities at the prison should be available and used to assist the offender in the rehabilitation process. Programmes that have a positive influence on the rehabilitation of the offender need to form part of the individual's case file.

Within the prison setting, classification can be used as a management instrument which allows the case manager to maintain order in the unit and safety through the distribution of resources and provision of offender services. However, it is however very important for the correctional officer to bear in mind that unlike "free world" classifications, classifications within the criminal justice system tend to deprive the offender of their liberty and access to goods and services. Case management provides standardised procedures that will encourage uniformity and fairness for the offender,

for the prison and for the community. As Proctor (1994: 256) indicated, the objective classification of offenders through the use of standardised criteria and variables will enhance the validity of offender classification. (Diagram 6)

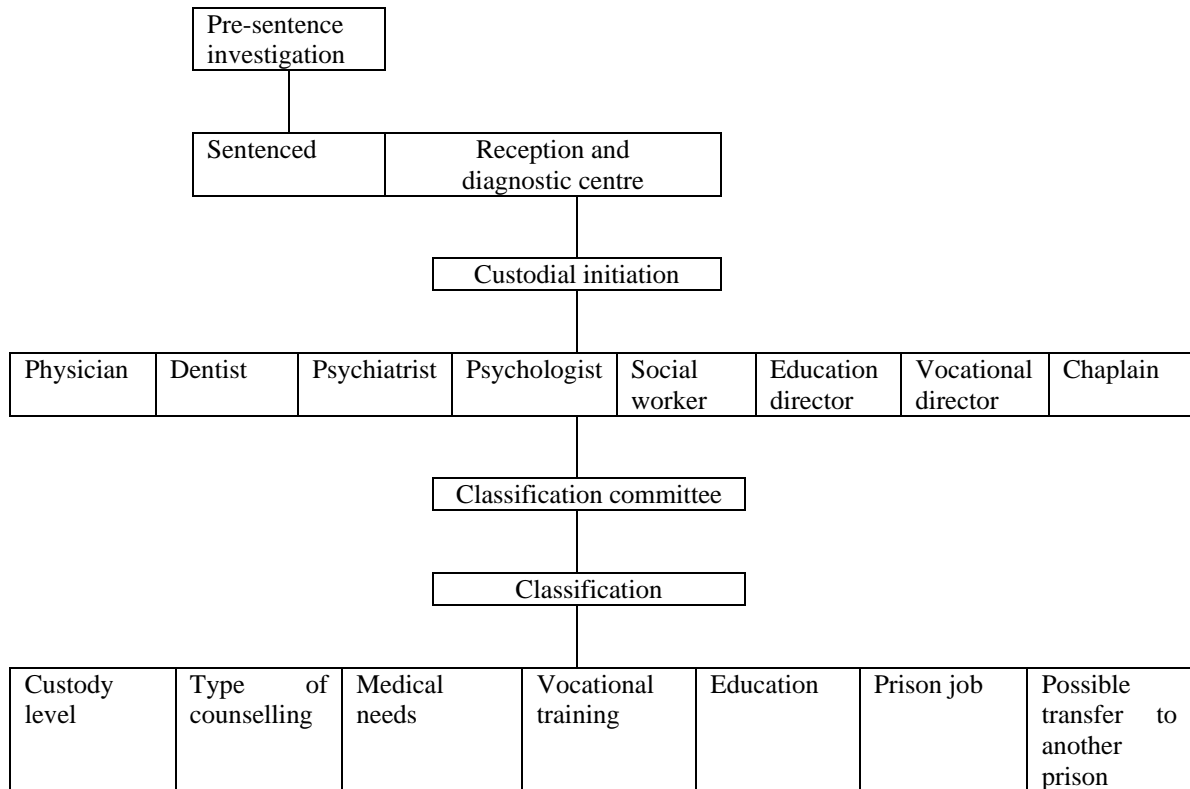


Diagram 6: Classification procedure flow

Considering diagram 6, the initial classification decision is made after an offender is sentenced in the criminal court and subsequent classification decisions are made by the offender’s case management team (Cunningham & Griffiths, 1997: 263). The goal of the classification process is to place the offender in the correctional institution most suitable to his or her individual needs, whilst ensuring that the security risks posed by the offender are recognised and addressed. After the offender is sentenced the route that will be followed starts at the reception and diagnostic centre. There the offender will be received and the case worker will open a case file with the documents of the offender concerning the pre-sentence investigation and the warrant. The case worker conducts an interview with the offender and any remarks will be documented on the individual’s case file.

The offender is then referred to the different services presented at the prison for assessment and screening. The physician and dentists will conduct physical tests and check up on the offender. The psychiatrist, psychologist and social worker conduct mental and emotional assessment and screening on the offender. The educational and vocational tests are done to establish the offender's level of education and whether there is a need for vocational training. Finally the chaplain sees the offender to discuss the religious needs of the offender.

The different individuals will document their findings and recommendations in the offender's case file. The classification committee then conducts a meeting to discuss these findings and recommendations. The offender is then classified according to the results of the various assessments that have taken place. Decisions are made concerning the following: the custody level of the offender (high, medium or low – see table 7 on page 188); counselling is needed, the type of counselling will be determined; medical needs if any of the offender will be noted on the case file; the type of vocational training is decided upon; if the offender needs education, the level of education will be discussed and the education programme started; prison job will be assigned to the offender, and a decision will be made if the offender needs to be transferred to another prison.

According to Walsh (1997: 116) the classification process, within correctional settings, should go well beyond basic assignments to the traditional “minimum,” “medium,” and “maximum” custody designations. Additional layers of differentiation will promote more standardized groupings of offenders who can be matched to compatible and effective supervision strategies.

There are three types of classification procedures namely:

- **Anamnestic procedure:**

This classification procedure is based solely on the offender's past behaviour. This kind of behaviour includes behaviour of the offender in the community before sentencing and if the offender was in prison before, the behaviour

during the previous imprisonment. This can be obtained during the initial interview between the offender and the case manager.

- **Clinical procedure:**

The clinical procedure is based on expert diagnosis and evaluation done by professional people in the correctional institution. Assessment tools are used by social workers and psychologists to diagnose offenders. According to this diagnosis the experts will evaluate the results and give advice in the classification procedure towards the clinical state of the offender.

- **Statistical or actuarial procedure:**

The statistical or actuarial procedure is based on individual offender behaviour patterns in comparison with similar behaviour patterns of other offenders.

The purpose of classification systems is to treat and rehabilitate the offender. These systems try to differentiate the offenders on the basis of their needs, attitudes, motivations and attributes and then provide the necessary treatment to bring about the desired changes in values, attitudes and skills. As an example, table 8 below illustrates the classification criteria for custodial levels. These levels refer to the degree of supervision the offender will receive. (Walsh, 1997: 165)

Table 8: Classification of custodial levels

ACTIVITY	CUSTODY LEVELS		
	MINIMUM	MEDIUM	MAXIMUM
Observation by staff	Occasional; appropriate to situation	Frequent and direct	Always supervised when outside cell
Day movement inside facility	Unrestricted	Observed periodically by staff	Restricted; directly observed or escorted when outside cell
Movement after dark	Intermittent observation	Restricted, with direct supervision	Out of cell only for emergencies. In restraints when outside housing unit, or as approved by direct supervision officer
After evening lockdown	Intermittent observation	Escorted and only on order of direct supervision officer	
Meal periods	Intermittent observation	Supervised	Directly supervised or in cell
Access to jobs	Eligible for all, both inside and outside perimeter	Inside perimeter only	Only selected day jobs inside perimeter, or directly supervised within the unit
Access to programs	Unrestricted, including community-based activities	Work and recreation, inside perimeter; outside perimeter only as approved by the head of prison	Selected programs /activities inside the facility perimeter, as approved by head of prison
Visits	Contact; periodic supervision, indoor and/or outdoor	Contact, supervised	Non-contact or closely supervised (1-1)
Leave the prison	Unescorted/escorted	Direct staff escorts; handcuffs, with chains and leg irons(optional); armed escort (optional)	Minimum of two escorts with one armed, full restraints; strip search prior to departure and upon return
Furlough	Eligible for unescorted day pass and furlough*	Eligible for staff-escorted day pass or furlough*	Not eligible

*DEFINITION: Day Pass – Permits offender to be away from prison only during daylight hours. A furlough authorizes overnight absence from the prison.

This custody classification system is used as a guideline to determine the following:

1. Assignment is made to a prison that provides the level of security consistent with the offender’s custody requirement.
2. Assignments are made to institutional programs that are consistent with custody needs. These assignments include housing, work and other programs such as education, visiting and any activity that involves risk to staff, other offenders or the community.

According to table 8 the custody levels in a correctional institution are minimum, medium and maximum levels. These custodial levels refer to the degree of supervision the offender receives. Programmes are the activities that are provided, for

example educational and vocational opportunities, counselling services and recreational and hobby activities. Table 8 makes it clear that access to jobs and programmes is an inherent function of custodial classification.

Classification systems tend to have common features. One would be an assessment of the risk presented by the offender. The aim of risk classification is to assess an offender's potential for future criminal behaviour.

The following types of information are utilised in making classification decisions:

- **Sentence information:** The crime the offender has committed and the sentence received for the crime.
- **Criminal history:** The number of prior periods of parole supervision. This will include the number of prior felony convictions: convictions for burglary, theft, vehicle theft, and conviction for assault offence within the last five years.
- **Institutional history:** The attitude of the offender during previous imprisonment; where the offender was imprisoned, with reference to records from that institution to assess the general behaviour of the offender.
- **Personal history:** The age of the offender at first conviction; the number of address changes in the last twelve months as well as the percentage of time employed in the last twelve months.
- **The offender's security classification:** The security classification of an offender can range from minimum, medium and maximum security. The higher the security classification the higher the risk that the offender poses.
- **Offender motivation to participate in a treatment programme:** If programmes formed part of the case plan of an offender, how motivated was the offender to participate in these programmes.

Another feature of classification systems is an assessment of the offender's needs in such areas as family support, employment, emotional problems and treatment for drug or alcohol abuse. To be effective, the offender is reassessed on a regular basis and

decisions are made concerning the progress in meeting the offender’s needs and working on his problems.

According to Levinson (1982: 34) internal classification is an approach by which offenders with similar behaviour characteristics are systematically assigned to housing units within an institution. Internal classification does not take away an offender’s rights or privileges and it does not change the offender’s custodial level. The aim of internal classification is to house together offenders with similar interests and behaviour patterns. In doing this the predators are separated from the victims, which will result in reducing the incidents of offender violence and exploitation. Internal classification as seen by Quay (1984: 27) “separates the good guys from the bad guys when everybody is wearing a black hat”.

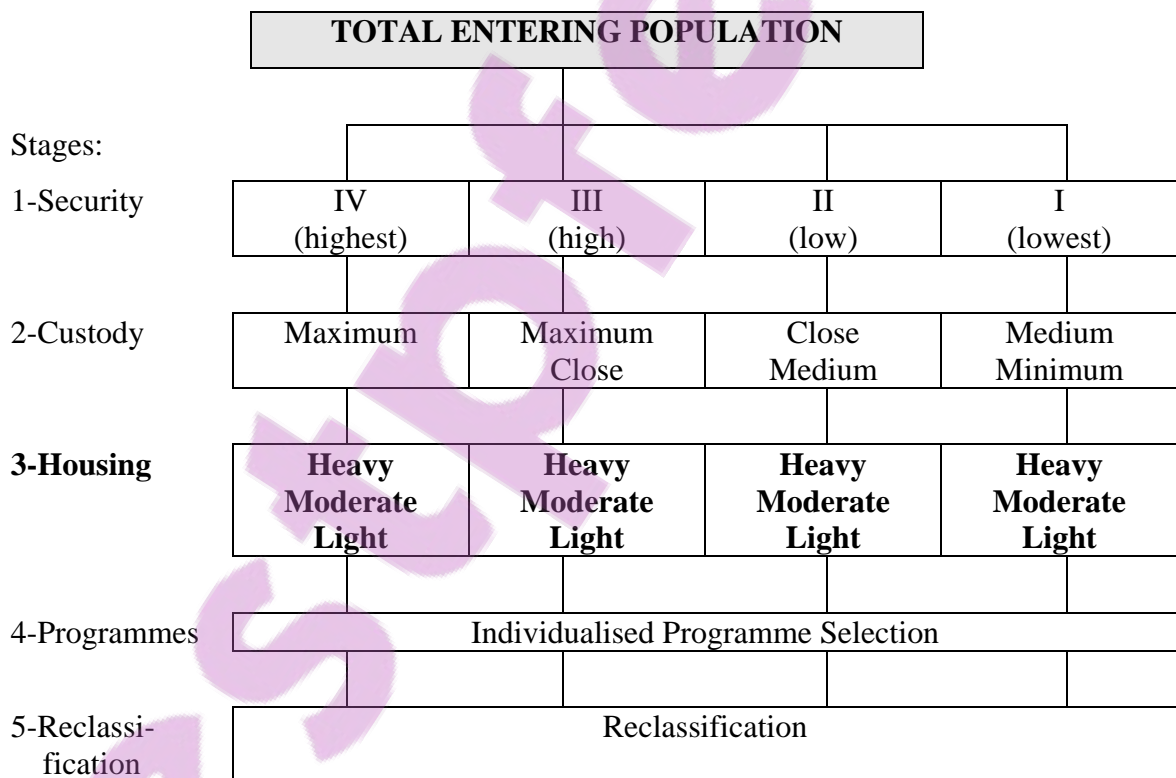


Figure 16: The Classification Process

According to figure 16, internal classification is at the third level in the typical five-stage classification process. The first two levels namely security and custody levels were discussed *supra* in paragraph 6.5 of this chapter. Figure 16 shows that an

offender with the security classification level of III (high) will resort under maximum custody with close supervision. According to these levels the internal classification will determine the kind of housing for those specific offenders. Some of them will need a housing unit where supervision will be “heavy” meaning that the offender will be in the cell for most of the day whereas “light” housing means more freedom of movement that can be allowed for a level III security offender. Programmes and reclassification are individualised to suit the unique needs of each offender.

Therefore internal classification is an additional component of classification and is an essential part of case management. In unit with offenders who have committed the same offence, programmes will be the same, which will make it easier for the case worker to organise his or her case load.

To summarise, classification is the categorization of offenders which requires an assessment of an individual’s social and criminal background and current programming needs. The results of these classifications are used to assign the offender to an appropriate secure institution, housing area, work assignment and programmes. Classification, as a part of case management, is an integral part of all institutional operations. It is concerned with programme planning and development as well as the delivery of required services to return well-adjusted and law-abiding citizens to the community. Primarily, it is concerned with individual offender treatment and reducing the risk of recidivism.

6.6 COUNSELLING OF THE OFFENDER

Counselling like any other developmental process, follows a sequence. It is important for the correctional counsellor to recognise a sequence so that he can create a framework in which to function properly, and to help evaluating the progress made.

According to Michael Cavanagh (Kratcoski, 1994: 175) the counselling process can be divided into six stages:

- **Stage 1: Information gathering:**

The more information counsellors have, the more valid their evaluations will be. This automatically leads to more accurate feedback and sounder recommendations. This information is based on the offender's past which will help the counsellor understand how the offender arrived at the current situation. The information should also assist the counsellor in learning about the offender's perceptions of reality: i.e. the inner conflicts and how they are handled as well as the relationship between who the offender thinks he is and what others think of the offender, as well as the offender's beliefs, values and hopes. Interpersonal information comprises the dynamics involved in how the offender relates to others, and also whether these relationships are satisfying or unsatisfying to the offender or to the people with whom the offender relates.

- **Stage 2: Evaluation:**

As information gathering nears completion, the counsellor begins to evaluate it. Evaluation revolves around five issues: identifying the symptoms; identifying the cause of the symptoms; deciding on the way to relieve the symptoms; assessing the offender's readiness for counselling; and finally deciding if the counsellor is fit to counsel the offender.

- **Stage 3: Feedback:**

Feedback consists of the counsellor sharing relevant information with the offender who is seeking help. The purpose of the feedback is to provide sufficient information to enable the person to make an informed decision with regard to beginning a counselling programme. The following four principles can help counsellors provide feedback that is meaningful and helpful to offender's type of information; strengths and weaknesses; inviting questions, and recommendations.



- **Stage 4: The counselling agreement:**

By now, both the counsellor and the offender possess much more information than they did when they began. Using this information as a frame of reference, the counsellor and the offender can come to an agreement on four issues: the practical aspects of counselling, roles, expectations and the goals of counselling.

- **Stage 5: Changing behaviour:**

Exactly what occurs during this stage depends upon the offender and his problem. However, there are some common experiences that occur during this stage with which counsellors should be familiar. These issues may arise before this stage, but they arise more obviously and regularly at this stage. The following are ten situations with which counsellors frequently must deal while helping the offender change behaviour: focusing on responsibility; inward searching; utilising insights; mirroring; confronting; giving support; reverse shaping; transference; counter-transference and interpretation.

- **Stage 6: Termination:**

Termination is a stage of counselling and not simply the last few sessions. During this stage, the counsellor begins preparing the offender to leave counselling. The counsellor increasingly points out the success the offender is achieving. The message is: "*You seem to be doing more and more on your own and doing it well*". This helps the offender to see that the distance travelled in counselling is a good deal longer than the distance that remains.

Figure 17 two reflects the counselling process.

UNINFORMED DECISION	
Stage 1	Information gathering
Stage 2	Evaluation
Stage 3	Feedback
INFORMED DECISION	
Stage 4	Counselling agreement
Stage 5	Changing behaviour
Stage 6	Termination

Figure 17: Counselling stages

According to Levinson (1999: 35) the correctional counsellor must be readily accessible to the offenders on his or her case load. They should assist the case worker in resolving the offender's day-to-day problems conduct formal or informal groups and supply individual counselling, and they should also conduct crisis-intervention sessions. They should interview the offenders who have been newly admitted to the unit. This will form part of a formal intake screening and orientation process. They should develop a general knowledge about all of the unit's offenders, as well as having detailed information about offenders on their own case load.

The counsellor should assist the case manager preparing a visiting list for offenders on their case load. They should conduct a fifteen-minute individual interview with every offender on their case load, at least monthly. The correctional counsellor should go round the housing unit on a daily basis. Another duty is to serve as a member of the unit's case management committee and to form part of the unit's disciplinary committee.

The counsellor should visit the work and training sites for offenders on their case load, at least monthly. On the request of the offenders on their case load, provide grievance forms if their efforts to resolve complaints informally did not succeed. The counsellor should also visit the offenders on their case load who have been placed in

segregation, co-ordinate the offender's compliance with personal property policies, offender's trust fund activities and telephone sign-up list. They should sponsor at least one in-unit offender group for example Alcoholic Anonymous. The counsellor should assist the recreation specialist in conducting leisure-time and recreation activities for the offenders from a unit. They should also serve as the policy and procedure expert to offenders of the unit, their families and friends, other non-governmental organisations and to the community.

According to Braswell (Braswell M. & Lester, D, 1987: 3) correctional counselling is comprised of a process that includes three essential abilities namely:

- **A sense of timing:**

To develop a sense of timing, the correctional counsellor needs to carefully attend to whether the offender is communicating or not. A person can communicate without actually saying anything valuable. Therefore the counsellor must assess the value of the current communication of the offender. Communication is very important in order for the relationship between the correctional counsellor and offender to survive. Communication makes it possible for the correctional counsellor to get to know the offender and for the offender to get to know the correctional counsellor. At the same time the correctional counsellor must develop the ability to listen to what the offender is saying. Listening forms a very important ingredient of "a sense of timing" attitude from the correctional counsellor. It is not only for the correctional counsellor to let the offender communicate but it lies in how the correctional counsellor is listening to what the offender is saying. Therefore the following saying will fit in perfectly when 'a sense of timing' is considered: *"It is not so much what you say as it is when and how you say it."*

- **Effective risking:**

To take risks in general is not new to the offender. Whenever the offender commits a crime, he risks getting arrested and faces possible imprisonment.

When evaluating the potential costs of risk taking, the correctional counsellor can help the offender to evaluate the choice of risk taking. This can be done by letting the offender asks him- or herself three fundamental existential questions such as:

1. “Who am I?”
2. “Where am I going?”
3. “Why?”

When answering these three questions, the offender immediately will see the effect of the risk. From the first question, the correctional counsellor will learn to understand how the offender sees himself. The second question will help the offender to understand what he wants out of life. The second question will also help the offender to draw up the sentence plan. A specific desire of the offender to do a certain kind of job can come out in a session like this and the correctional counsellor can see to it that the offender can attend vocational classes in that interest. Answering the third question ‘why’ can help to make the offender realize the extent of the actions when a risk is taken.

- **A sense of professional humility:**

Kopp (1972: 166) stated that “The world is not necessarily just. Being good often does not pay off and there is no compensation for misfortune.” This is just what experience has taught – life is not always fair and winning is not always possible. What this all boils down to is that right and wrong may differ simply in degree and be relative in a given context. The correctional counsellor must bear this in mind when working with the offender in a counselling session. The correctional counsellor cannot assure the offender that the decision that the offender has made will be socially accepted and that the offender therefore will be treated fairly. All that the correctional counsellor and the offender can do is attempting to make the right choice.

These three qualities i.e. timing, risking and humility should be useful to the correctional counsellor in the process of helping the offender to make positive choices because the intention itself is a meaningful reward, regardless of the outcome.

Counselling is the most important means by which the correctional counsellor tries to help the offenders on his or her case load. The daily programme of a correctional counsellor will be linked to the constructive day of the unit. The offenders on his or her case load will all be from the same unit, to which the correctional counsellor is assigned.

The case management system provides the ideal situation for reality therapy in correctional counselling. But what is reality therapy? Reality therapy is not a new idea; actually the first notion of it was conceived in nineteen sixty four by William Glasser (1964: 137). Reality therapy takes the outstanding features of other therapy approaches and integrates them into a single theory which can be applied without modification to the offender. Reality therapy recognizes that people have basic needs that must be met for healthy functioning and that these basic needs are love and a sense of self-worth.

Rachin (1974: 52) described reality therapy as follows: *“The principles of reality therapy are common sense interwoven with a firm belief in the dignity of man and his ability to improve his lot. Its value is twofold: it is a means by which people can help one another and it is a treatment technique applicable regardless of symptomatology. It is simple to learn albeit somewhat difficult for the novice to practice. Experience, not extensive theoretical grooming, is the key to accomplishment.”*

Reality therapy is based on the following principle: an individual must accept responsibility for their behaviour (Kratcoski, 1994: 233). The goal of the reality therapist is: to lead the person being treated to act “responsible”. Reality therapy seeks to help the individual being treated to perceive the world as it really is and to behave in a reasonable, responsible manner in the light of this perception.

Reality therapy is different from other types of therapy in the following ways. It does not examine the offender’s past or recognise the existence of mental illness. Reality therapy views all behaviour as conforming to or deviating from the concept of responsible behaviour. The concept of morality plays an important role in the therapy and all acts are defined as being right or wrong. The use of reality therapy in the correctional environment is recommended for the following reasons. Because the

therapist does not require extensive training and the therapy does not involve complicated terminology, categorisations or treatment procedures, reality therapy can be implemented by case workers who operate on a daily basis with the offender, as well as the correctional counsellor. Reality therapy follows the basic route of common sense and does not involve the preparation of detailed case histories, psychological test results or progress reports.

However, reality therapy does not work for every client. The offender is usually defined as “untreatable” and “sociopathic” by conventional counselling methods. In fact an offender is at first hostile and unmotivated to change and much of the behaviour is irresponsible and anti-social. It is for these offenders that reality therapy is likely to prove the best possible approach to counselling.

To answer the question on reality therapy is to refer to the three assumptions on which the treatment techniques rest, which are:

- that each person, no matter what that person may have done until now, is a potentially mature human being;
- that everyone wishes to love and to be loved; and
- that everyone wants somehow to be worthwhile to themselves and to others.

A paper which was written by Cohen (Cohen & Sordo, 1984: 29) presented a five-step summary of the treatment techniques of reality therapy. The five steps of the counselling process in reality therapy are:

- **Step one: Involvement**

The essential of reality therapy in counselling is that the counsellor needs to be realistically involved with the offender. The success of the offender is a matter of great significance for the counsellor and this message should be conveyed to the offender. One of the techniques to do this is the use of ‘home visits’. The situation in case management is therefore ideal because the

counsellor works with offenders in their unit. Visiting the offender in his 'home' often has a carry-over effect in reducing suspicion and hostility, because the counsellor in doing this is not only caring, but is also demonstrating that care. That is essential in this initial phase of the counselling process.

- **Step 2: Current behaviour**

The focus of reality therapy is on the here-and-now because that is the stage of life over which the offender can get control. Memories, attitudes etc. formed in the past may indeed be important but they can be dealt with in the present. The difference is crucial: things in the past are beyond our control but the present is here to come to grips with.

- **Step 3: Evaluating behaviour**

With the preliminary treatment relationship established and the rules understood, the counsellor can proceed to the next phase which is enabling the offender to judge their own behaviour. At this point the offender should be encouraged to express their personal goals and values. This often leads to truth-seeking discussions which are unfamiliar to the offender. The technique of the reality therapy counsellor is to ask in a variety of ways: "Is what you are doing helping you to achieve what you **really** want?" The counsellor's task is to find the positive centre in the offender's thought processes and to release the constructive forces. This task often requires creativity and imagination, important qualities for working with difficult offenders.

- **Step 4: Contracting**

The major part of the counselling in reality therapy is the negotiating and executing two kinds of contracts. This step will discuss the overall counselling contract whereas step number five will describe how a series of short-term contracts will be negotiated. At this point it becomes necessary to

define “responsible behaviour” in the context of reality therapy. Behaviour is responsible when it helps a person to achieve their goals without hurting others. Here the central task is to plan for more responsible behaviour in areas that may include family relations, friendships, work, substance abuse etc. From the reality therapy viewpoint, the client has to become completely responsible for their own progress.

- **Step 5: Commitment**

The technique suggested here is to help the client move from planning to commitment, with the implementation of a series of short-term contracts negotiated with the offender (Seabury, 1979: 35). Those life-areas which were identified by the counsellor together with the offender during the previous phases were targeted for change. In dealing with these short-term contracts, the counsellor needs to be completely and visibly committed to the offender’s success. If the offender does not fulfil a contract, it is set aside; failures are never discussed. Instead, a less demanding contract is negotiated. This continues until all of the problematic life-areas have been covered and a success identity has replaced the failure identity which had been causing the offender so much grief. An important consequence of this phase of the counselling process is learning the art of non-aggressive negotiation and learning the importance of inter-personal relationships in achieving personal goals.

In the case management scenario, the correctional counsellor should be a person who has the skills and talents to work with individuals with severe problems. The correctional counsellor must also have great confidence in their personal abilities and in the special services they can offer the offenders.

6.7 CORRECTIONAL TREATMENT

When talking about correctional treatment, there are certain terms that immediately come to mind. The term ‘humanitarian reform’ is about the physical welfare of the

offender. Also the term 'corrections' means to change an undesirable condition, in other words, to change the offensive behaviour of the offender to a behaviour that is seen as appropriate by the laws of the community. Finally the terms 'rehabilitation' and 'treatment' those are activities that are set in motion when a person is convicted and sentenced to prison. These activities are involuntary because the offender did not seek them but they are required by the correctional institution.

Correctional treatment in the case management sub-system can therefore be defined as follows: It is any programme or activity that is planned and monitored with the primary goal of rehabilitating the offender in order to avoid criminal activity in the future (Kratcoski, 1994: 4). If the right treatment is applied to the right offender, the result should be a lower rate in recidivism for that offender. The purpose of correctional treatment can be captured in the following statement: *prevention of recidivism*. However, the success or failure of the case management sub-system should not be dependent on the reduction of recidivism.

The case management sub-system does not imply that an across-the-board reduction of criminal behaviour will result after the sub-system commences operation. If the sub-system functions according to design, the significant reductions in recidivism should occur in the maximum supervision category. The minimum supervision category should not change, even with the reduction in supervision, and the medium supervision cases might show a reduction in criminal behaviour because of the employment of a more individual sentence planning system. An offender whose criminal behaviour dates back to childhood and whose life has followed a pattern of repeated offences, supervision and incarceration is not going to change suddenly because of more intense supervision or a different approach to supervision.

It is obvious that the case management sub-system should be evaluated in relationship to its utility and not necessarily in relationship to a reduction in criminal activity. The case management sub-system works if correctional officers make better decisions on cases, make more appropriate referrals to professionals, are more efficient in their work, establish better communications with supervisors and are more confident and satisfied with their own job performance. If the correctional institutions can live with the programmes even though recidivism rates do not drop significantly, case

management sub-systems will continue to be refined and this should contribute to the rehabilitation of the offender. According to Vardon (1997:125), a former Director-General, Department of Correctional Services in South Australia, it is important for the correctional officer to feel part of any new approach to offender management, particularly in relation to reducing recidivism.

As was seen in this study up to now, case management is focused on the rehabilitation of the offender. The general understanding of the word rehabilitation in the context of corrections is:

“to put back in good condition or to restore to a useful life through therapy or education.”

But arguments such as the idea that rehabilitation means “return something to its prior state” do exist amongst some cynics. According to them rehabilitation of an offender is to put the offender back in the community the way they were when arrested. Reichel (2001: 47) argues that when a person is placed in prison or even on probation, that person is deprived of their liberty, and that is when a person is being punished. ‘Rehabilitate’ is an appropriate term in the context of corrections and a proper term to be linked with the concept of punishment. By identifying the following three key ingredients of rehabilitation, the operation of rehabilitation as a punishment rationale can be shown.

The three key ingredients are shown in figure 18 on the next page (Reichel, 2001: 48):



3. REHABILITATION

The basis is humanitarian with the belief in the necessity of change. *Rehabilitation* is achieved when the change was directed by professionals and if it was focused on the individual needs of the offender.

2. REFORMATION

Reclamation stated that offenders only need to be rescued. However *reformation* believes the offenders needed to be changed but that the change relies on the offender's own motivation and resources.

1. RECLAMATION

One of the key ingredients of *reclamation* is humanitarianism. This means a desire to promote human welfare through the elimination of suffering and pain. It is this concept that provides a basis for both reformation and rehabilitation.

Figure 18: The building blocks of rehabilitation

It is clear that the building blocks of rehabilitation are found in the humanitarianism of reclamation and reformation. It is also evident at this stage that case management supports these three building blocks. One of the key ingredients of case management is the humane treatment of an offender. As will be seen in the following chapter, case management will succeed with the offender's motivation and enough resources to uphold this motivation. Finally, case management is directed by professional correctional officers with the focus on the individual needs of the offender.

A correctional institution will divide their programme into the two broad areas: of custody and treatment. Custody includes security and routine care such as feeding, clothing and housing. Treatment includes classification and is concerned with individualised programme planning for each offender in relation to their needs and aim for rehabilitation and return to useful living in the community.

After the offender is through the assessment and classification phase, the case manager assigned to the offender will create a treatment plan according to the offender’s case profile. When treatment is planned for an offender, the case worker needs to make a thorough analysis of the need areas by systematically breaking them down to the lowest level. Table 9 below illustrates the identification and analysis of a need:

Table 9: Needs identification and analysis

TARGET DOMAIN:	SUBSTANCE ABUSE
Principal component:	Alcohol abuse
Subcomponent indicators:	Pattern
	1. Abuses alcohol?
	2. Began drinking at an early age?
	3. Drinks on a regular basis?
	4. Has a history of drinking binges?
	5. Has combined the use of alcohol and drugs?
Subcomponent indicators:	Situations
	6. Drinks to excess during leisure?
	7. Drinks to excess during social situations?
	8. Drinks to relieve stress?
Subcomponent indicators:	Interference
	9. Drinking interferes with employment?
	10. Drinking interferes with marital/family relations?
	11. Drinking interferes with social relations?
	12. Drinking has resulted in law violations?
	13. Drinking interferes with health?

Once the case worker has completed the above analysis for alcohol abuse, the same process must be repeated for drug abuse. The analysis forces the offender to give ‘yes’ or ‘no’ answers. If the response from the offender is ‘yes’, it will indicate the area as problematic. After completing the analysis for ‘Substance Abuse’, the case manager will have to use their professional judgement to determine where the need

falls in the range from *no immediate need for improvement* to *considerable need for improvement*.

A rating of *no immediate need for improvement* indicates that the extent, nature and patterns of alcohol or drug consumption by the offender while in the community have had no influence on their adjustment. An offender demonstrates some need for improvement if the alcohol and/or drug consumption has caused moderate adjustment problems and considerable need for improvement if the substance abuse has caused serious adjustment problems while in the community.

According to Cunningham (Cunningham & Griffiths, 1997: 263) a wide range of programmes are generally labelled as correctional treatment and this often includes education, vocational and skills training, institutional employment programmes as well as specific treatment interventions.

The following illustrates a range of treatment programmes offered to the offender:

- **Educational programmes:**

These programmes include adult basic education secondary education to complete a high school certificate, vocational education and even tertiary study through technikon or university.

- **Life skills programmes:**

This programme covers the following areas: cognitive skills training, living without violence, parenting skills training, anger and emotion management, leisure education and community integration. Each of these areas in the programme will teach the offender to identify problems, rationally analyse them, consider alternatives for action, make good decisions and anticipate the consequences of their decisions.

- **Substance abuse intervention:**

This includes a wide range of education and treatment programmes suitable to remedy. The abuse of substances such as alcohol or drugs.

- **Sex offender programmes:**

This focuses on identifying the specific behaviour patterns of the offender and the causes of sex offences.

- **Family violence programmes:**

This programme is directed towards offenders who have a history of being abusive in family relationships. The offenders are provided with information and skills to change their attitudes and behaviours.

In the case management sub-system the focus is not on “what works?” but “what works for whom?” In this scenario the “whom” represents the offender. Gendreau (Gendreau & Paparozzi, 1995: 30) identified the following characteristics that are found in effective treatment programmes:

- Treatment programmes are intensive and last three to nine months. They are based on cognitive and social learning theories and are used for high-risk offenders.
- These programmes target all the criminological needs such as antisocial attitudes and values.
- The style and mode of the treatment programmes should be matched with the offender’s learning style and personality.
- A program of support is linked to the behaviour being shown by the offender. Positive support is used more frequently instead of punishments such as fines and restitution.

- Treatment programmes make use of professionals who can relate to offenders in a sensitive and constructive way. These professionals are appropriately trained and supervised.
- The structure of the treatment programmes should be designed to disrupt the criminal network by placing the offenders in situations in which pro-social activities predominate.

6.8 CONCLUSION

Case management has three 'c' functions namely: correction, care and control. Correction refers to the rehabilitation function of prisons. Care is used to describe the assistance, resources and support given to an offender. Control describes the level of required custodial supervision. All three of these functions are crucial to the successful administration of case management. The correctional officer who forms part of the case management sub-system is the most important component of the system. Without the proper training and commitment of the correctional officer, case management will not succeed. Successful implementation of case management relies upon exceptional correctional officers who are well trained, who give attention to daily facility operations and the appropriate organisation of and provision of services to offenders. Because case management relies more on the correctional officer, it is important for the officer to have a sound knowledge of their position in the case management team. With functional case management, it is easier for the correctional officer to get to know the individual offender and therefore to develop correctional rather than merely custodial roles (Johnson, 1996: 263; Levinson, 1991: 46).

But the correctional officer is not the only role player in the offender's sentence planning. The offender also has an obligation in the successful completion of their sentence. Without the co-operation and commitment of the offender it is certain that case management will have no effect. What is the role of the offender in case management and does the community also have a part to play? In the next chapter, these questions will be answered.

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CHAPTER 7

THE ROLE OF THE OFFENDER AND THE COMMUNITY IN CASE MANAGEMENT

7.1 INTRODUCTION

“Corrections personnel must do more to discover how community and societal resources can be brought to bear on the problems of offenders, bearing in mind that the community is the corrective aspect of the correctional process . . . what helps the offender protects the community.”

Louis Radelet

The community confine those who violate the laws. Punishment today involves not only deterrence but a more humanitarian outlook from the community. Something that motivates one offender may not interest another offender. What causes one person to re-offend may not be an important factor in another’s progress towards successful re-entry into the community. Each offender is the product of life experience that has combined in particular ways, and the result is a person who is not exactly the same as any other person. In case management each offender should be regarded as an individual case, and each offender’s time is regarded as something to be managed so as to have the best possible result for both the offender and for the community.

According to the classic formulation there are four ways to carry out the sentence of convicted offenders: retribution, deterrence, prevention and rehabilitation. As was discussed in chapter two, retribution is punishment for the sake of punishment while deterrence is to prevent future harm by showing the offender and other possible offenders what happens to a person who has committed a crime. Prevention makes further offences impossible by placing the offender in prison while rehabilitation attempts to change the offender in order to lose the desire to re-offend. In case management the focus is on rehabilitation as was discussed in chapter 6. This can

only be achieved with the contribution of the offender. The offender is not alone in attempting to try to better their future.

There are many role players who will assist the offender in these attempts, such as volunteers, family members and non-governmental organisations.

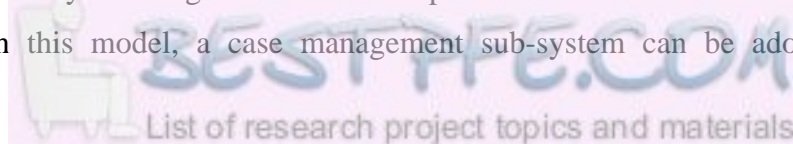
The task of corrections is:

- to build and rebuild ties between the offender and the community;
- to integrate or reintegrate the offender into the community;
- to restore family ties between the offender and his or her family;
- to obtain employment and education for the offender; and,
- to secure, in the larger sense, a place for the offender in the routine functioning of the community.

This requires not only hard work directed towards changing the offender, which has been the special focus of rehabilitation, but also mobilization and change of the community and its institutions (Alleman, 2002: 8; Task Force on Corrections, 1967: 7).

7.2 INTEGRATED OFFENDER ADMINISTRATION

According to the case management sub-system, each offender should be regarded as an individual case and each offender's time is regarded as something to be managed in order to have the best possible result for both the offender and the community. Although there is a standardised case management process, to be effective each offender must be considered on an individual basis. Case management involves the planning and arrangement of treatment and activities for each offender and then managing the offender's progress toward the eventual goal which is that of being released back into the community. The case management model will provide a framework for this by defining the various components of offender administration. To comply with this model, a case management sub-system can be adopted to



improve offender administration and practices with the primary target of reducing the rate of re-offending.

There are various principles behind offender administration in the case management sub-system. Offender administration can be described as an offender driven approach. All activities revolve around the offender meaning that the offender is the centre of the approach. The focus is on reducing offending by implementing the case management process. This can be achieved by a seamless and integrated progression through the services for offenders. These services include all the services and programmes that form part of the offender's individual case file. The consistent use of case management processes and tools will assist the administration of the offender.

The conducting of robust assessment and classification forms part of offender administration. It will provide the necessary information regarding the placement and services to be rendered to the offender. The case management process will create awareness towards a cultural and gender responsive forum. Case management provides the ideal opportunity for the development of a reliable and valid actuarial tool for assessing offender risk and needs. Having assessed the offender's risk and needs offender rehabilitation programmes based on the case management principles of responsivity and programme integrity can be implemented. Offender rehabilitation programmes are targeted more effectively to address the criminogenic needs of high risk offenders because of the processes that form part of case management.

Effective case management requires the offender to take part in the process in many ways. Each offender should be considered on an individual basis with unique needs and risks. The involvement of the offender in individual development and treatment activities forms an integral part of case management. The offender must agree to the proposed sentence plan and in doing so, show commitment to contribute to the success of the sentence plan. With the agreement the offender accepts responsibility for achieving the goals as set out in the sentence plan. The progress of the offender through the correctional system is carefully managed once the sentence plan has been completed. It is imperative for the offender to become actively involved in managing his progress during incarceration; only then can case management be operated successfully.

It is the belief that imprisonment can be justified by appeals to one of the following philosophies: protecting the community or rehabilitating the offender. Both these philosophies are implemented in the theory of case management. These beliefs emphasise the role of the offender and the community in the successful implementation of case management in prison institutions.

7.3 THE ROLE OF THE OFFENDER DURING ASSESSMENT AND CLASSIFICATION

Assessment and classification are ways of identifying and working with all the needs and risks of the offender instead of just treating the offender according to the supposed reason for the crime that was committed. A growing thought of classification is that it sees the offender as a human being with potential and behaviour which could be understood and possibly corrected. Hippchen (1975: 1) stated that the main aim of assessment and classification in modern times has focused on developing greater knowledge concerning the general causes of offender behaviour. This was done by studying the specific set of factors in the life of each offender as a means of understanding their behaviour and of developing approaches and methods which can effectively assist the offender to correct their behaviour and to develop their potentials as a human being.

Case management provides for the individual offender and therefore assessment and classification will also address the specific needs of an offender. For example, if an offender is illiterate, how can the process of case management, which starts with assessment and classification, be explained in such a way that the offender will fully understand what is expected? See figure 19 on the next page, for a typical explanation of the classification process for illiterate or semi-illiterate offenders (Hippchen, 1975: 16).

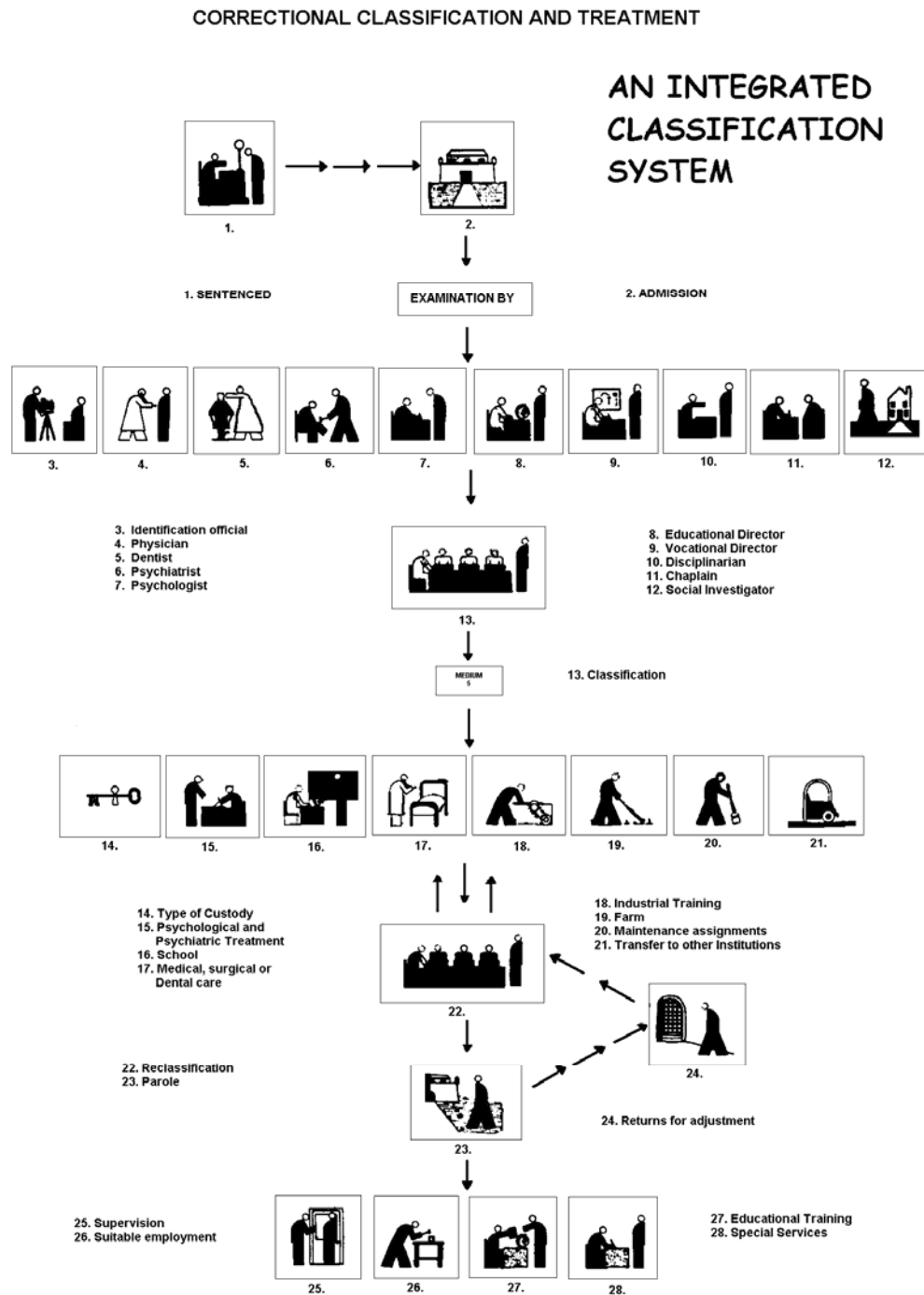


Figure 19: An Integrated Classification System

Figure 19 illustrates an integrated classification system by means of not only written explanations but also pictures explaining the whole process. Twenty eight activities take place in the system starting from where the offender is sentenced up to parole and suitable employment. Numbers one and two indicate the sentencing and the admission into prison. Numbers three up to twelve describe the different assessment and screening that will take place as well as the kind of correctional official who will complete the exercise. Number thirteen is the classification of the offender according to the results of the assessment and initial screening that were conducted. According to the classification of the offender the type of custody can be determined. Numbers fifteen up to twenty show the different programmes from which the offender can draw up a sentence plan. The last few numbers on the figure show the final stages of the sentence plan. Either the offender will be released on parole or be reclassified and return to prison. The case manager can use this chart when explaining to an illiterate offender how classification will influence the way in which an offender can complete his sentence.

Treatment planning for the offender depends on the classification of the offender. Case management aims to classify offenders in such a way that offenders who have committed the same kind of crime are classified together. This makes it easier for the offender to identify with the programmes that form part of his sentence plan. It is also easier for the offender to respond in sessions when it is known to the offender that he forms part of a group of offenders who committed the same kind of crime. In chapter six it was shown that internal classification forms part of the classification process. It also showed the benefits the case worker can get out of internal classification. But what does internal classification entail in for the offender? Internal classification is about the characteristic behaviour of the offender and how it will influence the kind of programmes he can make a success of. Internal classification is designed to reduce conflicts between offenders because each unit is housing offenders with the same control requirements. It also minimizes negative interactions between offenders and the correctional officials because staff matching can be applied. A particular correctional official who works best with a certain kind of offender can have that specific kind of offender on their case load.

According to Van Zyl Smit (Dünkel & Van Zyl Smit, 2001:822) treatment offered to offenders can work under specific conditions. The following principles can work effectively with offenders:

- **Risk classification**

A high-risk offender should be treated by more intensive programmes, whereas a low-risk offender should receive lower or normal intervention.

- **Targeting ‘criminogenic’ needs**

The goal of treatment programmes is to reduce offending, therefore the focus has to be upon criminogenic needs. It is very important to differentiate between the different criminogenic factors which contribute directly to criminal behaviour. These factors can be anti-social attitudes, drug dependency, illiteracy, poor vocational skills, or those factors which have a less direct relationship with a tendency to re-offend, for example bad or no accommodation.

- **Programme integrity**

Correctional officials should be trained in accordance with the aims and objectives, to carry out programmes properly.

- **Responsivity**

If the teaching style matches the offender’s learning style, positive results can be obtained. Most of the offenders prefer an active participatory teaching style, for example role play. They tend to have a difficulty with loose, unstructured or overly didactic teaching methods (Andrews, 1995:27).

- **Treatment modality**

According to Lipsey (1992:45) the most effective types of intervention are the ones which are skills-based, designed to improve problem-solving and social interaction. These interventions also include a cognitive component to address attitudes, values and beliefs which support offending behaviour.

- **Community based**

“Generally community-based programmes have shown more positive results, but programmes which take into account the other five principles can be successful in reducing offending in any treatment setting” (Vennard & Hedderman, 1998: 103ff)

Effective treatment planning begins with careful assessment, diagnosis and classification. The classification model shown in table 10 presents some treatment options based on characteristics of known groups of offenders including their responsiveness to treatment and criminogenic needs. Table 10 will show the different classification categories of characteristic behaviour of the offenders. This will assist in classifying the offender in a specific characteristic group (Levinson, 1999: 87).

Table 10: Characteristic Behaviour by Classification Category

HEAVY	MODERATE	LIGHT
Aggressive or sly	Not excessively aggressive or dependant	Dependant or afraid
Directly or indirectly confrontational	Reliable or co-operative	Unreliable or anxious
Easily bored or untrustworthy	Industrious	Passive or easily upset
Hostile to authority	Does not see self as being criminal	“Clinging” or seeks protection
Disciplinaries: high to moderate rate	Disciplinaries: low rate	Disciplinaries: low to moderate rate
Little concern for others or manipulators and “con artists”	Concern for others	Self absorbed or explosive under stress
Victimizers	Avoids fights	Easily victimized

Offenders with **heavy** needs for structure include those who are classified as: (a) being aggressive or sly; (b) are directly or indirectly confrontational; (c) are easily bored or untrustworthy; (d) being hostile to authority; (e) have little concern for others or are manipulators and “con artists”; (f) are victimizers; and, (g) discipline should be high to moderate rate.

Offenders requiring **moderate** structure include those who are classified as: (a) being not excessively aggressive or dependant; (b) are reliable or co-operative; (c) being industrious; (d) not seeing themselves as being criminal; (e) having concern for others; (f) avoiding fights; and, (g) discipline should be of a low rate.

Offenders who require **light** structure include those who are classified as: (a) being dependant or afraid; (b) are unreliable or anxious; (c) being passive or easily upset;

(d) are “clinging” or seek protection; (e) being self absorbed or explosive under stress; (f) are easily victimised; and, (g) discipline should be low to moderate rate.

After this internal classification is done, the results will help the case manager to classify the different programmes which will suit the different behaviour characteristics of the offenders. These programmes are shown in table 11 (Levinson, 1999: 87):

Table 11: Differential Programming by Classification

PROGRAMME AREA	HEAVY	MODERATE	LIGHT
Education	1. Individualised 2. Programmed learning	1. Classroom lecture 2. Research assignments	1. Classroom lecture 2. Individual tutoring
Work	1. Non-repetitive 2. Short-term goals	1. High level of (supervised) responsibility	1. Repetitive 2. Team-orientated goals
Counselling	1. Individualised (behavioural contracts)	1. Group and individual (problem-orientated)	1. Group and individual (personal orientation)
Staff approach	1. By the book 2. No nonsense	1. “Hands-off” 2. Direct only as needed	1. Highly verbal 2. Supportive

If an offender is classified as requiring heavy structure the education, work, counselling and staff approach will differ significantly from an offender classified as requiring moderate structure. The same principles apply to an offender who is classified as requiring low structure in comparison with an offender who is classified as requiring moderate or high structure. These comparisons are clearly illustrated in table 11 above.

Thorough knowledge about the financial and social position of the offender can be obtained during the initial screening. Knowledge of these factors in each offender's individual profile will create an opportunity for the correctional official to assist the offender by preparing him or her to be in a better position when they have completed their sentence. The offender is present when the individual case file is compiled by the correctional official. With the contribution from the offender, needs can be identified and programmes to fulfil those needs should form part of the offender's sentence plan. This will assist the offender with integration into the community because he will acquire skills to secure an income while in prison.

However, this cannot be achieved by the offender or the case management system as the only contributors to the sentence plan of an offender. The community has an active role to play in the successful completion of an offender's sentence plan. This can be done through visits from the offender's family, volunteers presenting skills development classes and non-governmental organisations contributing towards combating anti-social activities such as drug abuse.

7.4 THE OFFENDER AND CASE MANAGEMENT INTERVENTION

The offender has a certain function to perform in the process of case management. Together with the case manager, the offender will prepare the sentence plan as was seen in chapter six of this research. Needs identified by the case manager will be discussed with the offender and together they will find the best intervention strategy.

As was explained throughout this research, case management is about the offender and without the offender's input case management cannot be implemented successfully. The first role of the offender is to participate in the induction programme. The way in which the offender participates in the programme shows his willingness to get acquainted to the current situation and try to get the best possible result from the time spent in prison. Another important role of the offender is to advise the case management team of needs and goals for the individual sentence plan. In this meeting, the case management team as well as the offender are present and

both parties will give inputs as to what programmes the offender has to complete to fulfil their needs.

The offender also has a specific goal in mind after completion of the sentence and by sharing it with the case management committee, a better sentence plan can be developed. An equally important role of the offender is being responsible, with the case worker, for implementing the sentence plan and contributing to case notes. In chapter eight the case file of the offender is discussed and one of the important documents in that case file is the commitment promise signed by the offender. By signing this commitment the offender promises to participate in the successful implementation of the individual sentence plan. Case notes and the role the offender has to play in contributing towards it are also discussed in chapter eight.

7.5 THE ROLE OF THE OFFENDER DURING COUNSELLING

From the perspective of some offenders, crime may be considered a logical pursuit in the sense that there is a reasonable link between the accomplishment of ends and the means used to achieve them. In other words it gets the offenders what they want at a price that they think they can afford. Therefore offenders rarely think of the costs of crime. During counselling this thought can be placed in the midst of the group of offender. By doing the following exercise in table 12, the offender can come to the realisation of the costs of crime (Walsh, 1997: 191).

During counselling the offender can draw up a list to show the benefits and costs of crime as is seen by the offender. The offender might arrive at a set of benefits and costs like that shown in table eleven. Other benefits and costs are possible, but the correctional counsellor will almost invariably find that offenders will be able to think of a lot more costs than benefits. This discrepancy can be discussed with the offender, as well as the inconsistency of items as “being free to be my own man,” on the one hand and having every movement dictated by correctional officials on the other. An exercise like this enables an offender to think about the costs of crime.



Table 12: What do I gain and lose from a life of crime?

BENEFITS	COSTS
<ul style="list-style-type: none"> • Lots of leisure (not working) • The excitements and thrills • The street reputation • Doing what I want, being free to be my own man • Lots of girls think I'm cool • The laughs • Putting one over on the system • Money for nothing 	<ul style="list-style-type: none"> • No regular pay check, little money to spend • The boredom of sitting in a cell • The worry caused to my parents • Having the correctional officials decide almost all I do and when I should do it • No women in the joint • Police hassle and arrest • Can't get a job because of record • The whole prison experience • Appearing in court and paying fines • This prison is a long way from home. So I rarely see my parents • My wife divorced me and married another guy while I was away

Rehabilitation can take place through the counselling process. Also, an object of case management is the rehabilitation of the offender. Alleman (2002: 25) defined rehabilitation as the systematic challenge to change criminal offenders so that abnormal drifts, especially those that are damaging or destructive to others, are reduced or eliminated from their lives.

There are three major areas of focus in terms of rehabilitative change in offenders. One of these areas is to change the ways in which offenders respond to cues in their environment. The aim is to change the ways in which offenders normally observe, understand and/or react to the world around them. A second major area is to change the motivation of criminal offenders. This involves the eliminating of desire, pleasure, excitement or reward associated with criminal activities. The third major

area is to strive to alter or reduce problem behaviour or change unusual lifestyles. Changing an offender's habitual pattern of behaviour is very difficult because these patterns often reflect a person's self-concept. Because this is not an easy task, programmes should be created in which such fundamental kinds of personal change can take place.

7.6 FAMILY INVOLVEMENT AND OTHER ROLE PLAYERS

“As an organisation Corrective Services is conscious of the need to involve the community in its activities and to develop opportunities for inmates to make a contribution to the community”.

N. S. Smethurst (New South Wales Department of Corrective Services 1993-94)

According to Walsh (1997: 203) the criminal justice system cannot fight the war against crime on its own. Governments have recognised that the greatest asset any state department has in its battle against crime is the co-operation of the community. The community usually want nothing more out of their efforts than to know that they are helping the society to be a safer place by helping those who have victimised it.

It is essential for every offender to maintain a pleasant and wholesome relationship with one or more helpful persons in the world outside of the prison. The following principles underlying offender relationships with people outside the prison should form part of the offender's sentence plan. Since the case manager and the offender are involved in drawing up the sentence plan for the offender, it is important that both give their commitment towards the following principles:

- All offenders need to retain or to develop a new constructive relationship with people from outside the prison. As long as the offender has no genuine contacts with the real world, the obstacles for adjustment are great. It becomes the responsibility of the offender and the case manager in the unit to plan and introduce practical procedures to foster these desirable relationships. This can be achieved through the individual case plan of each offender.

- The offender's family or marital relationships do not insure that the offender will have a wholesome and constructive relationship with either of them. If possible, it would be helpful to have the case manager present with the first meeting between the family and friends of the offender. According to Fenton (1959: v) family counselling is useful for the treatment of the offender and the morale of the institution. The attitudes and behaviour of a spouse towards the offender during incarceration may have much to do with the offender's behaviour in prison and whether advantage will be taken of the treatment programmes offered by the case manager.
- Correspondence and visiting forms an integral part of the offender's programme in his or her case file. Mutual understanding and co-operation is therefore essential among the case managers and case workers if the constructive values of contacts with people in the outside world are to be obtained.
- Although the custodial authorities of the institution must be fully informed of the purpose and the values of the mail and visiting programme of each offender, the immediate responsibility for these functions should be centred on the case worker.
- The extent to which the case workers are involved in the correspondence and visiting programmes will depend on the responsibility they have for these functions. The information obtained by case workers from their observations of offender-visitor attitudes and the results of their interviews with the visitors may contribute to their understanding of the offender and to the planning for the offender's improvement.
- The first meeting between the offender and his or her visitor can cause anxiety for both of them. The patient, considerate and efficient supervision on these occasions by the case worker may gain sincere appreciation from the offender and his or her visitor. This will have a positive effect on the relationship between the case worker and the offender.
- When an offender does not receive mail or visits, this condition should be studied by the case manager. Should no other contacts from the outside be developed, and if the offender is willing, then a plan of voluntary visiting and correspondence should be explored.

- If the offender participates in group activity in which volunteers from the outside are included, it can be a great diversion and a constructive stimulant for the offender. For example the Alcoholics Anonymous programme may have both social and therapeutic values for the offender. All correctional institutions should encourage these associations with desirable volunteers from the community, as far as possible.

According to Nesor (1997: 386) the traditional definition of a volunteer is a person who offers himself out of free will for services without reward. Originally volunteers in the correctional field worked for the purpose of doing good. The Quaker movement, for example, used the opportunity to perform Christian missionary work while they helped offenders. Although the motive of doing good still continues the current volunteers have replaced their religious ministry with the provision of services under professional supervision. Volunteers represent a variety of groups in the community, for example non-governmental organisations (NGO's), friends, and professionally trained people such as university lecturers, teachers, lawyers and ministers.

Individual volunteers and volunteers who form part of a non-governmental organisation are very important to the offender and his reintegration into the community. Because the client is an offender, it is very important for the volunteer to have certain qualities to enable them to work effectively with the offender. According to Swart (1992: 132) the recruitment, selection and training of volunteers are therefore imperative to the successful implementation of volunteers in correctional services.

General requirements for volunteers working with offenders should include having good interpersonal relationships. Volunteers must be able to maintain relationships with the offender in order to help the offender. Because the relationship is about assisting and helping the offender, the volunteer should have good communication skills. In order to maintain a relationship with an offender the volunteer should also have emotional stability in his personal life. Working with offenders in a personal manner requires responsibility and conscientiousness from the volunteer. Because of the uniqueness of the relationship between an offender and a volunteer there is a need for the volunteer to have the ability to handle information confidentially. In addition,

good judgement will support the volunteer during difficult situations. A good volunteer displays honesty, sincerity and discretion. This will be understood by the offender and will contribute to the successful maintaining of the relationship between the offender and the volunteer.

Unit managers, in general, are responsible for recruiting, orienting and supervising the volunteers who service their units. According to Levinson (1999: 41) the volunteer's services should support the unit's philosophy and its general programs. Therefore, it is important that the objectives should be clearly defined and that the volunteers are periodically monitored by unit staff.

The case manager must recognize the potential usefulness of persons or groups from the community who offer their services in the treatment programmes of offenders. The case worker who works on a day-to-day basis with the offender should also have seen the value for the improvement of offender attitudes of projects by which the offender contribute something of value to individuals or groups from the community.

7.7 CONCLUSION

The philosophy of corrections recognises that the community must maintain the right of defence and self-protection against the offender, but the community should not have hatred or bitterness against that offender. Imprisonment should be used for the protection of the community but not for the purpose of taking revenge upon the offender. The purpose should rather be to rather help in the treatment and re-socialisation of the offender. Prisons are for the social control of the entire community – it is useful for the powers that it gives. Therefore prisons are only a problem for those individuals who are locked inside them, their loved ones and those who want a free society. The offender plays a very big role in determining the way in which the sentence is going to be completed. Just as the community cannot afford to give up the search for a cure for aids, simply because none has yet been found, so it cannot afford to stop searching for ways to rehabilitate offenders.

Effective communication and control are perhaps the two most important principles in the case management model. Good and meaningful communication between the offender and the case manager will improve the overall operation of the offender's sentence plan for the duration of the sentence. Case management provides the ideal opportunity for helping the offender to use the time in prison fruitfully. After assessment, the offender is placed in a group with which he can identify. The programmes offered by the institution can only benefit the offender. By accepting given the opportunity to contribute with the case manager in their own sentence plan, the offender shows willingness to make the best of the sentence.

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CHAPTER 8

RECORD-KEEPING AND DOCUMENTATION IN CASE MANAGEMENT

8.1 INTRODUCTION

For case management to function optimally, clearly defined roles and proper record-keeping is of the utmost importance. In previous chapters, the role of the correctional officer and the role of the offender were clearly defined. The different documentation that will accompany each action in case management and the keeping of records will now be discussed. It is very important to keep a record of the actions of an offender, either that have taken place, or those that are planned.

Record-keeping and documentation is also of the utmost importance in the successful sentence planning of an offender. This will lead to a formal standardised system of sentence planning, and in particular standardised documentation. It will also assure consistency in the way the progress of offenders is assessed and recorded throughout their sentences.

8.2 RECORD-KEEPING AND DOCUMENTATION

If a record should be made of an event that took place there will be rules around the why, for whom, in what way and for how long the record-keeping should take place. In the event of case management there is no difference. As has been explained up to now case management is about the individual offender and how to complete their sentence in the most effective and successful way possible. One of the most important items in case management is the case file of the offender and all the documents that complete the case file.

The reasons for record-keeping and documentation being so important for effective case management are:

- Case manager's memories are not always perfect and they have a large number of offenders on their case loads. The case file serves as a reminder about a specific offender.
- When the case manager or other relevant staff members have to substantiate decisions that they have made, they only have to refer to the case file.
- As in any other institution staff members move around as a result of transfers, retirement or resignations. Whenever a new case manager is introduced the easiest way to acquaint themselves with the offenders on the case load is to read the case files.
- The offenders can also move around. They can be transferred from one programme to another, from one institution to another or from one unit to another. In all these situations the offender only has to take the case file with them and that will provide an overview of the offender's progress during their sentence.
- The offenders who have longer sentences will therefore stay longer in the prison. During their time in prison these offenders may be moved often and any changes will be reflected by the documentation in their individual case files.
- Information on a specific offender is sometimes required by, for instance welfare organisations, non-governmental bodies or parole boards.

Because each individual offender is unique and they vary in terms of complexity (Correctional Services of Canada, 1993: 16) there are some important principles that should be kept in mind when information is being recorded in case management for a case file.

These principles are:

- Anything that is unusual, negative or positive should be recorded.



- If it is negative, action should be taken immediately and the form of action that was taken should be recorded in the case file.
- Any information that is based on suspicion or hearsay should not be recorded.
- By updating the case file the information can be shared with colleagues.
- The case files of offenders should always be secure.
- All information in case files should be accessible to all other relevant staff at all times (Bruyns, Jonker & Luyt, 2000: 87).

Record keeping and documentation derives from a need for a formal standardised system of sentence planning, and in particular standardised documentation.

8.3 THE ROLE OF SENTENCE PLANS IN CASE MANAGEMENT

The following *wise words* were said by a former correctional official from the Correctional Services of Canada:

“We must think about the role models we are. I am convinced we have a lot of soul searching to do. We call them cons, shout and rant and rave and then expect them to take it seriously when we draw up a Case Plan about changing their behaviour. It just doesn’t work like that.”

The role of sentence plans is to make the best of the time people have to spend in custody, to reduce the risk of recidivism and to help them to lead law-abiding and useful lives in custody and after release. It should enable offenders to face up to and address the reasons for, and consequences of, their offending behaviour, and give them planned experience of work, training and education to help prepare them for release. Sentence plans also provide opportunities to review the offender’s progress throughout the sentence. It will also be the mechanism for co-ordinating work done with the offender during the time spent in custody. The goal of the sentence plan is to outline the short-term and long-term objectives for an offender. Therefore the progress of an offender can be measured against their sentence plan.

The following are requirements for a sentence plan (Bruyns, Jonker & Luyt, 2000: 84):

- It should be time specific;
- A review process should be included;
- Indicators to measure the degree to which goals are achieved should be included;
- Stipulate short-, medium- and long-term goals;
- Tasks, actions, strategies and resources that are required to assist the offender should be specified;
- The nature and frequency of contact, supervision and intervention should be identified;
- It should determine the type of change expected from the offender and hence attach time-frames to these changes;
- It should specify which tasks have to be completed by the case manager and other members involved with the offender;
- The correctional official who will co-ordinate and monitor the sentence plan should be mentioned;
- A sentence plan must be negotiated with the offender;
- Ethnic, cultural, gender and special needs of the offender should be taken into consideration;
- It should stipulate and describe key issues; and
- Services available to the offender should be indicated in the sentence plan.

When a sentence plan is developed for an offender, it makes provision for two phases:

- **Phase one:**

In this phase the immediate and future short-term needs of an offender for a period of up to three months should be addressed.

- **Phase two:**

This phase addresses the long-term goals of an offender for a period of one year or longer. The period will depend on the sentence of the offender.

To execute the sentence plan of an offender, the following things need to be in place:
(Figure 20)

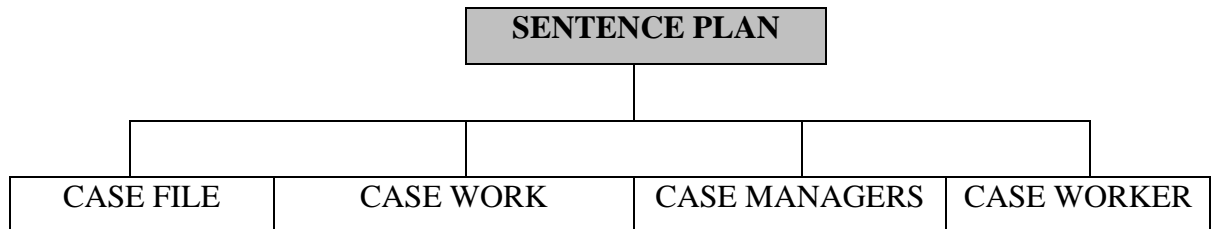


Figure 20: Sentence Plan of an offender

The roles and duties of the case manager and case worker were discussed in chapter six. Case work and the case file will now be discussed.

8.4 CASE WORK IN CASE MANAGEMENT

Case management is effectively facilitated by the case workers in their unit with the case load that was specifically assigned to them. Case work allows for the sentence plan of each offender to be realised and furthermore provides appropriate support for the programmes in the sentence plan.

The principle objectives of case work are as follows:

- The personal development of each individual offender is being supported;
- The offender's needs are being assessed on the basis of objective observation, interaction and other factual data;
- All case files will be reviewed on a regular basis and that revision will include the special needs programmes;
- Case workers are encouraged to work together as team members and they have to participate in case team meetings;
- The offender's needs and problems are accurately defined;
- Offenders are assisted in setting realistic, measurable and achievable goals;

- It will assist the case worker when making referrals;
- Accurate and up-to-date case notes and recorded information can be provided;
- On forums where decisions are made, it can become an advocate for the offender;
- It maintains dynamic and static security.

If case work is done in the proper manner the results will be a more contented offender who is willing to participate in the sentence plan.

8.5 THE CASE FILE IN CASE MANAGEMENT

In case management, the focus is on the offender as an individual with the correctional officer having the responsibility of overseeing a small number of offenders in order to provide support and assistance and to record the offender's progress in the case file. The case file is used by the case manager to provide information about and evidence of, the offender's progress in addressing their offending behaviour and their suitability for access to programmes, services and privileges. It is also used by the case management committee to assess suitability for a reduction in security classification and parole.

The correctional official started the case file within a few hours after the offender was taken into custody. The contents are taken as factual and true when the offender's suitability for progression in the system is assessed. It is the most important document in the system for the offender and governs what happens to the offender throughout their sentence. Luyt (1999: 152) stated that the case file is a living document of each offender and it provides the documentation for managing a particular case.

8.6 DOCUMENTATION IN THE CASE FILE

Certain documentation needs to be in an offender's case file, for case management to work effectively. The documents in that case file will now be discussed (See annexures):

8.6.1 ANNEXURE A: SENTENCE PLAN

The short-term and long-term objectives are stipulated in the sentence plan. This document forms the base line against which the progress of an individual offender is measured. The case management team will have a first meeting with the offender in which the sentence plan will be discussed. The privilege level, risk classification and the offender's needs and development are specified in this document.

After the first meeting at which this document was compiled, the case manager will up-date the sentence plan at each successive meeting. This document is a record of the offender's behaviour and progress in obtaining the goals that were set for him or her in the original sentence plan.

This sentence plan document must be used at every case management team meeting, when the case manager and the offender will negotiate the status of the report. On the report is a space in which the case manager will state the purpose of the meeting; whether it is the first interview, the monthly review, the quarterly case management meeting or an ad hoc management meeting.

Any comments from the offender are also included in this document. At the closure of the meeting, the offender, case manager and one of the team members will sign the document as a witness. In this way the offender commits him or herself to the sentence plan.

The sentence plan of an offender is the most important document on his or her case file. It contains the vision of the offender which contributes to the attitude in a

positive manner, especially the fact that the offender gives his or her consent for the execution of the sentence plan, by signing it.

8.6.2 ANNEXURE B: MONTHLY REPORT

The monthly report is a document that is forwarded to the case manager from the social worker, psychologist, and school etcetera. This report takes the form of a progress report concerning the offender who has attended that specific course, session or training. It states if the offender participated and contains comments from the correctional official, for example the social worker, on the offender's participation.

8.6.3 ANNEXURE C: CASE WORKER REVIEW

This is a document that is completed by the offender each month. The offender will have a meeting with his or her case worker to discuss it. This document is about the progress of the offender with regard to the aims and goals that were set in his or her sentence plan. It also includes personal experiences of the offender in the housing unit to which he or she is assigned.

During this session, the case worker discusses any case notes that were given to the offender. The planning for further actions will then depend on the kind of case note/s. The two kinds of case notes will be discussed as the following document. The offender then signs the document and if serious problems are identified by the case worker, the case manager will discuss them during a case management team meeting with the offender.

8.6.4 ANNEXURE D: CASE NOTE

The case note is completed by the case worker. This is a clear indication of the interaction between the case worker and the offender. When the case worker observes an offender in his or her daily activities, certain situations needs to be mentioned to the case management team. A case note can be either negative or positive and in both cases a description of the behaviour of the offender will form part of the case note.

All the case notes that an offender receives during a month are attached to the 'case worker review' document. These case notes are then discussed with the offender. If an offender has more than three negative case notes as the result of a negative attitude, the case management committee can decide to downgrade the offender's privilege level. The reason for this is that a negative case note reflects a negative attitude. One of the purposes of a case note is to promote a positive attitude in the offender.

8.6.5 ANNEXURE E: REQUEST FORM

Any request from the offender will be recorded on this form. It is completed by the offender and handed over to his or her case worker. The case worker will either handle the request or refer it to the relevant section. Any action that is being taken on request from the offender is recorded on this form. When the request has been attended to, the case manager will file this document on the offender's case file.

8.6.6 ANNEXURE F: OFFENDER REFERRAL FORM

The sentence plan of each offender will indicate the specific needs of the offender. After discussions with the offender, the case manager will refer the offender to the relevant correctional official for example the social worker, and nurse etcetera.

This referral is done on the 'offender referral form' which is signed by the case manager. This form needs to be filed in the case file of the offender for future reference.

8.6.7 ANNEXURE G: INITIAL SENTENCE PLAN

This is a much more thorough sentence plan than the 'sentence plan' itself. All the information about the offender is captured on this document. The level of the offender's education is determined on this document which will lead to determining whether schooling is needed for this offender. Previous employment of the offender, together with his or her interest level, will determine the different vocational skills that can be taught to this offender. The religion of the offender is determined through this document which is very important for the mental health being of a person. If the

offender has a need for religious programmes, this can be ascertained through the initial sentence plan.

8.6.8 ANNEXURE H: PRIVILEGE LEVELS

During the admission of an offender, the privilege level is at the basic level. If the offender agreed and signed the 'Commitment Promise' an immediate promotion to the standard level takes place. If the offender wants a higher privilege level, they have to show good behaviour. Making use of the 'Request Form' the offender will apply to the case management committee to up-grade the privilege level. After receiving such a request from an offender, the case management team will have a meeting with the offender discussing the request. During that case team meeting, the 'Privilege Levels' document will be used to record the decision made at that meeting. There is a space for the signature of the offender. This means that the offender agrees with the decisions that were made at that meeting. The offender is always present at meetings concerning individual needs or interests.

8.6.9 ANNEXURE I: COMMITMENT PROMISE

This promise is signed during the first meeting between the offender and the case manager. The initial sentence plan of the offender is discussed. If the offender agrees to the initial sentence plan, he or she will sign it. After this, the case manager will discuss the 'Commitment Promise' with the offender. This is a promise that is made by the offender concerning their behaviour during the time that they spend in prison.

If the offender agrees to this promise he or she must sign the document. This 'Commitment Promise' has a direct influence on the privilege level of the offender. When an offender is admitted, the privilege level is on the basic level. When the offender has agreed and signed the 'Commitment Promise' the privilege level will then be on standard level. By doing it this way, the case manager 'rewards' the offender for the good behaviour that will be shown during his or her sentence. It is common knowledge that an offender strives for privileges that can be obtained during his or her time in prison.

8.6.10 ANNEXURE J: EDUCATIONAL AND VOCATIONAL NEEDS ASSESSMENT

This assessment is done to determine the educational and vocational needs of an offender. If the offender has passed the required grades for high school, there will obviously be no need for educational training at secondary level. The case manager can identify a need from the offender for vocational training. When the sentence plan of the offender is drawn up, this document will be used to determine in which vocational training the offender will participate. No training can be effective if the person who is trained has no interest in the subject that is presented. This document is therefore very important as it is part of the profile of the offender.

8.6.11 ANNEXURE K: NEEDS ASSESSMENT

The case manager uses this assessment to determine the needs of the offender in relation to their social and psychological needs. The assessment tool for this kind of assessment can be a computer questionnaire that the offender completes. After the offender has completed the computer questionnaire, the results will be in the form of a computer print-out. The 'needs assessment' document (annexure K) is a representation of the computer print-out. This document is used by the case manager to refer the offender to the relevant social and psychological services.

8.6.12 ANNEXURE L: OFFENDER RISK ASSESSMENT

This is a very important assessment because it will determine the risk classification of the offender. It will form part of the decision that will be taken by the case management team when the housing unit is determined in which the offender will be placed. This will ensure that an offender who is suicidal will not be placed in a single cell or that an offender who is of the bullying type will not be placed with an offender who is an easy target for a bully. The case manager will keep the risk classification on the sentence document because it is possible that the classification of an offender can change during the sentence.

8.6.13 ANNEXURE M: INFORMATION CHECKLIST

Since case management is a process that is not so well known to offenders, there is a need to explain it to them. The information checklist is an aid to assist the case manager when explaining case management to the offender. As was seen in previous chapters in this study, case management will not succeed unless the offender is committed to participation in case management. No person will participate in a system that they do not know. Case management holds many benefits for the offender and those benefits must be explained to them. After the discussion between the case manager and the offender, both of them sign the document. This needs to be done to ensure that the offender knows and understands what is expected of him.

8.6.14 ANNEXURE N: OFFENDER'S DETAILS

This is the first and a very important document in the case file of an offender. All the information of an offender can be obtained from this document. An initial profile can be established of the offender after completing this form. Details of aliases and previous sentences as well as offender identification will be supplied by the offender when completing the document. The history of the offender with reference to education, employment, health and drug and alcohol history are important aspects to build a profile of an offender. Very important is the last topic on this document where the offender states their ideas about a sentence plan. This will give a good overview on the needs of the offender before any in-depth assessments are done.

8.6.15 ANNEXURE O: DOCUMENTATION CHECKLIST

This is a checklist to verify if all the necessary documents of the offender were received by the prison. The list will include documents such as the offender's warrants and records of the medical screening that was done during admission, although these documents themselves will not be in the case file.

It is recommended that the warrants are filed at the central records department. This is for a better administrative process if all the offender's warrants are filed at one

safe place. The recommendation also refers to the medical screening document which needs to be filed at the hospital. Chronic medical needs of the offender will form part of the 'Offender details' document which is one of the documents in the offender's case file.

8.7 CONCLUSION

It is clear that it is imperative for the offender to have a complete case file. Nearly every idea, every movement and even every thought of the offender and his or her case management team is recorded in the case file. The case file is like a road map of the offender's life before and during imprisonment. It shows where the offender came from and where the offender is heading to. Is the road map leading back to the prison or is it leading to a respected life in the community?

The attached annexures are examples of all the necessary documents that form part of a case file. Each of these documents and their use has been discussed in this chapter, so one can clearly see the importance of each document in the case file.

8.8 LIST OF REFERENCES

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CHAPTER 9

CONCLUSION AND RECOMENDATIONS

9.1 INTRODUCTION

Silverman (2000: 251) stated that a final chapter is a discussion as to why, and in what way, the theory that started this study is now different as a result of the research work. Therefore the purpose of this chapter is to make scientific descriptions and associated recommendations against the background of the investigation. The aim of this chapter is to emphasise the meaningful relation between a given phenomenon and the complete existing knowledge system.

The recommendations that are made in this chapter will be based on the deterministic approach. Explaining this Van der Westhuizen (1982: 180) stated that the point of departure for science is that the world is orderly and it can be made orderly through the interference of human beings. Recommendations will be made in an attempt to contribute to the successful implementation of case management in South African prisons. This will be done against the background of the rationale of this research in order to assist in the future rehabilitation and development of offenders and the enhancement of professionalism in the correctional system.

9.2 RECOMMENDATIONS

The implementation of individualised and realistic case plans is the biggest benefit arising from case management, which at the same time ensures a safer environment and stable contact with the same staff on a regular basis (Luyt, 1999: 171). Supervision efforts are therefore focussed on the problems of each individual offender. According to Doherty and Ekstedt (undated: 155) case management became policy out of the necessity to identify, together with the offender, their personal needs and to be aware of how those needs could be met.

All the recommendations below derive from the preceding research. The recommendations will be made in connection with those aspects that will contribute to penal science and to more effective prison practices. None of the recommendations will be prescriptive, but they will have relevance in terms of potential implementation in the South African penal system.

With the aforementioned being the point of departure the researcher would like to make the following recommendations regarding the implementation of **case management**.

RECOMMENDATION 1:

IT IS RECOMMENDED THAT THE CASE MANAGEMENT PROCESS BE IMPLEMENTED IN THE SOUTH AFRICAN CORRECTIONAL ENVIRONMENT

As was demonstrated in chapter two of this study case management is a process that functions and forms part of a management approach that is called unit management. According to research done by Luyt (1999: 182) unit management is a humanistic management approach which carries the benefits of decentralisation and autonomy in organisations. These benefits are greater work self confidence, enhanced job satisfaction, job commitment, morale and attitude towards general management and improved communication between departments. As was explained by the researcher in the study of case management, to form part of the unit management approach does not mean that it cannot function on its own. Case management is a process that, with the right implementation, should fulfil a certain purpose. The purpose of case management should be to provide direction and co-ordination of all activities related to the management of the sentence of the offender. Offenders are afforded the opportunity for improvement and for change which is achieved through the offender's own efforts and through the services provided by the correctional institution. In case management the problems of offenders are the focal point of supervision efforts. With the intervention of case management the re-entry of each offender into the community is a long term planned and supported event. For case management to succeed there needs to be a good relationship between correctional officials and offenders.

Case management is aimed at making the sentence of an offender as productive as possible and this can be done without unit management being implemented. However, the implementation of case management will have certain implications for the correctional official. It will enrich the duties of normal correctional officials and it will lead them to become multi-skilled. This obviously will lead to the situation in which the correctional officials need to be trained in the new responsibilities and equipped to meet the expectations of case management.

The research clearly showed that case management focuses on the individual offender in such a way that all the needs and aspects during the sentence are covered to the best ability of the correctional

official assigned to the offender. Case management is the process that links all the elements involved in an offender's management. It also combines correctional officials with procedures regarding case management. The term case management refers to all the initiatives that should be taken to make sure that a sentence is most effectively and productively used by an offender. A discussion of the position of case management in the jigsaw puzzle of unit management is also a reminder that case management can function successfully on its own. This aspect was thoroughly discussed in chapter two paragraph 2.4.

The recommendation is then that the case management process be implemented in a prison even if unit management is not being fully implemented. What is necessary for case management to function effectively is the successful managing of the sentence planning system.

RECOMMENDATION 2:

IT IS RECOMMENDED THAT THE SENTENCE PLANNING SYSTEM BE TRULY SCIENTIFICALLY MANAGED

Research has shown that case management can function on its own without unit management being implemented in a prison. The researcher therefore came to the conclusion that case management should form part of a system in order to support its implementation. According to Holten (Holten & Jones, 1978: 7) a system is a unit consisting of several parts. The interdependent components of a system all work together towards a specific common objective.

The sentence planning system, as it was discussed in chapter three, consists of components or sub-systems that are independent but at the same time affect one another. The sentence planning system as it is implemented in the prison set up, consists of six sub-systems namely: security, admission assessment, classification, parole release, facilities plan and **case management**. All these sub-systems contribute to the functioning of the sentence planning system. Effective management of an offender's sentence depends on the management of the sentence planning system. The sentence planning system depends on these sub-systems for effective functioning.

These sub-systems can be summarised as follows:

- **Admission assessment:**

The admission assessment takes the form of screening the offender in order to obtain basic information about the offender, which will assist the correctional officials in placing the offender. This assessment is essential for the development of a case plan for the offender.

- **Classification:**

In sentence planning, the classification of an offender plays a very important role because the success of case management lies in the fact that offenders with the same classification are placed in the same housing units. This means that offenders can more easily partake in a structured day because of the overlapping of programmes that are presented.

- **Facilities Plan:**

During the first interview, the case worker must explain to the offender in which unit the offender will be placed. Role-clarification in case management will also help the offender to understand the functioning of case management.

- **Security:**

Based on the offenders' current behaviour, adaptation, serious escape risks, serious threat to themselves, to other offenders and staff, offenders can be categorised into four security classifications. In each prison, provision can be made for the accommodation of all security categories under the sentence planning system in terms of unit management.

- **Parole release:**

Rehabilitation and training programmes for offenders are of a progressive nature, and form part of the sentence planning of an offender. The treatment and rehabilitation commences in a closed prison from which the offender may progress to the less strict discipline and greater privileges of a semi-open prison. From there on, the offender will go to the comparative freedom and maximum privileges of an open prison well before the time of release. This will lead an easier transition to the free community and the entire process could be said to be a form of preparation for parole release.

- **Case Management:**

The function of case management is to co-ordinate and direct all the activities associated with the management of an offender's sentence. Through case management, the successful execution of the sentence plan can be achieved.

The researcher recommends that the sentence planning system should be researched to get optimal functioning of the system and to make sure that all the sub-systems are working together. If the sentence planning system is in place, case management can successfully be implemented.

RECOMMENDATION 3:

IT IS RECOMMENDED THAT CASE MANAGEMENT IN SOUTH AFRICA BE IMPLEMENTED IN AN ORDERLY FASHION

The implementation of case management in South African prisons was discussed in full detail in chapter five of this study. The sentence planning in South African prisons was borrowed from other correctional systems (in particular the Canadian system) by the compiler of the new legislation and was therefore addressed in the Correctional Services Act 111 of 1998.

Section 38(2) of the Act stated as follows:

"In the case of a sentence of imprisonment of 12 months or more, the manner in which the sentence should be served must be planned in the light of this assessment (Section 38(1)) and any comments by the sentencing court".

Section 42(1):

"At each prison there must be a Case Management Committee composed of correctional officials as prescribed by regulation".

The Department of Correctional Services decided to run a pilot project on the concept of unit management (Department of Correctional Services, 2002: 69). All new prisons constructed after 1994 were to be designed in accordance with the unit management principle. In 2000/2001, it was decided to implement the unit management approach in prisons. This was called the first phase of implementation in which ±550 officials were trained. The concept is currently being introduced at 101 prisons. Levels of implementation vary from 20% to 80% (Department of Correctional Services, undated: 25).

The first phase of the implementation focused on the restructuring of prisons into units and also included the marketing of the concept amongst staff members and offenders. Structured day programmes were developed and case files for offenders were opened. Operational Procedure Manuals were compiled within the parameters of the unit management concept and duty sheets for each member of staff occupying specific positions were compiled.

During the second phase that is currently taking place, the following aspects are receiving attention in order to achieve a higher level of implementation (Department of Correctional Services, 2002: 70):

- Post establishment and chain of command
- Development of a policy and operational procedures
- Evaluation tool to assess the results of unit and case management
- Development of assessment tools
- National, provincial and local levels of monitoring and report mechanism
- Retraining of frontline staff
- Redefinition of the roles of all disciplines
- Participation in rehabilitation programmes
- Development of relevant curriculums
- Support structure at the national office

The aim of the application of case management in South African prisons is to provide custodial, developmental and treatment programmes, as well as religious care, in an environment which will be conducive towards motivating an offender to participate and develop their potential. Policy on the case management team was being drawn up while the research for this study was in progress.

In terms of the Medium Term Expenditure Framework, the following targets have been set by the Department of Correctional Services:

- Implementation at 20% of prisons by March 2003;
- Implementation at 40% of prisons by March 2004; and
- Implementation at 70% of prisons by March 2005 (Department of Correctional Services, 2002: 70).

This research has paved the way for follow-up research that needs to be done on the kind of assessment tools that are needed, the kind of retraining that is needed by the staff, the redefinition of the roles of all the disciplines and the participation of offenders in rehabilitation programmes.

RECOMMENDATION 4:

IT IS RECOMMENDED THAT CORRECTIONAL OFFICIALS WORKING IN THE CASE MANAGEMENT SYSTEM BE TRAINED TO COMPLY WITH INTERNATIONAL CORRECTIONAL NORMS

The roles in case management require the involvement of staff and offenders, as was discussed in chapters six and seven of this study. Staff involvement is an ongoing process, which necessitates specific knowledge and skills to facilitate the desired change in offenders, in order to improve security and reduce recidivism. The implementation of case management results in a change in the procedure, terminology and job description of the correctional official and demands intensive participation from the offender. Under case management the correctional official and the offender establish a situation whereby the correctional official knows the offender's history and understands why service or advice is being sought. Because the case worker gets to know the offender he or she can help sort out small problems before they become big problems.

The type of individual needed to fulfil the role of today's correctional official is very different from that of some of the current correctional officials. Good communication skills are now more important than ever for correctional officials in managing offenders. Case managers form the primary communication link between offenders and other staff, as well as being an important connection with the individual offender's future life in the community. Case management is also about oral and written communication. During training, the duties and responsibilities of the correctional official working in a case management system should be kept in mind. Training should provide the correctional official with the necessary skills to function effectively in the position.

The correctional official who forms part of the case management system is the most important component of the system. Without the proper training and commitment of the correctional official, case management would not succeed. Successful implementation of case management relies upon exceptional correctional officials who are well trained, and who pay attention to daily facility operations and the appropriate organisation and provision of services for offenders. Because case

management relies on the correctional official, it is important for the official to have a sound knowledge of their position in the case management team.

The researcher recommends that correctional officials be trained in the functioning of the case management system. Since case management is based on the multi-disciplinary team approach, it is further recommended that educationists, social workers, chaplains and other professionals who form part of the case management system also be trained in the case management system.

RECOMMENDATION 5:

IT IS RECOMMENDED THAT THE ASSESSMENT OF THE OFFENDER BE CENTRALISED IN THE SUCCESSFUL IMPLEMENTATION OF CASE MANAGEMENT

As was explained in chapter six, the fundamental goal of assessment is the identification of relevant characteristics of the offender, from which to formulate the individual case plan. The correctional officials who interview offenders and assess information should be aware that their written assessments will be seen by, and will usually be discussed with, the relevant offender. It is therefore important that the assessments are factually accurate, and that conclusions drawn about individuals are reasonable in the light of information available at the time.

According to Beyer (Walsh, 1997: 161) assessment, through its diagnostic and co-ordinating functions, not only contributes to the objective of rehabilitation, but also to custody, discipline, work assignments, correctional official and offender morale and the effective use of training opportunities. The offender as well as the community will benefit from the more structured and reasoned approach to decision-making made possible by the assessment process. The techniques of assessment have moved out of the subjective, highly discretionary domain into a more objective, empirically based approach.

In addition to the case manager, case worker, social worker, psychiatrist and educationist, a criminologist should form part of the case management team managing the sentence of an offender. The classification of the offender on the grounds of the assessment is very important. The researcher therefore recommends the appointment of a criminologist to assist with the assessment of offenders on a full time basis. A criminologist who specialises in offender profiling would be the ideal person to form part of the team. The criminologist profiles the offender according to the assessment results, which profiling will in turn assist the case manager in classifying the offender.

RECOMMENDATION 6:**IT IS RECOMMENDED THAT THE SUCCESSFUL EVALUATION OF OFFENDERS BE BASED ON A SOUND MANAGEMENT OF THE CASE FILE**

Case management creates new responsibilities on the part of correctional officials. Good management of an offender's sentence is only possible if proper actions are taken to improve the situation of that individual. This means that basic information about each offender must be available. The former can be achieved if the necessary documentation is completed. The importance of documentation cannot be over-emphasised. It is a source of reference for the advancement of the offender through the correctional system (Luyt, 1999: 179). With proper record keeping and documentation it is possible to prove that human dignity has been upheld during the offender's sentence and that real efforts have been made to equip offenders for a better life. Unless the necessary records are kept, the result could be a total failure of case management. Record-keeping is always an important issue. There are set rules for how an event should be recorded. In case management, it is the same. As has been explained in chapter eight, case management is about the individual offender and the completion of his sentence in the most effective and successful way possible. The case file of the offender, with all the documents that complete that case file, is vitally important in case management.

Record keeping and documentation are very important because they derive from a need for a formal standardised system of sentence planning, and in particular standardised documentation. This demands consistency in the way in which the progress of offenders through their sentences is assessed and recorded. The correctional official opened a case file within a few hours after the offender was taken into custody. The contents are taken as factual and true when the offender's suitability for progression in the system is assessed. It is the most important document in the case management system because it governs what happens to the offender throughout the sentence. The case file of each offender is a living document which provides the documentation for managing that specific case.

There is certain documentation that needs to be in an offender's case file for case management to function effectively. It is recommended that the annexures which displays the necessary documentation, be used as a guideline for the implementation of case management in a prison.

9.3 CONCLUSION

As a final thought the researcher would like to conclude with the following expression by Justice Thurgood Marshall (Walsh, 1997: 181):

“When the prison gates slam behind an offender, he does not lose his human quality, his mind does not become closed to ideas, his intellect does not cease to feed on a free and open interchange of opinions; his yearning for self-esteem does not end; nor his quest for self-realization conclude. If anything, the needs for identity and self-esteem are more compelling.”

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ANNEXURE A:
SENTENCE PLAN

SENTENCE PLAN

IDENTIFYING DETAILS OF OFFENDER

Surname of offender: _____

Name of offender: _____

Prison number: _____

PRIVILEGE LEVEL

Induction	Basic	Standard	Advanced	Intermediate	Segregation
-----------	-------	----------	----------	--------------	-------------

PURPOSE OF REPORT

First interview	Monthly review	Quarterly case management meeting	Ad hoc case management meeting
-----------------	----------------	-----------------------------------	--------------------------------

RISK CLASSIFICATION

Suicide	Escape	Health	Bullying
---------	--------	--------	----------

NEEDS ASSESSMENT INSTRUMENT

Category One	Category Two	Category Three	Category Four
--------------	--------------	----------------	---------------

OFFENDER DEVELOPMENT

<i>NEEDS</i>	REFERRAL	PROGRAMME	COMMENCE	END
Individual	Social worker	Assessment		
Therapy	Social worker	Life Skills		

OFFENDER ALLOCATION

WORK	DATE	WAITING LIST	UNIT
Cleaner	10/9/2001	School (2002)	Name of unit

FEEDBACK

OFFENDER COMMENTS

CONCLUSION

Signature:
Case Manager

Signature:
Offender

Signature:
Witness

Date: _____

ANNEXURE B:
MONTHLY REPORT

MONTHLY REPORT

MONTHLY REPORT OF THE SOCIAL WORKER OF UNIT:

Surname of offender: _____

Name of offender: _____

Prison number: _____

PARTICIPATION IN SOCIAL SERVICES:

YES

NO

Comments:

Name of Social Worker: _____

Signature of Social Worker: _____

Date: _____

ANNEXURE C:
CASE WORKER REVIEW



















CASE WORKER REVIEW

Surname of offender: _____

Name of offender: _____

Unit: _____

SELF-ASSESSMENT

<u>ITEM</u>	SATISFIED	UNCERTAIN	DISSATISFIED
Programmes			
Work			
Education			
Training			
Activities			
Personal			

Comments of offender:



Case notes(s) discussed:

Planning

Signature

Case worker: _____

Signature

Offender: _____

Date: _____

ANNEXURE D:
CASE NOTE

CASE NOTE

Surname of offender: _____

Name of offender: _____

Prison number: _____

Unit: _____

NATURE OF BEHAVIOUR:

<u>POSITIVE</u>	<u>NEGATIVE</u>
-----------------	-----------------

Description of behaviour:

Completed by:

Name: _____

Signature:

Date: _____

**ANNEXURE E:
REQUEST FORM**

REQUEST FORM

Surname of offender: _____

Name of offender: _____

Prison number: _____

Unit name: _____

REQUEST:

Decision/comments:

Signed: _____

Referred to: _____

Decision/comment:

Referred to: _____

Signed: _____

ANNEXURE F:
OFFENDER REFERRAL FORM

OFFENDER REFERRAL FORM

TO: _____

FROM: _____

Offender: _____ was seen by me on:

Date: _____ at: _____

Summary of Discussion:

Action Recommended:

Signature: _____

Action Taken:

Case Manager: _____

Date: _____

ANNEXURE G:
INITIAL SENTENCE PLAN

INITIAL SENTENCE PLAN

Date: ____/____/____

A. DETAILS OF OFFENDER

1. Surname: _____

2. First name: _____

3. Date of Birth: ____/____/____ 4. Age: _____

5. Offender number: _____

6. Unit: _____

7. Have further sentences been received since Profile completed:

Yes: ____ No: ____

If 'Yes', please state: Date of sentence: ____/____/____

Sentence length: Years: ____ Months: ____

Concurrent: ____ or Consecutive: ____

8. Home leave eligibility date: ____/____/____

B. DOMESTIC CIRCUMSTANCES/FAMILY TIES/COMMUNITY LINKS

9. Have there been any significant changes in domestic circumstances since the

Initial Profile was completed: Yes: ____ No: ____

If 'Yes', please describe, including any relevant information from Family Ties Groups:

10. Is the offender in contact with members of his/her family:

Yes: ____ No: ____

11. Is there contact with the family through: Visits: Yes: ____ No: ____

Letters: Yes: _____ No: _____

Telephone: Yes: _____ No: _____

12. Any comments on contact with family:

13. What other links with the community does the offender have:

None: _____ Professional/Voluntary agencies: _____ Specify: _____

Friends: _____ Religious groups: _____ Specify: _____

Prison visitor: _____ Other: _____ Specify: _____

14. Targets:

- | | | |
|-------|---|-----------------------------|
| _____ | 0 | None/Not applicable |
| _____ | 1 | Short term target/s only |
| _____ | 2 | Long term target/s only |
| _____ | 3 | Short and long term targets |

15. Please describe any short term targets and give reasons:

16. Please describe any long term targets and give reasons:



2 Long term target/s only _____

3 Short and long term targets _____

22. Please describe any short term targets and give reasons:

23. Please describe any long term targets and give reasons:

EMPLOYMENT TARGETS

24. 0 None/Not applicable _____

1 Short term target/s only _____

2 Long term target/s only _____

3 Short and long term targets _____

25. Please describe any short term targets and give reasons:

26. Please describe any long term targets and give reasons:

PHYSICAL EDUCATION AND LEISURE TARGETS

27. 0 None/Not applicable _____
- 1 Short term target/s only _____
- 2 Long term target/s only _____
- 3 Short and long term targets _____

28. Please describe any short term targets and give reasons:

29. Please describe any long term targets and give reasons:

RELIGIOUS TARGETS

30. What effect has conviction had on the offender's religious attitude:

31. If the offender intends to make use of Chaplaincy facilities during the next review period, please provide details:

COMMUNITY WORK TARGETS

32. 0 None/Not applicable _____

1 Short term target/s only _____

2 Long term target/s only _____

3 Short and long term targets _____

33. Please describe any short term targets and give reasons:

34. Please describe any long term targets and give reasons:

D. OFFENDING BEHAVIOUR TARGETS

35. Has the offender's attitude to his/her offence/s and victim/s (if any) changed since the Initial Profile: Yes _____ No _____

If "Yes", please comment:

36. Targets

0 None _____

1 Short term target/s only _____

2 Long term target/s only _____

3 Short and long term targets _____

37. Please describe any short term targets and give reasons:

38. Please describe any long term targets and give reasons:

E. RESIDENTIAL BEHAVIOUR TARGETS

- | | | | |
|------------|----------|------------------------------------|-------|
| 39. | 0 | None/Not applicable | _____ |
| | 1 | Short term target/s only | _____ |
| | 2 | Long term target/s only | _____ |
| | 3 | Short and long term targets | _____ |

40. Please describe any short term targets and give reasons:

41. Please describe any long term targets and give reasons:

F. HEALTHCARE

42. Are there medical restrictions on location:

- | | | |
|----------|-------------|-------|
| 0 | None | _____ |
|----------|-------------|-------|

1 Temporary _____

2 Permanent _____

Please describe: _____

If temporary, please state duration of restriction in weeks: _____

43. Are there medical restrictions on employment:

0 None _____

1 Temporary _____

2 Permanent _____

Please describe: _____

If temporary, please state duration of restriction in weeks: _____

The consent of the offender and the Medical Officer must be obtained before any Health care aims can be recorded in this section.

44. Aims

0 None/Not applicable _____

1 Short term target/s only _____

2 Long term target/s only _____

3 Short and long term targets _____

45. Please describe any short term targets and give reasons:

46. Please describe any long term targets and give reasons:

G. OTHER TARGETS

47. 0 None/Not applicable _____
- 1 Short term target/s only _____
- 2 Long term target/s only _____
- 3 Short and long term targets _____

48. Please describe any short term targets and give reasons:

49. Please describe any long term targets and give reasons:

H. SECURITY AND CONTROL

50. Current security category: A ___ B ___ C ___ D ___

 Open ____ Closed ____

51. Total adjudications this sentence (*including remand time*): _____

52. Adjudications (*proven findings only*) since Initial Profile:

Date of offence	Prison	Time of offence	Location of offence	Act 111 of 1998	Commissioner's award

53. Has the offender been segregated under the provisions Act 111 of 1998:

Yes _____ No _____

If “Yes”, please state:

Type	Prison where segregated	Date segregation began	Date segregation ended

54. Please list the offender’s transfers since sentence began, give reasons regarding the transfer of offenders in the interest of good order and discipline.

Prison	Reception date	Departure date	Reason for move

I. SENTENCE PLANNING PRIORITIES

55. Please recommend the order in which the targets set in this plan should be addressed:

J. ALLOCATION

56. Recommended allocation: _____

57. Reason for recommended allocation:

58. Actual allocation and reasons if different from recommendation:

59. Offender's comments on allocation:

K. OFFENDER'S COMMENTS ON TARGETS SET

If he/she wishes, the offender may make comments on the targets set in this plan. The offender should sign the bottom of this section to indicate that he/she has seen the completed plan.

Signed offender: _____ **Date:** ____/____/____

L. ADMINISTRATION

60. Report completed by:

Name: _____

Signed: _____

Date: ____/____/____

61. Has the offender agreed to co-operate with the plan: Yes: _____ No: _____

62. Unit manager

Name: _____

Signed: _____

Date: ____/____/____

63. Case manager

Name: _____

Office address: _____

64. Date of copy of initial sentence plan sent to case manager:

____/____/____

65. Date of next review (not later than): ____/____/____ (or within 3 months after transfer)



ANNEXURE H:
PRIVILEGE LEVELS

PRIVILEGE LEVELS

REGRESSION

PROGRESSION

Surname of offender: _____

Name of offender: _____

Prison number: _____

Unit: _____

PRIVILEGE LEVELS:

Induction level	Basic level	Standard level	Advanced level	Intermediate level	Segregation level
----------------------------	--------------------	---------------------------	---------------------------	-------------------------------	------------------------------

Signature: Case Manager

Signature: Offender

Date:

ANNEXURE I:
COMMITMENT PROMISE

COMMITMENT PROMISE

Surname of offender: _____

Name of offender: _____

Prison number: _____

I hereby undertake to try to do my best while I am in prison to:

- ☞ Live by the rules of the prison**
- ☞ Be helpful to other offenders and correctional officials**
- ☞ Make use of the training programmes**
- ☞ Not to take matters into my own hands but rather make use of the complaint system**
- ☞ Write a weekly note or communicate to my case worker about how I think I am doing and any problems I need help with**

These commitments are the keys to a better and more productive time that I have to spend in prison.

I understand that when I make this promise it will entitle me to some incentive allowance and the opportunity to earn more through continued good behaviour. This will be set out in my sentence plan that forms part of my case file.

Signed: _____

Witnessed: _____

Date: _____

ANNEXURE J:
EDUCATIONAL AND VOCATIONAL NEEDS
ASSESSMENT

EDUCATIONAL AND VOCATIONAL NEEDS ASSESSMENT

NAME: _____

SURNAME: _____

PRISON NO: _____

UNIT: _____

DATE OF BIRTH: _____

SECTION A

Educational History:

Level reached: _____

Current Course Enrolments Details:

SECTION B

WORK SKILLS AUDIT

Work History:

Vocational Training or Trade Courses Completed (Include Courses attended during imprisonment):

General Interests:

SECTION C

Short Term Educational Goals/Educational Needs:

COMMENTS:

**ANNEXURE K:
NEEDS ASSESSMENT**

NEEDS ASSESSMENT

Name : _____ **Date:** _____

Prison number: _____ **Unit:** _____

Please circle any of the following areas which relate to you:

NEEDS	YES	NO
1. I need help in setting specific goals.		
2. I need a planned programme to help me live without using alcohol/drugs or breaking the law.		
3. I want to change my lifestyle.		
4. I want to learn better ways of coping with my problems.		
5. I want to talk more easily with others.		
6. I want to learn how to stop being so tense.		
7. Do you know your mother?		
8. I need help in organising a more effective job search.		
9. I want to learn to manage my financial affairs.		
10. I need to upgrade my skills, so I can improve my employment situation.		
11. I want to learn how to improve my physical fitness.		
12. I want to find a better job.		
13. Do you know your father?		
14. Has anyone ever told that you are crazy?		
15. I would like to avoid getting into trouble.		
16. I need to stop using drugs.		
17. I want to stop drinking completely.		
18. I want to understand the conditions under which I get into trouble.		

19.	I would like to control my drinking.		
20.	I need regular contact with a person on whom I can count to discuss my problems and concerns.		
21.	I want a counsellor/therapist to help me understand my needs and develop greater awareness.		
22.	I want to learn how to say no when friends put pressure on me.		
23.	I want to learn how to handle aggression by others.		
24.	I need to learn to deal with anger.		
25.	I want to learn how to feel at ease with others.		
26.	I want to be able to improve my sleeping patterns.		
27.	I want to learn how to plan my time better.		
28.	I think I may have a gambling problem.		
29.	I spend much of my free time "just killing time".		
30.	My only problem is that I am in prison.		
31.	At the moment I have not got many problems at all.		
32.	Did you commit your first crime alone?		

SIGNATURE OF OFFENDER

DATE

ANNEXURE L:
OFFENDER RISK ASSESSMENT

OFFENDER RISK ASSESSMENT

RISK DIMENSION	MINIMUM RISK		MEDIUM RISK		MAXIMUM RISK	
1.Imprisonment	Adjusted to imprisonment		Escape from poor adjustment		First time in prison	
2.Coping with prison life	Able to cope		Can cope but has problems		Very poor coping skills	
3.Mental state	Stable no psychiatric history		Stable with recurring psychiatric problems		Psychiatric illness or rehabilitating from recent psychiatric illness	
4.Drug and alcohol factors	Informed recreational user or non user		Ongoing drug and alcohol problem		Required medical and/or observation following arrest	
5.Sleep pattern	Satisfactory		Restless or nervous		Waking early (disturbing thoughts)	
6.Self control	Able to control self		Episodic loss of control in the past		Feels like s/he could lose control now	
7.Evidence of hopelessness	Reasonably future oriented		Ambivalent but future orientated		Exhibits profound hopelessness	
8.Maturation	Appropriate for subgroup, no problems other than being an offender		Any age, with chronic emotional, mental or physical problems		Over 40 years of age with chronic mental/physical problem or under 24years of age with evidence of emotional volatility	
9.Social support	Appropriately satisfied with level of support		Low level of support and dissatisfied		No active or emotional support by family or friends	
10.Number of previous attempts	None		1 or 2 non serious attempts		3 or more non serious attempts or 1 or more serious attempts	
11.Period since 1st attempt	5 years or more		Between 3 months and 5 years		Less than 3 months	
12.Period since last attempt	More than 1 year		Between 1 year and 3 months		Less than 3 months	
13.Current suicidal thoughts	Normal passing thoughts and fears		Imaginative thoughts of suicide or self harm with no plan		Suicidal or self harm thoughts with a well-thought-out plan	
NUMBER OF RISK FACTORS	TOTAL NO OF LOW RISK FACTORS		TOTAL NO OF MEDIUM RISK FACTORS		TOTAL NO OF HIGH RISK FACTORS	

ANNEXURE M:
INFORMATION CHECKLIST

INFORMATION CHECKLIST

1. Description of the unit	Yes	No
2. Brief explanation of case management and the role of the case manager	Yes	No
3. The purpose of case management and the confidentiality of information	Yes	No
4. Expectations regarding interaction and participation in all programmes	Yes	No
5. Rules/regulations pertaining to the unit and accommodation, visits	Yes	No
6. The disciplinary process - brief on offender misconduct	Yes	No
7. The roles, identities, locations and availability of all relevant staff	Yes	No
8. An outline of the unit's daily routine	Yes	No
9. Rules of the unit and sections	Yes	No
10. Lines and method of communication	Yes	No
11. Telephone and mail procedures	Yes	No
12. Offender's property, dress code and purchases	Yes	No
13. Clothing - laundry, replacement, etc.	Yes	No
14. Grievance procedure	Yes	No
15. Fire and safety rules	Yes	No
16. Access to medical services	Yes	No
17. Programmes, activities (recreational, hobby & sporting)	Yes	No
18. Religious services	Yes	No
19. Release preparation and reintegration process	Yes	No
20. Finding and overview of support systems to facilitate transfers	Yes	No
21. Opportunities to prepare during pre-release programmes	Yes	No
22. Additional information considered by case manager as relevant	Yes	No

Signature of offender: _____ Date: _____

Signature of case manager: _____ Date: _____

ANNEXURE N:
OFFENDER'S DETAILS

OFFENDER DETAILS

Surname: _____

Name: _____

Aliases: _____

Sentence(s) : _____

Privilege group: _____

**Classification
& Placement:** _____

OFFENDER IDENTIFICATION

Date of birth : _____ Age : _____ Years : _____ Months : _____

Language spoken at home : _____ Requires interpreter : _____

Date of reception : _____ Time of interview : _____

Name of interviewer : _____

DATA FORM

Prison number: _____ Date: _____

Name: _____ Date of birth: _____

Country/State of birth: _____ Date arrived in RSA: _____

Citizenship: _____

First language: _____ Interpreter required: Yes No - if so,

Language: _____

Marital status: _____ Partner's name: _____

Do you have children: _____

Next of kin name: _____

Next of kin address: _____

Do you receive any visits: Yes No

From whom: _____ How often: _____

Comments: _____

EDUCATION

Age at leaving school: _____ Highest level achieved: _____

Do you have any problems with *Reading* or *Writing*: Yes No

Do you have any problems with *Numeracy*: Yes No

Comments: _____

EMPLOYMENT

Do you have any *Trade* or other *Job Qualifications*: Yes No

If so, state which ones:

What was your last job: _____

Longest period of employment: _____ When was this: _____

Main type of work: _____

Comments: _____

HEALTH

Do you have any illnesses requiring Prescribed Medication: Yes No

If so state the Condition and the Medication:

DRUG AND ALCOHOL HISTORY

Have you ever used Drugs or Alcohol: Yes No

If so which ones and to what extent:

Do you think that you have a problem or have had a problem in the past with
substances: Yes No

Do you wish to see a Social Worker in this regard: Yes No

Comments:

SENTENCE PLANNING

What Programmes, Courses, Groups or Work have you been doing so far in this sentence:

What Programmes, Courses, Groups or Work etc. would you like to be involved in:

Do you have any Post-Release Plans at present:

Signature Offender: _____ Date: _____

Signature Case Manager: _____ Date: _____

ANNEXURE O:
DOCUMENTATION CHECKLIST



DOCUMENTATION CHECKLIST

<u>DOCUMENT</u>	<u>YES</u>	<u>NO</u>
SAP 62		
SAP 69		

SENTENCE COMMENTS:

POSSIBLE RISK REGARDING:

<u>RISK CATEGORY</u>	<u>YES</u>
Escape	
Suicide	
Aggression	
Health care	
Mental health	
Gangsterism	
Known further charges	
Other.	

Signature: Case Manager

Date: