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A study of Serious Violent and Sexual Offenders Released on Supervised Licence in Northern Ireland between 2010 and 2013.

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**A study of serious violent and sexual offenders released on supervised licence
in Northern Ireland between 2010 and 2013.**

**A thesis submitted to the Dublin Institute of Technology in part fulfilment
of the requirements for award of Masters in Criminology**

by

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September 2014

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ABSTRACT

Extended Custodial Sentences for serious offenders were introduced under the Criminal Justice (Northern Ireland) Order 2008. Recall rates for these offenders appear disproportionately high compared with other types of public protection sentenced offenders in Northern Ireland. Guided by life-course theories and using mixed methods of quantitative and qualitative research, the study investigates the outcomes for ECS offenders released into the community between 2010 and 2013. Content analysis developed profiles of all (N=57) ECS offenders released under supervised licence by 31 December 2013 and examined characteristics of recalled (N=31) and non-recalled (N=26) offenders to identify possible contributing factors to recall. The recall rate was established at 54%. Childhood trauma, substance misuse, mental health issues, prolific offending and length of time spent on remand characterised the total ECS population. Poly-substance misuse, lack of family support and hostel accommodation on release emerged as key factors amongst the recalled population, nearly half of whom were recalled within four weeks. Despite the small population, findings provide initial indications of factors contributing to the ECS recall rate, highlight the importance of transition services and increase knowledge of an area in which no research has been done to date in Northern Ireland.

DECLARATION

I certify that this thesis which I now submit for examination for the award of Masters in Criminology, is entirely my own work and has not been taken from the work of others save and to the extent that such work has been cited and acknowledged within the text of my work.

This thesis was prepared according to the regulations for postgraduate study by research of the Dublin Institute of Technology and has not been submitted in whole or in part for an award in any other Institute or University.

The work reported on in this thesis conforms to the principles and requirements of the Dublin Institute of Technology's guidelines for ethics in research.

The Institute has permission to keep, to lend or to copy this thesis in whole or in part, on condition that any such use of the material of the thesis be duly acknowledged.

Signature _____
Candidate

Date _____

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LIST OF ACRONYMS

ACE	Assessment Case Evaluation risk assessment tool
ARV	Alcohol Related Violence programme
CED	Custody Expiry Date
CSC	Cognitive Self Change programme
DCS	Determinate Custodial Sentence
ECS	Extended Custodial Sentence
ICS	Indeterminate Custodial Sentence
ORU	Offender Recall Unit, Department of Justice, Northern Ireland
PBNI	Probation Board for Northern Ireland
PCNI	Parole Commissioners for Northern Ireland
PED	Parole Eligibility Date
RoSH	Risk of Serious Harm
SOPO	Sexual Offences Prevention Order
SOTP	Sex Offenders Treatment programme

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CHAPTER ONE: INTRODUCTION

1.1 Background

In 2005 public consultation opened on a new sentencing framework in Northern Ireland, proposing public protection sentences and compulsory post release supervision, following implementation of a similar model in England and Wales (Northern Ireland Office, 2008). Impetus for change gathered momentum following the murder of Attracta Harron in late 2003 by Trevor Hamilton, who had been released unconditionally after serving half of a sentence for rape. The Interim Report into the Management of Sex Offenders (2006) called for legislation to place sentencing in Northern Ireland on a similar footing to England and Wales. The Criminal Justice (Northern Ireland) Order of 2008, hereon in known as 'The Order', introduced public protection sentences: Determinate Custodial Sentences (DCSs), Intermediate Custodial Sentences (ICSs) and Extended Custodial Sentences (ECSs). These sentences combine a custodial period, which is not subject to automatic remission, with mandatory periods on supervised licence.

1.2 Recall Provisions for Extended Custodial Sentences

Under the provisions of 'The Order', Extended Custodial Sentences are imposed for sexual or violent offences, allowing individuals who pose a risk of serious harm which cannot be safely managed in the community to be detained to the end of their custodial sentences; their Custody Expiry Date (CED). Half-way through the custodial period, at their Parole Eligibility Date (PED), ECS offenders are reviewed by the Parole Commissioners for Northern Ireland (PCNI) to determine whether their risk has reduced to the point where they can be safely released for the supervised part of their sentence. Whether or not risk has been reduced, ECS offenders are automatically released at CED to start the supervised licenced portion of their sentence. While previously recall was only an option for life sentences,

Sections (28) to (31) of 'The Order' allow for the recall of ECS offenders during their licence period. In Northern Ireland a breach of licence conditions, in itself, does not necessarily constitute grounds for recall, unlike England and Wales or most U.S. States, where public protection sentences originated (Padfield, 2010; Petersilia, 2011). The statutory test to determine if an offender released on ECS licence should be recalled, is whether there is evidence that proves, on the balance of probabilities, a fact or facts indicating that the risk of that offender causing serious harm to the public has increased more than minimally since the date of release on licence and that this risk cannot be safely managed in the community.

In practice, the process leading to recall starts with the Probation Board for Northern Ireland (PBNI) which is responsible for supervising offenders on licence. The PBNI submits a Recall Report to the PCNI detailing the reasons why the offender is considered an unmanageable, increased risk. Within 24 hours a Parole Commissioner considers the case and makes a recommendation for or against recall to the Offender Recall Unit (ORU), Department of Justice, Northern Ireland, which makes the recall decision on behalf of the Minister of Justice. If recalled, the offender is returned to custody. The case is then reviewed by the PCNI at which point re-release takes place if the offender can meet the requirements of the statutory test otherwise he or she stays in custody with periodic PCNI reviews of their case.

1.3 Effects of Recalls in the United States (U.S.), England and Wales

The effects of the recall mechanism in the U.S. have contributed significantly to the growth in the prison population where the number of parole violators returned to custody increased sevenfold between 1980 and 2000 (National Research Council, 2007). While mandatory parole is more widespread in the U.S., this increase in recall rates has been echoed in England and Wales (Marston, 2010). Following the introduction of the Criminal Justice Act 2003, which was intended to put the 'sense back into sentencing' (Home Office, 2002), a greater number of prisoners have been released to supervision in England and Wales. Between 2005 and 2009, the recalled

population increased by 61% with 5,300 offenders returning to prison (Ministry of Justice, 2009; Padfield, 2012). Describing the trend as a 'revolving door at the prison gate', Padfield and Maruna (2006, p. 329) compared growth with that of the U.S., and called for more research into the issue.

1.4 The Emerging Picture in Northern Ireland

The rate of increase in recalls in Northern Ireland for ECS offenders has also increased sharply (Probation Board for Northern Ireland, 2013a). The agencies involved in prisoner recall and post-custody supervision in the community have expressed concern that ECS recall rates are high in the Northern Ireland context, but to date no independent analysis of the data has occurred. This study investigated the recall rates for ECS offenders and looked at the initial outcomes of the new sentencing framework introduced under 'The Order' for this group of offenders.

1.5 The Research Question

The research aims to document the initial outcomes for serious sexual and violent offenders released on licence in Northern Ireland after serving an Extended Custodial Sentence (ECS) and to identify possible factors which may contribute to the recall rates for such offenders. Specifically, the study addressed the following objectives:

The first objective was to identify the recall rate for ECS offenders from the inception of ECSs in 2008 to 31 December 2013. The second objective was to establish the context for the research by developing a profile of the ECS population detailing social background, emotional and mental health, previous offending, motivation, custodial and supervised licence experiences. The third objective was to examine the events and factors which led to recall. The final objective was to explore differences between recalled and non-recalled ECS offenders which might account for their success or failure on supervised licence.

The main research question is:

What proportion of ECS offenders are recalled following release on supervised licence in Northern Ireland since the inception of 'The Order' in 2008? What are the reasons for recalls?

A number of subsidiary questions support the main research question:

What is the individual, social, criminal, and penal profile of ECS offenders released on supervised licence in Northern Ireland? Are there differences between recalled and non-recalled ECS offenders? If so, what are these differences?

The study provides a number of recommendations which could mitigate the effect of some risk factors for this challenging group of offenders thereby enhancing the possibility for their success on licence. Additionally, by filling a gap in formal knowledge, it provides agencies with data to support development of policy recommendations to improve sentence and supervision planning.

There are very immediate reasons for pursuing this research. As well as the serious implications for public safety, recalls are a costly drain on resources and can lead to disengagement on the part of offenders with a consequential impact on future offending.

1.6 The Theoretical Context of the Research

The theoretical perspective informing this research is set within the context of reintegration, recidivism, or desistance, theories. The field of recidivism and its counterpart, desistance (Maruna & Immarigeon, 2004), explores risk factors which influence offending and protective factors, such as informal social control, which can contribute to halting a criminal career (Farrell, 2002; Hirschi, 2009). Influenced by longitudinal studies, such as the Glueck's empirical study of delinquent boys and

Laub and Sampson's associated work (2003), risk factor research can be categorised into two main approaches:

- childhood focussed: biological, environmental, psycho-social risk factors in childhood which set the trajectory for offending in later life (Moffitt, 1993); and
- life-course focussed: where biological, environmental, psycho-social risk factors in childhood and in later life can be mitigated by protective factors or experiences (such as maturation) with consequential desistance or reduction in offending (Case & Haines, 2009; Farrell, 2002; Maruna & Immarigeon, 2004).

Ecological life-course theories (Case & Haines, 2009) were chosen to guide this research they take into account both psycho-social and socio-structural factors in childhood, informal social control, attachments, or social bonds, environmental factors and events (or turning points) in adulthood which can influence either the journey into, or away, from offending (Laub & Sampson, 1993; Visher & Travis, 2003). They provide a framework to identify possible differences between re-offending or desisting offenders despite the majority of the ECS population experiencing a difficult psycho-social background.

1.7 Research Design

The research design used mixed methods of quantitative and qualitative research. The sample was the total ECS population of 57 offenders released on supervised licence by 31 December 2013. Using documentation supplied by the ORU, PBNI and PCNI, descriptive statistics established common characteristics of the ECS population, then compared possible distinguishing features of recalled and non-recalled ECS offenders. Content analysis of the file data was used to produce qualitative findings around risk and protective factors and the issue of motivation.

1.8 Limitations

The study is considered to have certain limitations. Beyond the scope of this research was a comparative analysis of recall rates across all categories of public protection sentenced offenders and of pre-2008 versus post-2008 re-offending rates for the same categories of crime over a three year period. Likewise, offender interviews and a focus group of criminal justice agencies would have provided a deeper, more complete account. The ECS population size is comparatively small so some findings could not be considered as statistically significant (for example, age breakdowns within categories). Finally, the researcher is a Parole Commissioner for Northern Ireland. As part of her role, she reviews the early release of ECS offenders, their recall into custody and their re-release. Although this is an independent post, she might not be considered as value-free in her approach which could call into question the qualitative aspects of the research. While this factor is disclosed, it is considered to be outweighed by the advantage of access and prior practical knowledge in the area.

CHAPTER TWO: REVIEW OF THE LITERATURE

2.1 Introduction

The sociology of offender recalls is under-researched with few recent studies published. Earlier literature originated in the U.S. with large-scale quantitative studies analysing rates of recall, or parole revocation, characteristics of recalled offenders and possible contributing factors (Beck & Shipley, 1989; Hughes, Wilson & Beck, 2001; Langan & Levin, 2002; National Research Council, 2008; Visher & Travis, 2003). A major feature of this literature was its broad scope with limited discussion of the relationships between variables and of post recall effects on either offenders or agencies. Although these matters have been addressed to some extent by later research (Petersilia, 2003), one has to turn to recidivism literature to link findings to possible explanations (Farrell, 2002).

This review considers more recent empirical studies which follow a qualitative path through U.S. correctional systems and institutions (Grattet, Petersilia & Lin, 2008¹; Ostermann, 2011, 2013; Steen & Opsal, 2007; Steen, Opsal, Lovegrove & McKinsey, 2013). This body of research established predictors for the types of offender that are recalled and the reasons why, as well as likely outcomes of parole on a criminal career. The review also considers three studies which adopted a qualitative approach using the offender's perspective: Bucklen and Zajac (2009), Digard's 2010 study based in England and Wales, and, particularly pertinent for the purposes of this research, a U.S. study by Bahr, Harris, Fisher & Armstrong (2010) which aimed to increase understanding of what differentiates successful parolees from those that fail.

¹ Grattet *et al.*'s 2008 study of 250,000 individuals in California claimed to be the largest, most comprehensive and rigorous research of licence breaches at that time.

2.2 Profile of the Supervised Offender

2.2.1 Age

The age of the offender was identified in most studies as a key indicator of the likelihood of recall. Offenders aged 30 plus were less likely to be recalled (Bahr *et al.*, 2010; Bucklen & Zajac, 2009; Grattet *et al.*, 2008; Ostermann, 2011). Older offenders (aged fifty and above) were 59% less likely than the average to be recalled for a new offence and 40% less likely to be recalled for a technical violation (Steen & Opsal, 2007). Ostermann (2011) found the predicted likelihood of rearrest or re-conviction decreased for every additional year of age at time of release. These findings are in line with desistance or recidivism research and age-graded theory of offending (Sampson & Laub, 1990) where offending peaks around age 20 (violent offending around age 30) and risk is seen to decrease with age whether due to the internal cognitive transformation of maturation (Maruna, 2001) or due to external factors of informal social control (Hirschi & Gottfredson, 1983; Laub & Sampson, 2003).

2.2.2 Gender

Research shows that, overall, female offenders were less likely to be recalled but, when they were recalled, more likely than male offenders to breach licences (Ostermann, 2011; Steen *et al.*, 2013). This generally supports Heidensohn's re-purposing control theory (1985) whereby gender offending ratios are explained by women being subject to greater informal and formal social controls. However, it calls into question whether formal social controls, such as licence conditions, are less effective on female offender behaviour than the influence of informal social controls of family, peers or communities (Taxman, Young & Byrne, 2004).

2.2.3 Mental Health

Offenders with mental health issues had a 60% above average risk of recall, particularly for serious violations (Steen *et al.*, 2013) and committed significantly more technical violations (Grattet *et al.*, 2008). A possible reason for this higher

rate lies in active symptoms of mental ill-health compromising an offender's ability to cope with parole supervision requirements. While mentally ill offenders have a very poor experience in custody which can exacerbate their condition, the prison regime generally does manage medication for diagnosed conditions. However, the stress that can accompany release into the community can lead to offenders not complying with medication programmes unless they are released into supportive psychiatric care (Petersilia, 2003). Furthermore, substance abuse was identified in most studies as a primary reason for technical violations. The likelihood of recall might be further compounded by offenders with mental health issues being eight times more likely to abuse substances than the general offender population (Matejkowski, Draine, Solomon & Salzer, 2011).

2.2.4 Length of Previous Criminal Records and Crime Type

The number of prior arrests were significant indicators of recall in several studies (Ostermann, 2011; Steen & Opsal, 2007). Longer criminal records meant that parolees were more likely to be recalled for licence breaches. According to Grattet *et al.* (2008), those who had served more adult spells in prison were more likely to return to custody.

There is a discernible relationship between crime type and likelihood of recall; the original offence being a significant indicator of recall in several studies (Ostermann, 2011; Steen & Opsal, 2007). Hughes *et al.* (2001) first identified that those convicted of property offences were most likely to be recalled. Property crime accounts for a high proportion of all lengthy criminal records; repeat offending and shorter prison terms for these offences leading to offenders being recycled through the prison system at a faster rate (Petersilia, 2003). Recall likelihood for other crime types depended on whether a return to custody was as a result of new offending or for breach of licence condition. Both Ostermann (2011) and Steen and Opsal (2007) categorised the likelihood of recall for those convicted of new offences in the order of drug offenders, violent offenders and public order offenders. Contrary to popular perception, sex offenders were least likely of any parolee to commit a further sex offence whilst on supervision (Grattet *et al.*, 2008). This finding was in line with

reconviction rates for sex offenders in Ireland; a relatively low 18% compared with 45% for the total offending population over a three year post-release period (O'Donnell, Baumer & Hughes, 2008). Sex offenders take longer on average before they re-offend, an additional factor perhaps being greater access to cognitive-based rehabilitative programmes than other offenders due to concerns about the nature of their crimes (Friendship & Thornton, 2001).

The order of recall likelihood as a result of licence breaches was found to be firstly property offences, followed by sex offences, violent offences, drug offences and finally public order offences (Steen & Opsal, 2007). The high rates for recall of violent or sex offenders for technical breaches could be explained by the fact that these two groups are subject to tighter supervision. In a climate of risk aversion (Garland, 2002), if an offender is classified as a potential risk of serious harm then he or she is subject to both heightened supervision and less tolerance of licence breaches. Risk assessment and management could be said to have replaced the traditional case management probation model (Owen, 2007; Padfield & Maruna, 2006). Developed from longitudinal studies, risk assessment, with its systemised approach to offender risk profiling, has greatly influenced agencies involved in the supervision and management of offenders (Garland, 1987; HM Inspectorate of Probation and HM Inspectorate of Prisons, 2013; Padfield, 2007).

2.3 The Influence of the Custodial Experience

Research found that the more serious the crime, the longer the custodial period, the more intensive the supervision and therefore the greater the possibility of subsequent recall (Hughes *et al.*, 2001; Meade, Steiner, Makarios & Travis, 2013). Those convicted of serious crimes and subject to sentences of more than one year were 80% more likely to be recalled for technical violations and far more likely to be recalled for new offences than offenders convicted of more minor offences and serving shorter sentences (Steen & Opsal, 2007). Recidivism research offers a possible explanation for the high rate of new offending for this group. Lengthy and

frequent custodial periods separate offenders from support networks and loosen both family and community ties (Duwe & Clark, 2013; Farrell, 2002; Petersilia, 2003). However, Ostermann's 2011 study found that those of his sample of 12,000 offenders subject to long sentences and lengthy supervision periods had lower levels of recidivism, suggesting that parole 'works'; the supervisory element compensating for custody length.

2.3.1 Access to Rehabilitation Programmes

Grattet *et al.* (2008) found that half of recalled offenders had not taken part in any rehabilitation or work assignments during their custodial period despite evidence that participation in programmes reduces recidivism rates (Mackenzie, 2006; Makarios, Steiner & Travis III, 2010; Zhang, Roberts & Callanan, 2006). Furthermore, successful participation can evidence an offender's reduced risk before Parole Boards and increase likelihood of earlier release.

Interventions in the community also play a part in reducing recidivism. Empirical research produces consistent findings about the effectiveness of post-custodial programmes, such as substance abuse treatment, the importance of transition services and post-release after-care (Braga, Piehl & Hureau, 2009; Wooditch, Tang & Taxman, 2014). These factors add to the protective effect, at least during the supervision period, whether as a short-term, incapacitating tool or a long-lasting contribution to eventual desistance.

2.4 The Role of Attitudes and Motivation

Programme availability and participation of itself does not guarantee parole success or desistance. A direct descendant of Hirschi's self-control theory (Taylor, 2001), Dowden and Andrews' (2000) earlier Risk Need Responsivity (RNR) Model neglected the role of motivation in effective programme delivery - despite the term 'responsivity', defined solely as meeting learning styles (Ward, Young & Willis, 2012). Motivation is particularly important when dealing with high risk/high need

violent offenders (Serin, Gobeil & Preston, 2008; Taxman *et al.*, 2004). In a comparative study of post-release transition services in the U.S., Bucklen and Zajac (2009) identified three major areas which differentiated parole failure from success: unrealistic life expectations, poor coping and reasoning skills and antisocial attitudes. Their sample of 62 parolees all faced the same potential barriers to post-release success in terms of securing employment and accommodation but those with positive attitudes, confidence and skill when faced with these challenges were more likely to succeed (Maruna, 2001).

However, for those offenders facing the recall process the second time around, maintaining a positive, engaged outlook is challenging. Digard (2010) suggested that perception of the unfairness of the recall process impacts negatively on offender attitudes. He maintained that post-recall disengagement with authority and reduction in motivation exacerbates the risks his sample of 20 sex offenders will present the next time they pass through the revolving prison door.

2.5 The Role of Support

In a move towards rounded research, Bucklen and Zajac (2009) surveyed 542 parole violators in Pennsylvania and conducted focus groups and interviews with 62 recalled offenders. Research differed as it included a survey of parole successes (defined as at least three years with no violations) but achieved a low response rate of 30% with this group. Parole successes were significantly more likely to be in a supportive relationship, employed and less likely to have current substance abuse problems. However, data was limited to one U.S. State and, unlike Steen and Opsal (2007), the study did not consider the characteristics of the community to which offenders were returning where stronger informal social bonds might achieve a greater success than an urban environment (Hirschi, 2009). Conversely, a study (Bahr *et al.*, 2010) of 51 parolees over a three-year period found that, according to quantitative data, participation in a custodial substance abuse programme, not family support, was important for the 26 successful parolees. Recreational activities and

full-time work were also associated with success. Within the same study, qualitative research led to contradictory findings when successful offenders reported more family support and greater self-efficacy.

Considering more formal support, White, Mellow, Englander and Ruffinengo (2011) found very modest (2%) increased success rates for 227 residents of a therapeutic half-way house (referred for licence breaches but not charged with new offences) compared with 392 non-residents. However, unlike Ostermann (2011), the study did not control for differences in time spent in custody post-recall between the two groups. The authors were also not able to identify the risk level of residents or whether they had previously participated in rehabilitation programmes in custody or in the community so the influence of other variables could not be discounted.

The importance of comprehensive and flexible services and support mechanisms in place to support re-entry has been well highlighted (Petersilia, 2003; Taxman *et al.*, 2004). As the level of family support is viewed as a crucial factor in eventual desistance (Duwe & Clark, 2013; Laub & Sampson, 2003), it presumably has a similar impact during supervision. However, with the exception of the three studies mentioned above, little research has taken place into the role of formal or informal support on recall likelihood.

2.6 Reasons for Recall

2.6.1 Length of Time until Recall

It has long been established that a high proportion on parole recidivate shortly after release and completing the first six months on parole is crucial to success (Hakeem, 1944). Steen and Opsal (2007) concluded that the longer an offender is supervised in the community the less likely he or she is to be recalled; every year on parole reducing the likelihood of revocation for a new offence by 33% for new offences and by 40% for technical violations. In Grattet *et al.*'s study of 2008, the risk of violation rose sharply in the first 90 days, was high in the first 180 days after

release but after a year had dropped by 80% compared to the initial figure. Ostermann (2011) suggested that an explanation was that over time an offender becomes more integrated in the community. There are, however, possible additional discretionary factors at play. Ostermann did not explore the potential impact of 'light touch' supervision towards the end of the licence period or probation officer reluctance to recall a hitherto successful parolee for breaches which would have resulted in recall earlier in the supervision period.

2.6.2 Response to Licence Breaches

Empirical research distinguishes between recalls resulting from new offences and those due to breaches of licence conditions; such as failing to keep probation appointments, not participating in work programmes or consuming alcohol. Questions have been raised about the rationale of offenders confined for actions that would not justify a custodial sentence (Harding, 2006; Steen *et al.*, 2013). Discussing the relationship of supervision and recidivism, Padfield and Maruna (2006) maintained that there was no conclusive evidence that non-compliance with licence conditions signalled a return to offending behaviour. However, with few exceptions (Hakeem, 1944), empirical research does not consider whether licence breaches were linked to factors involved in the original offence, for example, breach of an alcohol ban when the original offence was alcohol-related violence. Steen and Opsal (2007) examined post-release supervision success and failure, centring on the role of race, across four U.S. states. A stated limitation was that the National Corrections Reporting Program (NCRP) data did not allow the study to control what could be significant variables, such as the type of licence breach or new offence which led to recall, therefore not permitting conclusive findings about the likelihood of success or failure.

2.6.3 Main Licence Breaches

Drug abuse was identified as a major factor leading to recall for breach of licence (Bucklen & Zajac, 2009; Grattet *et al.*, 2008; Steen *et al.*, 2013). However, no study clarified if drug use was prevalent in the communities to which offenders returned or if offenders had undergone treatment at any point whether in custodial or

on community programmes. Another prime reason for recall was absconding (Grattet *et al.*, 2009; Steen *et al.*, 2013). This was, however, a broad category, covering a spectrum between missed probation appointments through to being unlawfully at large, therefore beyond the reach of supervision. 'Catch-all' factors for recall were that breaches constituted a risk to public safety or a return to offending behaviour (Steen *et al.*, 2013). Steen *et al.* (2013) conducted structured interviews with 35 probation officers as well as gathering quantitative data on 300 individuals on parole in Colorado between 2006 and 2007². Unlike other studies, the authors looked at patterns of offending, for example drug use or driving under the influence, and the type of parole violation to determine the likelihood of recall but discovered no discernible relationship between the two variables.

2.6.4 Discretion in Recall Decisions

Recall is open to discretionary decision-making on the part of probation and is partly dependent on the 'sensitivity' of the supervision system (Grattet *et al.*, 2008). What could be viewed by probation as one offender's tolerated 'lapse' or blip' might be seen by another as clear evidence of recidivism. Recent empirical studies on recall focus on the discretionary aspect of recall decision-making, judging that the response of criminal justice agencies to parolee behaviour was not necessarily consistent. Steen *et al.* (2013) stated that race, gender, age and parolee effort count in whether a complaint is filed and, while around 75% to 80% of parolees committed technical violations, U.S. states varied in their responses, incarcerating from 3% to 45%. A survey of 332 U.S. probation officers found that extra-legal discretionary factors, such as extent of education and length of experience, did not significantly affect probation decisions (Kerbs, Jones & Jolley, 2009) but when probation case-loads increased, so did willingness to pursue a formal hearing to address violations (Steen *et al.*, 2013).

² Geographic criteria dictated Steen *et al.*'s original cohort and the resulting sample differed significantly from the national custodial population, with fewer sex or violent offenders and many fewer drug offenders (23% as opposed to 37%).

2.7 Outcomes

Supervision appears to reduce re-offending – at least in the short term. Ostermann's 2011 recidivism study indicated that those on supervision over a three-year period were generally less involved in new offences than those released unconditionally. This research included unconditional releases and differed in that it took into account time offenders spent in post-recall custody, therefore not able to re-offend. Rearrests were counted as well as new charges which is problematic as not all rearrests could count as true recidivism if they did not result in convictions. Studying variations in supervision outcomes, Grattet *et al.* (2008) found that serious or violent offenders referred to the parole board were more likely to return to custody but less likely to re-offend in the long term. Supervision acted as a protective factor despite the increased hazard of technical violations. For those under supervision, re-offending is less likely to remain undetected under a watchful probation eye or from police round ups of the 'usual suspects'.

However, a later Ostermann study (2013) of nearly 3,000 parolees concentrated on a comparison of recidivism rates post supervision, concluding that parole does not have long-lasting rehabilitation effects. Although offenders on licenced supervision committed 8% less offending during supervision than non-licenced offenders, this was not a long-term effect. Offenders in England and Wales follow a similar path; initially re-offending less than their non-licenced counterparts but, at the three year point, showing no significant statistical difference in offending rate (Lai, 2013). Supervision of some sort appears to 'work' but whether more intensive supervision is more effective is open to question. Research showed that more intensive supervision increased the rate of licence breaches and more closely supervised parolees were not deterred from re-offending (MacKenzie, 2006; Petersilia, 2003).

2.7.1 Perceptions of Legitimacy of Recalls

Parole hearings are not as visible as other parts of the criminal justice system and decision-makers are less likely to be held accountable (Steen & Opsal, 2007). Steen *et al.* (2013) concluded that decisions made by parole boards were either 'largely random' or down to other variables not specified in the research models. Exactly how this could be claimed is questionable with the authors' acknowledged lack of data and access to parole boards. But revocation decisions are made in isolation away from open court settings which can lead to greater variability in the treatment of parolees. It is evident that offenders have fewer legal protections at the point of recall as the decision is administrative rather than legal and assessment of potential harm that an offender may present is partly subjective. With regard to licence breaches, several authors expressed concern about the subjectivity of processes, discretionary power and consistency of application (Steen & Opsal, 2007; Steen *et al.*, 2013; White *et al.*, 2011).

In the only recent U.K. empirical research to date to specifically examine recall, Digard (2010) interviewed 20 sex offenders to gain their perceptions of recall, building on earlier research into sex offender reconviction rates and the Parole Board judgements of their risk (Hood, Shute, Feilzer & Wilcox, 2002). Digard (2010) found that the views of his sample focussed primarily on procedural fairness, with a quarter challenging the legitimacy of their recall and even their original sentence. Seven participants felt that their behaviour was not indicative of a return to offending, labelling recalls as 'double punishment'. Over half believed that being recalled was as much about the personality of their supervising officer, absenting themselves from personal responsibility. However, Digard chose a problematic sample to investigate perceptions of recall legitimacy as research indicates that sex offenders appear to be a group highly disposed to denying or minimising their offence (Kennedy & Grubin, 1992). The consequences of procedural fairness, perceived legitimacy and compliant behaviour were examined with the majority of offenders more willing to follow the letter of the law but less willing to actively engage in an open manner with their supervising officer thus undermining their relationship. This compromises effective

supervision from the outset as a positive relationship between supervisor and supervisee has been seen to contribute to reduce recidivism (Dowden & Andrews, 2004; Ward & Maruna, 2007).

2.8 Conclusion

Notably, research efforts into the issue of recall appear to have been hampered by data access issues, restricting variables more than researchers would have wished and necessitating a narrow focus on a particular time-frame in criminal careers and a lack of emphasis on post-recall outcomes. Later literature has adopted a more qualitative approach, looking beyond the characteristics of offenders to the effects of supervision and the decision-making processes of recall (Bahr *et al.*, 2010; Bucklen & Zajac, 2009; Digard, 2010). Regrettably, a lack of continuing research has not progressed investigation into all the issues surrounding recall.

While the subject of recall is intertwined with recidivism studies, it should be considered worthy of study as a phenomenon in its own right for at least two reasons. 'Back end' sentencing, the practice of returning individuals to custody for licence breaches, can leave an offender facing a potentially lengthy incarceration without due process, raising questions of procedural fairness. With an increasing proportion of the prison population in post-recall custody it is necessary to understand what factors contribute to a successful licence period, thus avoiding the 'revolving door' syndrome (Padfield, 2007; Travis, 2007).

The move away from rehabilitation to monitoring and control (despite the apparent failure of intensive supervision to reduce long-term recidivism) forms part of the discourse of new penology, emphasising risk rather than reformation, offender management rather than rehabilitation (White *et al.*, 2011). Risk prediction tools based on static historical factors can feed risk aversion and increase discrimination in decision-makers (Creamer & Williams, 1996; Garland, 2002; Padfield & Maruna, 2006). Licenced prisoners become less individuals and more differentiated risk

groups with less consequential appetite for leniency towards high risk offenders.

In Northern Ireland, recall is a relatively new process for non-lifer offenders which has taken its own particular form. Criminal justice agencies have a hybrid nature; adopting risk management tools but with case management still evident (Carr, Healy, Kennefick & Maguire, 2013; Gadd, 1996). Unlike England and Wales, where the function is primarily administrative, the rehabilitation of offenders is also part of the statutory duties of Parole Commissioners. The prison population is still comparatively small and community ties are relatively strong (Brewer, Lockhart & Rodgers, 1997). Here too, though, criminal justice agencies face an increasing recalled prison population with high risk offenders seeming to 'fail' more frequently than other offenders.

CHAPTER THREE: METHODOLOGY

3.1 Research Design

The strategic framework of the research was explanatory using a realist approach (Bachman & Schutt, 2012; Davies, 2011; Semmens, 2011). The research design used mixed methods; combining qualitative and quantitative research methods to give more comprehensive findings.

Quantitative analysis of data used a range of variables to define and compare characteristics of ECS offenders. The literature review identified indicators of recall, desistance or recidivism. Considered as key areas for investigation were age, accommodation, work, social background, emotional and mental health, previous offending, custodial progress and activities together with reasons for and length of time to recall.

Qualitative research was undertaken in order to illuminate findings from the quantitative research. The same file data was used to develop profiles for deductive reasoning to relate findings to life-course theories (Laub & Sampson, 2003; Maruna, 2001; Visher and Travis, 2003). Inductive reasoning, which offers a broader scope, was also used with case profiles to identify patterns of behaviour, attitudes and motivation (Davies, 2011).

Triangulation was used both between quantitative and qualitative methods and to cross-check data collected from different sources. Convergence of results decided the 'reality' of the findings (Denzin, as cited in Davies, Frances & Jupp, 2011, p. 60). The aim was to provide *complementarity* – elaboration and clarification of results from one method by using another, *development* – results from one method informing the other – and *expansion* – expanding the breadth and scope of the research (Bachman & Schutt, 2012).

3.2 The Sample

The original sample consisted of the total population of ECS offenders who had been released from the custodial portion of their sentence into supervised licence between introduction of 'The Order' and 30 April 2014. At a later stage, following consultation with the ORU and the PBNI, the study period was amended, drawing back the date of release to 31 December 2013 and extending the potential period on licence to 31 July 2014. This amendment removed the possibility of categorising an offender as 'non-recalled' if he had only recently been released.

A total of 61 ECS offenders had been released on licence by the end of 2013 and four offenders were excluded from the sample: two were in prison for other offences although the custodial portion of their ECS sentence was completed; one because his sentence was not subject to the standard supervision arrangements and one because he had been deported on release. The sample size for the study therefore consisted of 57 ECS offenders; 97% of whom were male.

The sample of 57 was comprised of two subsets; those offenders who had been recalled during the period (N=31) and those who had successfully completed at least seven months on supervised licence (N=26).

3.3 Quantitative Research

The purpose of this research was to identify common features in the sample by providing a cross-sectional analysis of risk and protective factors and of comparison of events (pre and post-recall). The first stage of research developed a profile of the ECS population while the second stage sought to compare characteristics of non-recalled offenders with those of recalled offenders.

3.3.1 Data Collection

Statistics produced by the ORU were used as a base point to determine the size of the ECS offender recalled population over the period. These statistics were cross-checked with PBNI records of ECS offenders, both recalled and non-recalled, and PCNI documentation to verify the sample.

Data, in the form of official records, was sourced through the ORU, the PBNI and the PCNI. The ORU provided dossiers for each recalled offender which were between 170 and 300 pages in size. These dossiers typically included details of the offender's background and criminal record, reports from participation in interviews, interventions, recall and custodial behaviour reports and post-custodial details. The PCNI provided the decisions or recommendations made by both single and panels of Commissioners following review of offender cases at their parole eligibility date, recall or review of recall stages. Each PCNI document was typically between ten and fifteen pages in length. The PBNI provided contact supervision reports (made on a minimum weekly basis during early supervision) and provided Pre-Sentence reports and other details for those offenders who had not been recalled. The listing of selected documents and data analysed has been included in the study to ensure the transparency in the process of analysis and is shown in Appendix A (Bowen, 2009).

3.3.2 Data Organisation

Individual case profiles were built from the data into a modified life-grid format, using Microsoft Excel 2007 software, covering the offender's early background through to the present day (Richardson, Ong, Sim, & Corbett, 2009) (see Appendix B). SPSS Statistics software was not used because of the small population size. A test group of ten profiles was developed first to refine and organise variables. Some variables were identified during the literature review, for example, age (Hirschi & Gottfredson, 1983), length of custodial sentence (Wooditch *et al.*, 2014), substance abuse, mental and emotional health (Petersilia, 2003), participation in community-based interventions (White *et al.*, 2011), length of time from release to recall and whether recall resulted from a licence breach or from new offending (Steen & Opsal, 2007). Drawing from the researcher's own experience, other

variables were considered necessary; for example, remand length can restrict access to custodial interventions seen to reduce re-offending (Andrews & Bonta, 2003). Further variables (such as the offender's parents' history of domestic abuse, substance abuse or offending) were added during the process of dossier review. From this exercise, a master profile was then created to develop profiles for the remainder of the sample. Content validity was ensured by using primary documents and cross-checking data between sources (Maxfield & Babbie, 2005). Attributes were organised into variables related to the research question (see Appendix C).

Although a degree of data interpretation was inevitable, a consistent and systematic approach was followed to achieve reliability and validity. For example, for the variable 'family support', subjective, offender self-reported data in the PBNI Pre-Sentence and Sentence Manager reports was corroborated with numbers of family visits from the Custody Profile and accommodation address (before and after release) to assess whether assigning this variable was valid. Additionally, the case profiles for recalled offenders were given to probation officers responsible for the supervision of each offender for review, narrative validation (Pepper & Wildy, 2009) and additional commentary on the discretionary aspect of their decision to request recall (Kerbs *et al.*, 2009). This was a voluntary exercise and received a response rate of 56%. It was not considered necessary to include non-recalled offenders in this exercise as data was taken from PBNI's own contact reports.

3.4 Qualitative Research

Cognitive transformation, as demonstrated by purpose, self-control, increased responsibility and pro-social attitudes, has been identified as a determining factor in recidivism or desistance (Laub & Sampson, 2003; Maruna, 2001). Conversely, primary correlates of parole failure were found to be anti-social attitudes, poor coping skills and unrealistic expectations of life after release (Bucklen & Zajac, 2009; Farrell, 2002). For the purposes of this study, these characteristics were defined collectively as 'motivation' and were gathered from PBNI contact reports,

intervention assessments and Case Manager reports. Frequently, the data contained direct quotes from the offender which were added to the case profiles to illustrate findings and for later thematic coding.

3.5 Analysis

Using Microsoft 2007 Excel software, analysis of the quantitative research first provided an overall picture in descriptive statistics of the ECS population. More than 150 different variables and independent variables were categorised from case profiles into spreadsheets for social background, emotional and mental health, previous employment and accommodation, previous offending, custodial periods, post-release outcomes (see Appendix D). Profiles of recalled offenders were compared with those of non-recalled offenders to identify distinguishing factors both between and within the two groups. Because of the small population size causal inferences were avoided and caution was exercised when developing findings (Semmens, 2011).

Although adding an extra step in the research process, it was considered beneficial to build individual profiles to give a picture of each offender's narrative and not reduce their life history into pure statistics (Probert, 2006). The researcher then conducted a review of the material to identify common themes across the sample. Initially considered was a coding scheme, adapted from the Liverpool Desistance Study (Maruna, 2001), which assigned key thematically-related negative or positive expressions to generalised content categories. However, it was soon realised that, without semi-structured interviews as a base, inductive coding was not suitable for this content. Using deductive reasoning, any patterns in the data were summarised in empirical generalisations to produce findings (Bachman & Schutt, 2012; Bowen, 2009).

File content was analysed to chart motivation or engagement levels for each offender along a time-line: during the custodial period, at a point close to release,

during supervised licence or at recall stage (if applicable) and post-recall. This was an adaptation of the Visher and Travis (2003) model which looked at the relationship between offender's life experiences and readiness to change at pre-prison, prison, moment of release and post-release transition stages.

Terms found in the documentation describing the offender as 'disengaged', 'resistant', 'disputes conviction/recall', 'aggressive', 'hostile' were considered to indicate the lowest level of motivation or engagement and were given a score of one. A score of two was given when the offender appeared compliant but was described in the following terms: 'fatalistic', 'despondent', 'defeatist', 'anxious', 'apprehensive', 'fearful', 'low mood'. A score of three was given where offenders 'did not want the same life' but appeared to demonstrate fluctuating or questionable motivation and inconsistent engagement. Steady engagement and motivation with statements that the offender wanted 'to be a better person' and 'change their life' were given the score of four. The highest score of five was assigned to 'highly motivated', 'keen', 'committed', 'determined', 'proactive' offenders. Motivation or engagement levels were then verified through analysis of objective factors, such as whether the offender held enhanced regime status, the number of adjudications or adverse reports. Scores were then averaged to produce a graph depicting motivation levels for the recalled and non-recalled groups at four points in time (see Figure 4.7).

Analysis of qualitative data was examined and linked back to the results of the quantitative data. Both the process of analysis and findings were compared with previous research and theories to test the validity of the conclusions drawn in this research. Findings were described in terms of statistically discernible relationships because of the sample size (Bachman & Schutt, 2012).

3.6 Access and Feasibility

In October 2013 the PCNI were advised informally of the proposed research and agreement in principle was obtained. A meeting was held in December 2013

with the Assistant Director, Prisons, and Head of Research, PBNI, where the research proposal was presented together with a proposed research schedule and data requirements (see Appendix E). To increase validity and rigour (Jehn, 2009), a listing of proposed variables was reviewed with agencies to ensure that the research captured all relevant data (see Appendix C). Ethical and logistical considerations were covered and agreement in principle for data access obtained on the basis that the researcher had security clearance for handling sensitive material. It was agreed that research of the PBNI data would be conducted at PBNI Headquarters and that further contact would be made at the appropriate stage of research. Meetings with the ORU and the PCNI took place in February 2014 along similar lines as PBNI. All contact with the agencies provided an opportunity to gain insight and capture perceptions of factors affecting recall and successful supervision which informed the research (Van Teijlingen & Hundley, 2001). The ORU, the PBNI and the PCNI all expressed strong support for the research on the understanding that subject confidentiality would be maintained. Further meetings at all three agencies took place to establish and cross-check the sample. In September 2014 a final meeting was held with the PBNI and the ORU, to present preliminary findings and review the findings to ensure confidentiality.

3.7 Ethical Issues

Research adhered to the Code of Ethics for Researchers in the Field of Criminology (British Society of Criminology, 2006).

3.7.1 Consent

Informed consent was obtained from the ORU, the PBNI and the PCNI (see Appendix F). All agencies were required to provide written confirmation of their acceptance and were free to withdraw from participation at any point (Healy, 2009). For the profile validation exercise, a covering email to Probation Officers (shown in Appendix G) explained the purpose of the research and the voluntary nature of

participation (Healy, 2009; Wahidin & Moore, 2011).

3.7.2 Confidentiality and Security

While studying records is an unobtrusive research method, data collection took place without participants' direct consent so ethical guidelines were followed closely (Maxfield & Babbie, 2005; Wiles, Crow, Heath & Charles, 2007). In order to ensure the confidentiality of individuals was not breached and that victims are protected, codes were used in place of prisoner names and numbers. A master decode document assigned unique codes to offender names and numbers; a copy of which was given to each agency. The individual profiles were then labelled with these codes. Exact details of the precise nature and date when the offence was committed were not used. Once the data from all individual profiles had been combined into areas of interest (for example, motivation or social background) then identifying references were removed. Additionally, due to the small size of the ECS offender population, precise details such as date of birth were replaced with age bands to further protect identities. Draft findings were reviewed by the ORU and PBNI, the primary providers of data, to ensure total confidentiality had been achieved. Permission was obtained from the Director of the PCNI to use the researcher's dedicated PCNI encrypted and password protected laptop for the purposes of the study. Secure storage was used to store material. Source data was either received over a secure network or reviewed on site for initial coding at PBNI and PCNI headquarters (Davies *et al.*, 2011).

CHAPTER FOUR: PRESENTATION OF FINDINGS AND DISCUSSION

The findings and discussion are presented in four parts: Part I presents a profile of the ECS population. Part II is concerned with specific issues around recall. Part III contains findings which suggest differences between recalled and non-recalled offenders and, finally, Part IV is a qualitative examination of the impact of internal and external factors on the motivation of ECS offenders. Where data was not complete for either the total ECS group or sub-groups the number for which information was available is indicated.

Part I: Profile of the ECS Population

The total ECS population released on supervised licence by 31 December 2013 consisted of 57 offenders. Of these, 77% were violent offenders and 23% were sex offenders. The majority were male with only two women included in the sample. Over four-fifths of the sample (81%) met the PBNI criteria of being a significant Risk of Serious Harm; a PBNI evaluation process to determine if there is a high likelihood of the offender committing a further offence, causing serious harm (PBNI, 2013b). Noteworthy findings to emerge from the data were the generally poor social circumstances, mental and emotional health needs of the group who, for the most part, had spent a considerable length of time on remand.

4.1 Age

The age breakdown of the total group was: 40% aged 20-29 years, 26% aged 30-39 years, 20% aged 40-49 years and 14% aged 50 plus. The smaller number of older offenders followed age-graded theory of offending where risk is seen to decrease with age due to cognitive maturation and informal social bonds (Maruna, 2001; Sampson & Laub, 1990;). Only 12% of offenders (N=7) were under 25 years old. This could be explained by ECS sentences rarely handed down until after other Court disposals, such as Determinate Custodial Sentences (DCSs) and Community disposals have been imposed.

4.2 Social Background

4.2.1 Accommodation

Before custody, 61% of the group were living in the family home (either with parents or a partner) and 16% were living independently. Nearly a quarter were living in hostel accommodation³. Post release, 71% of all offenders went to hostel

³ Information was not available to ascertain whether hostel accommodation was due to homelessness or as a condition of a previous Court order.

accommodation; the remainder returned to their families.

4.2.2 Difficult Childhoods

There was sufficient information in the documentation on 52 of the 57 offenders to assess that 77% had difficult family backgrounds based on at least three of the following factors being present: Social Services' involvement, residential care, sexual abuse when a child, expulsion or suspension from school, self-report by the offender in interviews or parental separation, death, substance abuse, offending or domestic violence.

The data identified that 25% had experienced a parental death in childhood, one of the most commonly recorded trauma experienced by ECS offenders. While eight deaths occurred against the background of 'The Troubles', there was also an indication of more risky parental lifestyles, where a higher death rate could be expected. Almost one-fifth (17%) had made disclosures that they had been sexually abused as children and a third of these went on to become sex offenders themselves. The language used in the file documentation to describe the experiences of the group highlighted that their childhoods were often characterised by an absence of nurturing, as: 'traumatic', 'very disturbed', involving 'severe abuse and neglect', 'rejected by parents and physically abused'. Having an antisocial parent is one of the strongest indicators of violent delinquency in young adulthood and weak social bonds can set a child down a path into crime (Hirschi, 2009; Petersilia, 2003).

4.2.3 Relationships

Research shows that good marriages, strong ties maintained during imprisonment and resumption of a parental role can ease re-entry and support desistance (Duwe & Clark, 2013; Laub & Sampson, 2003; Petersilia, 2003). Over three-quarters (77%) of the sample were identified as 'single' at the point of release and only 12% (N=7) of ECS offenders reported being in a supportive relationship before their release. Of these, three had recorded incidents of domestic abuse against their partners. Indeed, the perpetration of domestic violence characterised the inter-personal relationships of a considerable number of the sample. The file data

indicated that almost one-third (N=18) of offenders had committed domestic violence against current or past partners. Strained partnerships appeared to be risk factors. Assault of a partner resulted in two offenders' current sentences. Disputes with ex-partners escalated into recall for three offenders and a relationship with a substance-abusing partner was a destabilising factor for another. Although 53% were parents, half had either little or no contact with their children.

4.2.4 Education and Employment

Data on educational background was available for 43 (75%) offenders. The average school leaving age was 15.75; three-quarters were expelled or suspended from school. Given this record, it was perhaps not surprising that a high proportion (68%) left school with no formal qualifications. Research has found that persistent offenders frequently are excluded from school and have no formal qualifications (Farrell, Bottoms & Shapland, 2010).

Employment information was available for 52 (91%) offenders. Drawing from the file data, it was identified that 38% had never worked. Of this group, half had spent much of their adult lives in custody and a similar proportion had either mental health and/or substance abuse problems which had hindered employment. A further 44% had little work experience. In some cases this was very limited; for example, casual work for a couple of months during several years of unemployment. It was noteworthy that less than one-fifth of the sample (17%) could be considered to have worked regularly before their most recent custodial sentence. The combination of poor educational background, early offending, criminal record and often chaotic lives severely limit employment options (Grattet *et al.*, 2008; O'Donnell *et al.*, 2008; Steen *et al.*, 2013). As Maruna (2001) stated, the length of a criminal record can incrementally mortgage the future.

4.3 Emotional and Mental Health Issues

4.3.1 Substance Abuse

The relationship between substance abuse and offending is inextricably

interwoven. Some of the risk factors are shared by both - impulsivity, poor coping skills and lack of consequential thinking. In 2002, one-third of re-entering U.S. prisoners self-reported drug use and a further third reported alcohol use (more closely linked with violent crime) as factors in their original offence (Petersilia, 2003). Two-thirds of participants in the Liverpool Desistance Study admitted being substance-dependent or addicted at some point; the more prior convictions an offender had, the more likely drug abuse was a factor (Maruna, 2001). Laub & Sampson (2003) found that amongst intermittent offenders, while crime was not part of everyday life, alcohol was, frequently triggering criminal activity. Equally interlinked is the relationship between desistance from substance misuse and desistance in offending, both requiring the same prompts to change: motivation, informal control and support (Maruna, 2001; Visher & Travis, 2003; Wooditch *et al.*, 2014).

Substance abuse was classified as present if self-reported in the file data, identified as a risk factor by PBNI, if the offender was participating in an intervention to address misuse and/or if an alcohol or drug ban was a condition attached to the licence. Using these criteria, three-quarters of offenders were identified as having alcohol abuse problems and a similar proportion (72%) had drug abuse issues. Over half (54%) had both drug and alcohol problems and 70% participated in voluntary addictions counselling during custody. Substance misuse was notably high in the 20 to 29 year age group (N=23), 96% of whom misused drugs. The most frequently (N=9) mentioned gateway drug was solvents, an easily available substance, with 12 years the average age of first use. From the documentation sex offenders (N=13) appeared to have a lower rate (38%, N=5) of drug abuse than the general population though this figure should be treated with caution given the sample size.

From committal of offence through to post-release, abuse of alcohol appeared in the file data as a prominent theme. Alcohol misuse started early, between the ages of nine and 12 in seven cases and the majority (77%) for whom there was information (N=31) had first consumed alcohol by their early teens. The

file data suggested that attitudes towards alcohol consumption varied according to age. Eight offenders aged 40 plus acknowledged an alcohol addiction and made serious attempts in custody to address their problem: 'Alcohol sends me mad. I don't give a minute's thought to anything', 'alcohol changed my personality and I lost everything' and 'nearly all my problems have been caused by drinking'. The documentation suggested that the younger age group tended not to accept that their use of alcohol was problematic; use was described as 'binge-drinking', centred around socialising and heightened during crises. Two were unhappy about the alcohol ban in their licence. Following recall, one still intended to drink with 'pro-criminal peers'. One younger offender committed his original offence when he had been out drinking to celebrate his final session of alcohol counselling.

4.3.2 Mental and Emotional Health

Those with mental health needs are particularly vulnerable to life events; transition to the demanding new environment of a hostel, separation from family and emotional distress from relationship breakdowns. The wake of these events can compromise success on licence for offenders and give rise to challenging management issues, emphasising the need for a smooth transition into supportive psychiatric care on release (Newcomen, 2014; Petersilia, 2003). It was not inconsequential therefore that 75% of the sample was identified as having mental or emotional health issues.

Mental and/or emotional health problems were verified in the documentation by self-reports, health care reports, custodial incidents, psychology and psychiatry reports. Substance misuse was not considered as a mental health issue in itself although it is recognised that misuse exacerbates mental health symptoms and 95% of those with indications of mental health problems also misused substances. While many offenders suffered from multiple issues, incidents of self-harm were present in 24 cases, depression (N=17) and ADHD (N=12) were also prevalent. Ten offenders had made previous suicide attempts. These findings demonstrate that ECS offenders were a particularly vulnerable group with many having a history of childhood trauma and poor lifestyles, compromising their ability to cope on release.

4.3.3 Previous Offending

ECS offenders had been convicted of an average of 51 offences covering a large range from the most prolific offender at nearly 200 offences to one with a single conviction⁴. Based on information for 50 offenders, age at first conviction was 14 years or under for 40% of offenders, 34% were aged 15 to 17 years, 18% were aged 18 to 22 years and 8% were more than 25 years of age. Long criminal records, plus adult spells in prison for the majority, plus a relatively young age at first conviction meet three of the powerful explanatory variables of recall likelihood in particular, and recidivism in general (Grattet *et al.*, 2008; O'Donnell *et al.*, 2008; Ostermann, 2011; Steen & Opsal, 2007).

4.4 Remand and Sentence Length

Fifty-four ECS offenders spent time on remand: 18% spent three months or less, 41% between four and 10 months, 35% spent 11 to 21 months and 6% spent more than 28 months. The serious nature of their sentences meant that after an initial appearance at a Magistrate's Court their case was referred to the Crown Court which took time for listing. Until the point of conviction they were either remanded in custody (because of their risk) or granted bail which they later breached⁵. It appears that only three offenders successfully completed a period on bail in relation to their current sentence. Remand length has implications for addressing criminogenic needs as offenders generally do not engage in offence-focussed work until sentenced.

As a result of their crimes, ECS offenders received relatively substantial custodial sentences: 33% received between one and two years, 25% received three years, 19% received four years and 23% received sentences of four years six months or more. Licence periods for most offenders were at least two years. In an indication of risk reduction, half of all offenders were released early, before their

⁴ The number of court appearances was not available for this study.

⁵ From the file data it was possible only to calculate time spent on remand, not the underlying reason.

Custody Expiry Date (CED), on the basis that Parole Commissioners considered that their risk of re-offending had reduced to the point that they could be managed safely in the community. However, at point of release, most were still assessed by PBNI as having a high likelihood of re-offending; using the PBNI Assessment Case Evaluation (ACE) risk assessment tool, recalled offenders averaged a marginally higher score of 45 as opposed to 42 for non-recalled offenders.

Part II: Recall

This section describes the time-scale and events - licence breaches or new offending - which led to the recall of 31 ECS offenders, almost half of whom were recalled within four weeks of release. The data indicated that alcohol misuse played a substantial role, particularly in cases when recall took place soon after release.

4.5 Length of Time on Licence and until Recall

In total, 54% (N=31) of the sample were recalled. Of those, nearly half (49%) were recalled within four weeks, just over half (N=16) of whom in one week or less; two offenders were recalled within 48 hours of release. While four offenders appeared to be continuing very poor behaviour patterns exhibited in custody, the remaining were in line with empirical research that the first weeks immediately after release are particularly destabilising (Grattet *et al.*, 2008; Hakeem, 1944). Of the remainder, 19% were recalled between seven to 12 weeks; 13% between 16 to 28 weeks and 19% at 35 weeks plus.

The findings suggested certain milestones during the licence period. No offender was recalled at the four to seven week post-release stage; a possible explanation being that offenders with better coping strategies were more able to deal with the initial hostel settling-in period. There was a further gap where no recalls occurred at the 28 to 35 week stage. At this stage, the process of community reintegration would be more advanced; offenders had moved back with family members, were engaged in programmes or work placements and had started new relationships (Steen & Opsal, 2007; Visher & Travis, 2003). Almost one third of offenders were recalled at six months or more after release with new offending accounting for the majority of these cases.

4.6 Reasons For Recall

4.6.1 Licence Breaches and Increased Risk

ECS licence breaches in Northern Ireland do not necessarily end in recall, unlike England and Wales, where some consider that insufficient distinction is made between the nature of the licence breach and the offender's potential for causing harm (Harding, 2006; Padfield & Maruna, 2006). However, from examination of the data, substance misuse (predominantly alcohol) seemed to initiate a train of licence-breach events which demonstrated increased risk and led to recall for 71% (N=11) of those recalled within four weeks: 'I drank so I knew I was in trouble, so stole. Pure panic

and depression mixed'; 'It was a miracle I lasted two weeks. I fought hard mentally'; 'I'm in breach of my licence and won't stop drinking until I'm put back inside and it needs to be done today'. Breach of an alcohol ban often led to a further breach of the condition requiring offenders not to 'behave in a way which undermines the purpose of the licence'. Breach of hostel rules (curfew and alcohol ban) could lead to subsequent eviction from PBNI approved addresses, another breach. Given the PBNI Risk of Serious Harm status of most ECS offenders, likelihood of recall was high if there was a causal link between the type of licence breach and the circumstances of the original offence (such as the breach of an alcohol ban in the case of an alcohol-related violence conviction). Completely disengaged or unlawfully at large offenders were considered as unmanageable in the community for evident reasons and were recalled quickly. Two recalled sex offenders were described as gradually 'pushing the boundaries' of their licence; a measure of risk highly likely to result in recall proceedings (Steen *et al.*, 2013).

4.6.2 New Offending

New charges were implicated in 61% (N=19) of recalls. Patterns of risk factors in previous offending reappeared in 63% of these cases, for example, substance misuse featured prominently (N=16), notably in the eight cases involving violence. New offending was not inevitably a reason for recall; four offenders who appeared to have committed new offences during the licence period were not recalled. A degree of discretionary decision-making on the part of agencies took place, dependent on level of manageable risk. For example, an assault committed the day after release led to the immediate recall of one offender whereas, in another case, driving without a licence did not. A note of caution; re-offending rates can underestimate the percentage of offenders who re-offend post release as not all offences are detected (O'Donnell *et al.*, 2008).

Part III: Characteristics of Non-Recalled versus Recalled ECS Offenders

Given the relatively small size of the ECS population, split between non-recalled (N=26) and recalled offenders (N=31), only clear distinctions between the two groups indicated by the file data are addressed in detail. Most noteworthy were the findings for the extent of family support, mental health, poly-substance abuse and motivation.

According to the file data, there were only slight differences between recalled and non-recalled offenders for length of criminal record and age of first conviction. For example, average age of first conviction for non-recalled offenders (N=26) was 17.1 years (in an age range from nine to 32 years) whereas recalled offenders (N=31) were first convicted at 16.6 years on average (in a range from 12 to 44 years). The ranges for sentence, time served and remand length were so great that meaningful findings for differences between recalled and non-recalled were not possible given the group size.

Five offenders were subject to multiple recalls during the period of this study. One offender was recalled three times. As Prochaska and DiClemente (1982) remarked 'One can go around the wheel of change many times before actually exiting the wheel' or, as one offender put it: 'third time lucky'. Data indicated that substance abuse played a part in four cases and underlying issues of mental illness and isolation were marked in three of the five.

4.7 Age

The age profile of those who were recalled was: 36% aged 20 to 29 years (N=11), 35% aged 30-39 years (N=11), 13% aged 40-49 years (N=4) and 16% of 50 years plus (N=5). The age profile of recalled offenders appears to follow the general pattern identified in other recall studies (Bucklen & Zajac, 2009; Grattet *et al.*, 2008; Ostermann, 2011; Steen & Opsal, 2007). Additionally, the findings conform with

age-graded theory where violent offending starts in the early twenties, increases very slowly through the thirties with a faster decline in the forty plus age group (Laub & Sampson, 2003).

4.8 Social Background

4.8.1 Difficult Childhoods

Examination of the file data suggested that there were degrees of troubled backgrounds. While both recalled and non-recalled groups reported roughly similar levels of difficult childhoods, parental offending and substance abuse, the recalled population in childhood had a higher percentage of Social Services' involvement (42% versus 19%, N=13 versus N=6) and were more likely to have been in residential care (32% versus 16%, N=10 versus N=5) (see Figure 4.1).

4.8.2 Family Support

Visher and Travis (2003) see the family as a critical element particularly in the days immediately after release because, as well as providing accommodation and encouraging compliance with supervision, they can also build up an offender's confidence and optimism through their acceptance and support.

The presence, or absence, of family support was established from the documentation on the basis of family custodial visits or contact, if a supportive family member was specifically mentioned either by the offender or reported by PBNI and/or if offenders were living at the family home before or after custody. Approximately one third (N=10) of recalled offenders had family support; one third (N=11) had limited support (for example, family members in the U.K. with sporadic telephone contact only) and the final third (N=10) had no support whatsoever (see Figure 4.2). In contrast, family support for non-recalled offenders appeared to be twice as prevalent: 69% (N=18) had supportive families, 23% (N=6) had limited support and only two offenders had no family support at all. The file data suggested that, for non-recalled offenders, parents or grandparents imposed (at times rigorous)

informal social control post-release, in two cases either 'keeping a close eye' or advising PBNI of substance misuse with another two non-recalled offenders 'thrown out of the house' but later taken back. More frequently, families were supportive figures, accompanying the offenders to appointments in four cases and described by PBNI as positive influences in six cases. For two non-recalled offenders, family support had previously been limited but temporary accommodation on release provided by a parent and cousin appeared to ease re-entry. In a further three cases, accommodation was provided at crisis points when new relationships had broken down. Families provided work opportunities in five cases, for three as carers for family members, and structure through recreation activities such as football and fishing for two other younger, non-recalled offenders.

These findings indicate that informal social control has a direct effect on behaviour, consistent with a well-established recognition that families can play a vital role in developing a pro-social identity and encouraging desistance (Farrell 2002; Hirschi, 2009; Laub & Sampson, 2003).

4.8.3 New Relationships

Support manifested itself in different ways. The documentation shows that new relationships formed quickly after release for 11 (19%) younger offenders (average age 27). For almost one third of non-recalled offenders (31%, N=8) new partners were a source of informal social control: 'she will not accept further offending' and support 'she lifted my spirits at a difficult time'. For three recalled offenders new relationships were a source of crisis; emotional instability following a break-up set in motion events which led to recall. Relationships were at the root of conflict with PBNI over supervision requirements for three other offenders: 'PBNI aren't letting me have a life'. During the licence period, a new relationship appeared to be a transition point, demonstrating a delayed adolescence or a process of maturation, as the offender sought to move away from formal controls to acting as an autonomous adult (Farrell, 2002; Maruna, 2001; Sampson & Laub, 1990).

4.8.4 Accommodation

Nearly one-third of recalled offenders (N=9) were living in hostel accommodation pre-custody compared with just two non-recalled offenders. Twelve (39%) recalled offenders had experienced periods of homelessness at some point in their lives compared with just one non-recalled offender. Prior to coming into custody to serve the ECS, home was either with parents or a partner for well over two-thirds (77%, N=17) of non-recalled offenders compared with nearly half (48%, N=13) of recalled offenders.

Notably, on release, nearly all recalled offenders (84%, N=26) went straight to hostel accommodation compared with just over half of non-recalled offenders (54%, N=14) (see Figure 4.3). For some, this was a short-term period of testing and monitoring before returning home. The home environment raises the possibility of false desistance as criminal activity is less easily detected compared to life in a hostel with curfews, drug and alcohol tests (Bushway, Braume & Paternoster, 2004). Nearly a quarter of those who went to hostel accommodation expressed reluctance, feeling: 'set up to fail', 'unable to cope with negative influences', or resentful about being away from their family. One offender had been determined to 'stick it out' but stayed away from the hostel as much as possible before finally going unlawfully at large.

4.8.5 Employment

According to Visher and Travis (2003), those who can draw on pre-prison conventional roles may have more successful outcomes compared with those more deeply embedded in chaotic, offending lifestyles. From the documentation, more recalled (N=13) than non-recalled offenders had never worked (N=7). Post-custody, eight recalled offenders were employed; others did not have this opportunity as their recall took place in less than eight days after release. On release, more than half of non-recalled offenders (N=15) were engaged mostly in work placement schemes with some (N=5) gaining work through friends or family (see Figure 4.4). While constructive activity is linked to successful re-integration into society (Hirschi, 2009) and employment an effective factor in reducing re-offending (Lipsey, 1995), offenders can develop behaviour patterns and have mental health and substance

abuse issues that make it difficult to hold down a job (Petersilia, 2003).

4.9 Emotional and Mental Health Issues

The documentation suggested that a noteworthy 94% (N=29) of recalled offenders had an alcohol misuse problem as opposed to 54% (N=14) of non-recalled offenders (see Figure 4.5). A further significant finding was that alcohol and drug poly-abuse appeared present in 71% (N=22) of recalled offenders compared with 29% (N=9) of non-recalled offenders. File data indicated that 71% (N=22) of the recalled population had mental health problems as opposed to 58% (N=15) of the non-recalled population. According to the data, the combination of poly-substance abuse and poor mental health was prevalent amongst nearly three-quarters of recalled offenders (74%, N=23) compared with just over a quarter of non-recalled offenders (27%, N=7).

4.10 The Custodial Experience

The documentation indicated that, on average, recalled offenders had generally poorer custodial discipline records than recalled offenders. Just over half (52%) received at least one adjudication for breach of prison rules (as shown in the 'yes' column of Figure 4.6 above), nearly one fifth (19%, N=6) receiving more than 15. While over a quarter of non-recalled offenders (27%, N=7) received adjudications, only one offender received more than 15. However, by point of release, 61% (N=19) of recalled offenders and 73% (N=19) of non-recalled offenders had achieved enhanced regime status which is dependent on good custodial behaviour.

During custody, recalled offenders experienced a greater number of mental or emotional health crises; Supporting Prisoners at Risk (SPAR) incidents were logged for just over a quarter of recalled offenders (26%, N=8) contrasted with two (8%) non-recalled offenders. Available records of drugs tests (N=30) showed little discernible difference between the two groups. However, as Toch (2010, p.8) points

out, 'prisons are the last places in the world to gauge criminal propensities'. As controlled environments they foster exemplary institutional behaviour and limit opportunities to transgress. As a predictor of success on licence, good custodial behaviour, at most, demonstrates a degree of motivation, which Toch described as 'stick-to-itiveness', which remains to be tested in the community (ibid.).

4.10.1 Interventions

At the start of the custodial period, each offender has a sentence plan drawn up incorporating interventions to address their specific risk factors. Generally, offenders start with motivational programmes, progress to addressing any cognitive deficits if necessary, then complete specific offence-focussed programmes⁶. Psychological counselling is used to deal with particular emotional or mental health issues or if offenders cannot take part in group work due to special needs. Alongside programme work, offenders can undertake counselling to address their substance misuse. Offender participation was spread across 15 plus different programmes, producing small numbers in each category so it was not possible to determine any meaningful findings. However, the file data cited four key sentence planning concerns: 'time spent on remand', 'programme availability', 'lack of engagement' and 'offender special needs', for example, learning disability or literacy issues which impacted on access to programmes.

Nine offenders (16%) (six of whom were recalled) spent lengthy periods on remand which meant that they were not able to participate in offence-focussed programmes before release. Recalled offenders had four times as many special needs issues around sentence planning (13% versus 3%, N=4 versus N=1) and were more than three times as likely (19% versus 6%, N=6 versus N=2) to receive reports of a lack of engagement in programmes, a figure perhaps reflected in their poorer overall custodial performance. Programme availability was mentioned as a problem for almost one-third of non-recalled offenders (29%, N=9). Issues included waiting lists for the Cognitive Self Change (CSC) programme and the fact that, during custody,

⁶ For example, the Sex Offender Treatment Programme (SOTP), Cognitive Self Change (CSC), addressing violence, or Alcohol Related Violence (ARV) programmes.

this programme was only available in HMP Maghaberry (some prisoners were unwilling to transfer from HMP Magilligan)⁷.

4.11 Disengaged and Fatalistic Offenders

Review of the documentation suggested that there were two groups with particular characteristics that distinguished them from the rest of ECS offenders; the disengaged (N=4) and the fatalistic (N=7) offenders.

4.11.1 Disengaged Offenders

Based on an extensive examination of the file data it was apparent that four (13%) offenders from the recalled group were not motivated or engaged in their sentence plans from the start. Described as 'resistant', 'lacking in motivation', they either did not participate in, or withdrew from programmes throughout custody. On licence, three were 'hostile', 'verbally abusive' or 'aggressive'. Three of the four had no family support, had substance abuse issues and possible personality disorders. All four were recalled within 30 days (although one offender did appear to be more motivated post-recall and wanted 'a second chance'). As Harding (2006) says, there is no room in the community for someone who is verbally abusive, antagonistic and pathetically vulnerable (2006). The group shared similarities with one of Laub and Sampson's (2003) elderly 'delinquent boys', the defiant 'Boston Billy', who did not take up positive opportunities, was resistant to authority and saw injustice in everything.

4.11.2 The Fatalists

File data revealed that eight offenders (six recalled), spread across the age groups and with an average 70 convictions each, were variously described as 'apprehensive', 'defeatist', 'pessimist', 'anxious', 'afraid', 'fatalistic' with 'a sense of hopelessness'. All had both mental health and substance abuse issues and most (N=6) had limited family support. Their pattern of thinking seemed well-established.

⁷ However, the CSC programme was available to offenders in the community.

One described his original offence as a 'cry for help' and another reported (whilst on bail) asking police to arrest him (which they didn't) so committed a crime so that he could be taken into custody. During custody they were described as 'motivated to change behaviour', 'progressing well', 'keen to address behaviour', 'happy to do all that is asked' (N=6) but doubted their abilities to cope in the community or resist substance abuse (N=7). One offender was too stressed to appear at his parole hearing, another declined the possibility of early release as he 'felt comfortable in prison' and a third refused a temporary release.

At point of release anxieties appeared to increase for seven of the group. They were apprehensive, concerned about loneliness and/or their mental health and did not believe they could live a drug or alcohol-free existence. Two wanted to stay 'safe' in custody. Many prisoners express considerable anxiety about release and have high expectations about how their lives will be different (Visher & Travis, 2003). One exception in this group, who had been described as 'defeatist' and 'pessimistic', improved family relationships late in his sentence and was given the prospect of employment on release. At this stage, he started to progress well, considering that prison had given him 'a wee push'. To date, he has not been recalled. While the group shared much in common with Farrell's (2002) 'persistent pessimists', fatalists can experience cognitive transformation when, against their expectations, they experience change of life events and gain employment, discovering that they 'have more to lose now' (Laub & Sampson, 2003; Maruna, 2001).

Whilst on licence, matters deteriorated quickly for five of the group who were recalled quickly and with use of alcohol or drugs involved in all cases. Two experienced two recalls each during the study period. Of the two who were not recalled, one required intensive support from both PBNI and his family and one, sadly, was found dead shortly after being charged with new offences. Post-recall, motivation to change was high; three were 'sick of jail', 'sick of hurting people', and resolved not to return to custody. One offender was happy to have had the experience of release and was not 'particularly upset' at the prospect of further time in custody. 'Fed up' with the hostel, he had gone to a pub and accepted a drink: 'It's

what I wanted, a sense of freedom, no conditions. It was brilliant. They didn't know I was a prisoner. I was a well-accepted citizen'.

Part IV: Motivation and Engagement

A number of distinct themes emerged through content analysis. Some confirmed and illuminated the quantitative research, such as the effect of family support, alcohol misuse and/or mental health issues on recall likelihood. Less easily quantifiable was the more nebulous question of how motivation, attitudes and beliefs impacted on whether an offender succeeded or failed on licence. However, the documentation appeared to suggest that motivation and engagement can sometimes fail to translate into positive behavioural outcomes if unsupported by external factors.

4.12 Motivation versus Outcomes

From the file data, motivation levels were assessed for recalled and non-recalled groups during custody, at release, post-release and post-recall (if applicable). In custody, non-recalled offenders scored an average of 3.58 and recalled offenders scored 2.82 (see Figure 4.7), suggesting that most offenders performed relatively well in custody, engaging in work, education and reaching enhanced regime status. At point of release, motivation increased slightly to an average of 3.69 for non-recalled offenders and 2.97 for recalled offenders. Non-recalled offenders maintained nearly consistent motivation/engagement levels at 3.62 post release. However, post release levels of engagement for recalled offenders dropped sharply, on average to 1.37, but rose to 2.28 after recall. Maruna (2001) considers that although prison can strengthen a concept of oneself as unfairly treated by authority, conversely, it can be the only place where offenders can receive affirmation and lead a less chaotic life. While the regime system in prison works well to encourage rehabilitation, on release, the emphasis shifts from rehabilitation to risk management of the offender and life in the community can lack formal positive reinforcement. Maruna (2011) calls for a 'redemption' ritual to recognise the rite of passage from prison to community.

Whilst the documentation indicated that offender levels of motivation and

engagement with agencies were rarely maintained at a consistent level, higher levels of positive attitudes were identified amongst non-recalled offenders. The data indicated that they were 'determined' to change, had family support, were integrated more quickly into the home environment and some had work opportunities open to them.

4.13 Change and Transformation

Recorded in the files, was a desire to change, or transform, by 53% of offenders (N=30), half of whom were recalled. One wanted to become 'a different person' but, post-recall, said: 'What if you try to change and it goes wrong? Everything you try doesn't fix it. You should be able to live how you want'. However, one non-recalled offender felt that he had achieved a new identity: 'It's just as easy to be a good person as the opposite'. The file data recorded that six offenders (all but one recalled) wanted 'a normal life'. Family responsibilities provided the impetus for change for eight non-recalled offenders. They 'valued' family life, 'wanted to be there' for children, one wanted 'to give them [his children] the bonds he had never had', demonstrating internalisation of norms from attachment to others (Hirschi, 2009). The need to become 'a better person' was mentioned by four (recalled) offenders. Maruna (2001) considers that a desire to change and take on a new identity is at the heart of a successful transition to desistance. However, cognitive transformation in itself appears to be insufficient. Offenders often see themselves in idealised adult roles, 'knifing off' past identities (Laub & Sampson, 1993), but sometimes lack the necessary internal and external resources of adult social bonds to realise these new versions of themselves (Sampson & Laub, 1990; Taxman *et al.*, 2004). The 'Good Lives Model' provides a road map to changing personal identity using pro-social methods to achieve pro-social personal goals but it is a delicate balance between promoting personal goals and managing public safety (Maruna, 2001; Whitehead, Ward & Collie, 2007).

4.14 Turning Points

As outlined above, motivation can affect behavioural outcomes. Part of developing a profile of the ECS population incorporates the identification of events which appear to have a bearing on the motivation of offenders. From the content analysis, six offenders had experienced manifest turning points, the influence of external processes (centred around relationships) on internal processes, providing the opportunity for cognitive transformation (Bushway *et al.*, 2004; Laub & Sampson, 1993; Maruna, 2001). Four offenders had experienced the deaths of those close to them whilst in custody. Two deaths occurred as a result of drug abuse, prompting one offender to 'think hard' about his life. The death of a supportive family member had 'a major impact' on another, turning him towards restorative justice. Another death removed a 'source of conflict' and led to improved family relationships. The birth of a child whilst the offender was in custody after recall was described by one as 'a turning point', the placing of children for adoption was another. Four of these six offenders were not recalled. Obviously, more offenders may well have experienced transition events which only interview would have elicited (Bushway *et al.*, 2004).

Other life events, centred around criminal justice processes, affected motivation and led to at least temporary disengagement for 63% (N=36) of offenders, half of whom were recalled. Parole decisions against early release or post-recall release badly affected seven offenders (six of whom were recalled), leaving them 'dejected', 'despondent', 'in a downward spiral' and angry: 'they can take their parole decision and stick it up their arse'. However, one (non-recalled) offender was 'flabbergasted' to be granted early release into the care of a supportive brother. Six others, four of whom were sex offenders, held grievances about their recall, disputing the decision, consistent with Digard's (2010) findings about the negative effects of the recall process on the engagement of sex offenders.

4.15 The Relationship between Motivation and Formal Control

Dowden and Andrews (2000) stress the importance of incorporating cognitive-behavioural and social learning strategies into correctional treatment for violent offenders, based on the high risk/high need principle, but maintain that addressing 'vague emotional or personal problems', as they term non-criminogenic needs, are not associated with reducing criminal activity. However, as research shows, motivation is particularly important when dealing with high risk/high need violent offenders (Maruna, 2001; Serin *et al.*, 2008; Taxman *et al.*, 2004). The findings of this study suggest that motivation can be enhanced by external influences, for example, family support, to effect internal transformation. Post-release, any gap between attitudes and behavioural outcomes can be bridged by informal social control and support, at times as effective as formal controls or interventions. The Boston Re-entry Programme targets younger violent offenders in the highest risk bracket who, on release, as well as being monitored, are given a high degree of support to tackle their pre-identified needs. One year after release, success rates showed 15% lower general recidivism amongst participants, the difference narrowing after three years to 10% when compared with a control group (Braga *et al.*, 2009).

4.16 Conclusion

Within custody, rites of passage exist with the aim of building up motivation. Increased privileges and status are given to those offenders who work their way through stages of the prison regime system. Self-esteem is increased through positive reinforcement in reports where the engaged offender is described as a 'model' prisoner. The offender's attention is focussed on and expectations build towards graduation - the day of release. However, like a girl anticipates her wedding day but does not see the years of marriage looming behind, hopes of the joys of release are not necessarily fulfilled, particularly for those living in a hostel, without family support or constructive activity. For some, community, however harsh, exists only in prison. On release and under supervision there are no rituals of endorsement.

The offender, and his risk, are 'managed' rather than 'motivated'. Just as a marriage ceremony does not include a statistical analysis of likelihood of family breakdown, the risk assessment and management that accompany supervised licence, though necessary, do not encourage high levels of engagement (Maruna, 2011).

CHAPTER FIVE: CONCLUSION

5.1 The Aim and Objectives of the Research

In Northern Ireland, recall rates for ECS offenders compared with other offenders are a matter of concern for criminal justice agencies. This study aimed to investigate these concerns through an examination of the serious sexual and violent offender population released on supervised licence in Northern Ireland between 2010 and 2013. The research sought firstly to identify the recall rate for ECS offenders subject to supervision requirements and released from custody by 31 December 2013. The second objective was to develop a profile of the ECS population in order to shed light on a previously under-researched group of offenders. The third objective was to examine the events and factors which led ECS offenders to being recalled to prison. The final objective was to explore differences between recalled and non-recalled ECS offenders which might account for their success or failure on supervised licence.

The research question the study posed was:

What proportion of ECS offenders on supervised licence since the inception of 'The Order' in 2008 are recalled and what are the reasons for their recall?

Three subsidiary questions supported the main research question, namely:

What is the individual, social, criminal, and penal profile of ECS offenders released on supervised licence in Northern Ireland? Are there differences between recalled and non-recalled ECS offenders? If so, what are these differences?

5.2 Main Findings

5.2.1 The Extent of Recall amongst ECS Offenders

The study established that 54% (N=31) of the sample of 57 ECS offenders released by 31 December 2013 were recalled by 31 July 2014. In comparison, in England and Wales, offenders categorised as prolific and likely to cause harm had a re-conviction rate of 76% from 2010 to 2011 (Ministry of Justice, 2013)⁸.

5.2.2 Profile of ECS Offenders

From the file data, the profile of ECS offenders was one of difficult psychosocial backgrounds with histories of involvement in criminality. On average, the group had extensive criminal records, had spent lengthy periods on remand and in custody. Steen and Opsal (2007) found that those sentenced to more than one year in custody were far more likely to be recalled than offenders convicted of less serious offences and serving shorter sentences.

As a group, three-quarters had experienced a degree of trauma in childhood. Almost one third had committed domestic violence against current or past partners and three-quarters had substance misuse problems. Consistent with empirical research (Grattet *et al.*, 2008; Maruna, 2001; Steen *et al.*, 2013; Visher & Travis, 2011), exposure to these destabilising factors in their lives prior to their sentence appeared to have impacted negatively on ECS offenders' experiences in custody and on release.

5.2.3 Reasons for Recall

Recidivism research confirms the close relationship between substance misuse and re-offending (Maruna, 2001; Petersilia, 2003). The data indicated that substance misuse, mainly alcohol, was often the initiating factor which led to recall, particularly for the half of recalled offenders who returned to custody within four weeks. Patterns of risk factors which had featured in previous offending reappeared in 63% of recall cases, substance misuse again featuring prominently (N=16),

⁸ No recall figures are available specifically for serious offenders in England and Wales.

notably alcohol misuse in the eight cases involving violence. New offending accounted for 61% (N=19) of recalls.

5.2.4 Differences between Recalled and Non-recalled Offenders

The findings suggested certain differences between recalled and non-recalled ECS offenders.

Recalled ECS offenders were found to be especially vulnerable. The file data suggested that several indicators of high recall likelihood identified in empirical research (Grattet *et al.*, 2008; O'Donnell *et al.*, 2008; Steen *et al.*, 2013) were present amongst this group. Nearly all (94%) misused alcohol and poly-substance abuse was high at 71%. Around three-quarters had mental or emotional health issues. Two thirds (N=21) had either no or limited family support. These aspects might have affected coping skills and levels of motivation which appeared to be lower than non-recalled offenders. While most recalled offenders seemed to want change, it appeared from the documentation that this did not result in any demonstrable cognitive transformation (Maruna, 2001). However, any definitive conclusion regarding cognitive transformation is difficult without having interviewed the offenders and having access to their full narratives for analysis. On release, a noteworthy 86% of the ECS recalled population went straight to hostel accommodation. Although most recalled offenders had engaged in custodial employment, education and, by point of release, had achieved enhanced regime status (61%), performance in custody did not appear to transfer into the community as nearly half were recalled within four weeks of release.

In contrast, according to the data, the non-recalled population (N=26) appeared to have, on average, fewer poly-substance abuse and mental ill-health issues. Most striking amongst this group was that family support appeared to be twice as prevalent than that for recalled offenders: 69% (N=18) had supportive families and 23% (N=6) had limited support. Non-recalled offenders also had more consistent levels of motivation. While their behaviour was often also challenging on licence and while nearly all had disadvantaged backgrounds, the file data suggested

that some non-recalled offenders were en route to overcoming these difficulties through new relationships, re-cemented family bonds and work. The findings, admittedly amongst this small group, appeared to contradict the idea of determinism (Moffitt, 1993) by confirming life-course theory when protective factors can emerge in later life (Laub & Sampson, 2003). The findings suggested that informal social control can play a role in supporting formal social control (Hirschi, 2009; Laub and Sampson, 2003).

The ECS population was small and the study covered a relatively short time frame so any evidence of non-recalled offenders moving towards desistance could only be confirmed by follow-up research. Nevertheless, by incorporating a wide range of variables, the research did appear to confirm some risk and protective factors for serious offenders, recognised both in empirical research and anecdotally by professionals working in the field. The study highlighted social and psychological dimensions that characterised the release experience and contributed in many cases to recall to prison.

5.3 Recommendations

ECS offenders could be considered as a problematic group from the onset. They have committed serious crimes, have spent a considerable time in custody and most have substance abuse issues. Their transition through prison and back to the community is highly likely to involve numerous challenges and difficulties. While it might be considered as presumptuous to offer recommendations on the basis of this small research project, the findings point towards the importance of family support, the issue of accommodation and dealing with substance misuse in the transition from prison to community.

Recommendations focus on the provision of strengthened transition planning, with the involvement of family members where possible. It is suggested that consideration should be given to provision of intensive support in the pre and

immediate post-release period for persistent offenders who lack a social network and have poly-substance abuse problems. Finally, it is recommended that goals should be defined for the post-release period and licence 'milestones' marked in order to manage the expectations and maintain the motivation of offenders. There are both financial and human costs of a continuing trend of supervision failure and, as Petersilia (2001) states, investment in effective re-entry programmes may make sound economic and common sense.

5.3.1 'Step-down' or Graduated Sanctions

The Criminal Justice and Immigration Act 2008 introduced 'step-down', or graduated sanctions, providing for a limited return to custody of 28 days for public protection sentenced offenders in England and Wales. However, this did not include high risk offenders in recognition of the illogicality of swift, automatic re-release of offenders assessed as a risk of serious harm who had demonstrated increased risk on release (Marston, 2011; Padfield, 2012). When dealing with serious offenders, a more appropriate course is to provide greater support in custody before problems can emerge in the community for those offenders within sight of their custody expiry date, identified with a substance abuse problem and without social support networks.

5.3.2 Transition Services

As 49% of ECS offenders are recalled in the first month after release, transition services should be strengthened in the immediate period preceding and following release and should be reduced incrementally given the propensity for prisoners to relapse after a period of time in the community. Acknowledging the crucial period post-release, Petersilia (2003) recommends that programmes should be more intensive in the first months of supervision.

Family Support

Research has shown that families play a vital role that families in supporting desistance (Farrell, 2002; Hirschi, 2009; Laub & Sampson, 2003; Visher & Travis, 2011) and non-recalled offenders in this study had a significantly higher degree of family support than recalled offenders. Family relationships should be supported and

efforts made to involve even extended family members in transition planning. Pre-release meetings with the offender and family members could be considered where the importance of family support to supervision success would be emphasised. Given that on release 84% of recalled offenders went to hostel accommodation, the home environment should be the preferred accommodation option, supported by the use of electronic monitoring, where feasible⁹, in order to manage risk.

Release and Licence Plan

In order to manage expectations, the release/licence plan should establish goals and milestones for the licence period in conjunction with the offender. For example, length of residence in hostel accommodation should be more clearly defined and, dependent on compliance, the timing of a move towards independent living should be specified as far as practicable.

Long-term intractable offenders

A small-scale pilot scheme should be considered for long-term intractable offenders. Drawing on the findings of this research which identified a distinct group of 'fatalistic' offenders, particular attention should be paid if offenders express fear and apprehension at point of release; if they have no family support; if they have failed a drugs test in custody and/or are going to hostel accommodation on release. Immediately prior to release focussed motivational work, including addiction relapse prevention, should take place in custody and should continue through the critical first weeks of release. Mentoring by offenders further along the supervision path would help to re-create a sense of community for those for whom prison has served as a buffer from the outside world (Petersilia, 2003). Maruna (2011) calls for a 'reentry ritual' to recognise reintegration, generate feelings of solidarity and community among participants, based on challenge and achievement, to communicate a message of hope in the (optimistic) expectation that this message might become a self-fulfilling prophecy.

⁹ Premises have to have access to a land-line.

Further Research

This study is a small step in research into recall in Northern Ireland. It is suggested that further research should take place to include all public protection sentenced offenders in order to monitor the apparent trend of increased recalls.

5.4 Conclusion

The offender's reconnection with the institutions of society is both a process and a goal (Visher & Travis, 2011). However, public protection sentenced offenders can see release as a goal whereas those involved in their supervision view release as a process which is only completed on the licence expiry date. These differing perspectives can produce tensions; the restrictions of hostel accommodation can appear too close to prison life, compromising motivation and engagement. It is important that the support and informal social control provided by families, who see the offender as an individual, not as a risk to be managed, be harnessed in the challenging supervision and reintegration process. 'Like the commission of a crime, the re-entry of former prisoners represents a threat or challenge to the moral order, a delicate transition fraught with danger and possibility' (Maruna, 2011, p.12).

REFERENCES

- Brewer, J., Lockhart, B. & Rodgers, P. (1997). *Crime in Ireland 1945-95. Here be dragons*. Cambridge: Clarendon Press.
- Andrews, D. (2001). The psychology of criminal conduct and effective treatment. In J. McGuire (Ed.), *What Works: Reducing re-offending: Guidelines from research and practice* (pp. 35-61). Chichester: John Wiley & Sons.
- Bachman, R. and Schutt, R. (2012). *Fundamentals of research in criminology and criminal justice*. U.S.A: Sage Publications.
- Bahr, S., Harris, L., Fisher, J. & Armstrong, A. (2010). Successful reentry: What differentiates successful and unsuccessful parolees? *International Journal of Offender Therapy and Comparative Criminology*, 54(5), 667-692.
- Beck, A. & Shipley, B. (1989). *Recidivism of Prisoners Released in 1983*. Bureau of Justice Statistics (<http://www.bjs.gov/index.cfm?ty=pbdetail&iid=1135>).
- Bowen, G. (2009). Document analysis as a qualitative research method. *Qualitative Research Journal*, 9(2), 27-40.
- Braga, A., Peihl, A. & Hureau, D. (2009). Controlling violent offenders released to the community: An evaluation of the Boston reentry initiative. *Journal of Research in Crime and Delinquency*, (46) 411-436.
- Bucklen, K. & Zajac, G. (2009). But some of them don't come back (to prison!): Resource deprivation and thinking errors as determinants of parole success and failure. *The Prison Journal*, 89(3), 239-264.
- Bushway, S., Braume, R. & Paternoster, R. (2004). Connecting desistance and recidivism: Measuring changes in criminality over the lifespan. In S. Maruna & R. Immarigeon (Eds.). *After crime and punishment: Pathways to offender reintegration* (pp. 85-99). Devon: Willan Publishing.
- Carr, N., Healy, D., Kennefick, L. & Maguire, N. (2013). A review of the research on offender supervision in the Republic of Ireland and Northern Ireland. *Irish Probation Journal*, 10 (October 2013), 50-74.
- Case, S. & Haines, K. (2009). *Understanding youth offending. Risk factor research, policy and practice*. Devon: Willan Publishing.

- Creamer, A. & Williams, B. (1996). Risk Prediction and Criminal Justice. In G. McIvor (Ed.), *Working with Offenders. Research Highlights in Social Work* (pp. 95-106). London & Bristol, Pennsylvania: Jessica Kingsley Publishers.
- Davies, P. (2011). Formulating criminological research questions. In P. Davies, P. Francis & V. Jupp (Eds.), *Doing criminological research* (pp. 33-53). London: SAGE Publications.
- Digard, L. (2010). When legitimacy is denied: Offender perceptions of the prison recall system. *Probation Journal*, 57(1), 43-61.
- Dowden, C. & Andrews, D. (2000). Effective correctional treatment and violent re-offending: A meta-analysis. *Canadian Journal of Criminology*, (October 2000), 449-467.
- Dowden, C. & Andrews, D. (2004). Delivering effective correctional treatment: A meta-analytic review of core correctional practice. *International Juvenile Offender Therapy Comparative Criminology*, 48(2), 203-214.
- Duwe, G. & Clark, V. (2013). Blessed be the social tie that binds: The effects of prison visitation on offender recidivism. *Criminal Justice Policy Review*, 24(3), 271-296.
- Farrell, S. (2002). *Rethinking what works with offenders. Probation, social context and desistance from crime*. Devon: Willan Publishing.
- Farrell, S., Bottoms, A. & Shapland, J. (2010). Social structures and desistance from crime. *European Journal of Criminology*, 7(6), 546-570.
- Friendship, C. & Thornton, D. (2001). Sexual reconviction for sexual offenders discharged from prison in England and Wales: Implications for evaluating treatment. *British Journal of Criminology*, 41(2), 285-292.
- Gadd, B. (1996). Probation in Northern Ireland. In G. McIvor (Ed.), *Working with Offenders. Research Highlights in Social Work* (pp. 53-67). London & Bristol, Pennsylvania: Jessica Kingsley Publishers.
- Garland, D. (1987). *Punishment and Welfare*. Great Britain: Gower Publishing Company.
- Garland, D. (2002). *The culture of control: Crime and social order in contemporary society*. Oxford: Oxford University Press.

- Grattet, R., Petersilia, J., & Lin, J. (2008). *Parole violations and revocations in California*. Final Report for National Institute of Justice, Washington D.C., (<http://www.ncjrs.gov/pdffiles1/nij/grants/224521.pdf>).
- Hakeem, M. (1944). Parole prediction variables and the time factor in violations by burglars. *Journal of Criminal Law and Criminology*, 35(3), 157-165.
- Harding, J. (2006). Some reflections on risk assessment, parole and recall. *Probation Journal*, 53(4), 389-396.
- Healy, D. (2009). Ethics and criminological research: Charting a way forward. *Irish Probation Journal*, 6 (September 2009), 171-181.
- Heidensohn, F. (1985). *Women and Crime*. New York: New York University Press.
- Hirschi, T. (2009). *Causes of delinquency*. New Brunswick: Transaction Publishers.
- Hirschi, T. & Gottfredson, M. (1983). Age and the explanation of crime. *American Journal of Sociology*, 89, 552-584.
- Hood, R., Shute, S., Feilzer, M. & Wilcox, A. (2002). Sex offenders emerging from long-term imprisonment. A study of their long-term reconviction rates and of parole board members' judgements of their risk. *British Journal of Criminology*, 42(2), 371-394.
- Hughes, T., Wilson, D. & Beck, A. (2001). Trends in state parole, 1990-2000. Bureau of Justice Statistics (<http://www.bjs.gov/index.cfm?ty=pbdetail&iid=1135>).
- Jehn, K. (2009). Using triangulation to validate themes in qualitative studies. *Qualitative Research in Organisations and Management*, 4(2), 123-150).
- Kennedy, H. & Grubin, D. (1992). Patterns of denial in sex offenders. *Psychological Medicine*, 22, 191-196.
- Kerbs, J., Jones, M. and Jolley, J. (2009). Discretionary decision making by probation and parole officers: The role of extralegal variables as predictors of responses to technical violations. *Journal of Contemporary Criminal Justice*, 25(4), 424-441.
- Lai, K. (2013). Does supervision after release from prison reduce re-offending? *Ministry of Justice Analytical Summary*, July 2013.
- Langan, P. & Levin, D. (2002). *Recidivism of prisoners released in 1994*. Bureau of

- Justice Statistics (<http://www.bjs.gov/index.cfm?ty=pbdetail&iid=1134>).
- Laub, J. & Sampson, R. (1993). Turning points in the life course: why change matters to the study of crime. *Criminology*, 31(3), 301–325.
- Laub, J. & Sampson, R. (2003). *Shared beginnings, divergent lives. Delinquent boys to age 70*. U.S.A.: Harvard University Press.
- Lipsey, M. (1995). What do we learn from 400 research studies on the effectiveness of treatment with juvenile delinquents? In J. McGuire (Ed.), *What works: Reducing reoffending: Guidelines from research and practice* (pp. 63-78). Oxford: Wiley & Sons.
- Mackenzie, D. (2006). *What works in Corrections: Reducing the criminal activities of offenders and delinquents*. Cambridge: Cambridge University Press.
- Makarios, M., Steiner, B. & Travis III, L. (2010). Examining the Predictors of Recidivism Among Men and Women Released From Prison in Ohio. *Criminal Justice and Behavior*, 37(12) 1377-1391.
- Marston, P. (2010). Legislate in haste, repent at leisure: The Criminal Justice Act 2003 and its consequences. *Probation Journal*, 57, 296 -303.
- Maruna, S. (2001). *Making good: How ex-convicts reform and rebuild their lives*. Washington D.C.:American Psychological Association.
- Maruna, S. & Immarigeon, R. (2004). *After crime and punishment: Pathways to offender reintegration*. Devon: Willan Publishing.
- Maruna, S. (2011). Reentry as a rite of passage. *Punishment and Society*, 13(1), 3-28.
- Matejkowski, J., Draine, J., Solomon, P. & Salzer, M. (2011). Mental illness, criminal risk factors and parole release decisions. *Behavioural Sciences and the Law*, (29) 528-553.
- Maxfield, M. & Babbie, E. (2005). *Research methods for criminal justice and criminology*. USA: Thompson Wadsworth Learning.
- Meade, B., Steiner, B., Makarios, M. & Travis, L. (2013). Estimating a dose-response relationship between time served in prison and recidivism. *Journal of Research in Crime and Delinquency*, 50(4), 525-550.
- Moffitt, T. (1993). Adolescence-limited and life-course-persistent antisocial behavior: A developmental taxonomy. *Psychological Review*, 100(4), 674-701.

- National Research Council (2007). *Parole, desistance from crime, and community integration*. Washington: National Academies Press.
http://www.nap.edu/openbook.php?record_id=11988&page=1)
- Newcomen, N. (2014). Fatal Incident Investigation Issue 6. Prisons and Probation Ombudsman for England and Wales, Learning Lessons Bulletin No. 6 July 2014.
- O'Donnell, I., Baumer, E. & Hughes, N. (2008). Recidivism in the Republic of Ireland. *Criminology and Criminal Justice*, 8(2), 123-146.
- Ostermann, M. (2011). How do former inmates perform in the community? A survival analysis of rearrests, reconvictions and technical parole violations. *Crime and Delinquency*, 20(10), 1-25.
- Ostermann, M. (2013). Active supervision and its impact on parolee recidivism rates. *Crime and Delinquency*, 55(1), 487-509.
- Owen, T. (2007). Culture of crime control: Through a post-Foucauldian lens. *Internet Journal of Criminology*, 2007. (www.internetjournalofcriminology.com).
- Padfield, N. (2007). 'Managing' offenders effectively. *Archbold News*, 9, 6-9.
- Padfield, N. (2010). England and Wales. In N. Padfield, D. Van Zyl Smit, and F. Dunkel, (Eds.), *Release from prison: Policy and Practice* (pp. 104-134). Devon: Willan Publishing.
- Padfield, N. (2012). Recalling conditionally released prisoners in England and Wales. *European Journal of Probation*, 4(1), 34-45.
- Padfield, N. & Maruna, S. (2006). The revolving door at the prison gate: Exploring the dramatic increase in recalls to prison. *Criminology and Criminal Justice*, 6(3), 329-352.
- Pepper, C. & Wildy, H. (2009). Using Narratives as a Research Strategy. *Qualitative Research Journal*, 9(2), 18-26.
- Petersilia, J. (2001). When prisoners return to communities: Political, economic and social consequences. *Federal Probation*, 65(1), 3-9.
- Petersilia, J. (2003). *When prisoners come home: Parole and prisoner reentry*. Oxford: Oxford University Press.
- Petersilia, J. (2011). Beyond the prison bubble. *Wilson Quarterly*, 35(1), 50-55.
- Probert, A. (2006). Searching for an appropriate research design: a personal journey.

- Journal of Research Practice*, 2(1), 1-12.
- Prochaska, J. and DiClemente, C. (1982) Transtheoretical therapy: Toward a more integrative model of change. *Psychotherapy: theory, research and practice*, 19: 276-288 (<http://www.agale.com.au/FiveStagesOfChange.htm>)
- Richardson, J., Ong, B., Sim, J. & Corbett, M. (2009). Begin at the beginning...using a life grid for exploring illness experience. *Social Research Update, University of Surrey*, (57).
- Sampson, R. & Laub, J. (1990). Crime and deviance over the life course: The salience of adult social bonds. *American Sociological Review*, 55, 609-627.
- Semmens, N. (2011). Methodological approaches to criminological research. In P. Davies, P. Francis & V. Jupp (Eds.), *Doing criminological research* (pp. 54-77). London: SAGE Publications.
- Serin, R., Gobeil, R. & Preston, D. (2008). Evaluation of the persistently violent offender treatment programme. *International Journal of Offender Therapy and Comparative Criminology*, 53(1), 57-73.
- Steen, S., & Opsal, T. (2007). "Punishment on the installment plan": Individual-level predictors of parole revocation in four states. *The Prison Journal*, 87(3), 344-366.
- Steen, S., Opsal, T., Lovegrove, P. & McKinzey, S. (2013). Putting parolees back in prison: Discretion and the parole revocation process. *Criminal Justice Review*, 38(1), 70-93.
- Taxman, F., Young, D. & Byrne, J. (2004). With eyes wide open: formalising community and social control intervention in offender reintegration programmes. In S. Maruna, S. & R. Immarigeon (Eds.), *After Crime and punishment: Pathways to offender reintegration* (pp 233-293). Devon: Willan Publishing.
- Taylor, C. (2001). The relationship between social and self-control: Tracing Hirschi's criminological career. *Theoretical Criminology*, 5(3), 369-388.
- Toch, H. (2010). "I am not now who I used to be then": Risk assessment and the maturation of long- term prison inmates. *The Prison Journal*, 90(1), 4-11.
- Travis, J. (2007). Back-End Sentencing: A Practice in Search of a Rationale. *Social Research, Punishment: The US Record*. 74(2), 631-644.

- Van Teijlingen, E. & Hundley, V. (2001). The importance of pilot studies. *Social Research Update, University of Surrey*, 35 (Winter 2001).
- Visher, C. & Travis, J. (2003). Transitions from prison to community: Understanding individual pathways. *Annual Review of Sociology*, 29, 89-113.
- Visher, C. & Travis, J. (2011). Life on the outside: returning home after incarceration. *The Prison Journal*, Supplement to 91(3), 102S–119S.
- Wahidin, A. & Moore, L. (2011). Ethics and criminological research. In P. Davies, P. Francis & V. Jupp (Eds.), *Doing criminological research* (pp. 287-306). London: SAGE Publications.
- Ward, T. & Maruna, S. (2007). *Rehabilitation*. Oxford: Routledge.
- Ward, T., Yates, P. & Willis, G. (2012). The Good Lives Model and the Risk Need Responsivity Model: A critical response to Andrews, Bonta and Wormith (2011). *Criminal Justice and Behaviour*, 39(1), 94-110.
- White, M., Mellow, J., Englander, K. & Ruffinengo, M. (2011). Halfway back: An alternative to revocation for technical parole violaters. *Criminal Justice Policy Review*, 22(2), 140-166.
- Whitehead, P., Ward, T. and Collie, R. (2007). Time for a change: Applying the Good Lives Model of rehabilitation to a high risk violent offender. *International Journal of Offender Therapy and Comparative Criminology*, 51(5), 578-598.
- Wiles, R., Crow, G., Heath, S. & Charles, V. (2007). The management of confidentiality and anonymity in social research. *International Journal of Social Research Methodology*, 11(5), 417-428.
- Wooditch, A., Tang, L. and Taxman, F. (2014). Which criminogenic need changes are most important in promoting desistance from crime and substance use? *Criminal Justice and Behaviour*, 41(3), 276-299.
- Zhang, S., Roberts, R. & Callanan, V. (2006). Preventing parolees from returning to prison through community-based reintegration. *Crime & Delinquency*, 52(4), 551-571.

Legislation, Policy and Reports

British Society of Criminology (2006). *Code of Ethics for Researchers in the Field of Criminology*. February 2006. London: British Society of Criminology. (<http://www.britsoccrim.org/docs/CodeofEthics.pdf>).

Criminal Justice Inspection Northern Ireland (2006). *The management of sex offenders in light of the murder of Mrs Attracta Harron. Interim Report, December 2006*. Belfast: Criminal Justice Inspection Northern Ireland ([http://www.cjini.org/TheInspections/Inspection-Reports/2004-\(2\).aspx](http://www.cjini.org/TheInspections/Inspection-Reports/2004-(2).aspx)).

HM Inspectorate of Probation and HM Inspectorate of Prisons (2013). *Third aggregate report on offender management in prisons. Findings from a series of joint inspections, December 2013*. London: Criminal Justice Joint Inspection (<http://www.justice.gov.uk/downloads/publications/inspectorate-reports/hmiprobation/joint-thematic>).

Home Office (2002). *Justice for all*. U.K.: The Stationery Office Limited.

Ministry of Justice (2009). *Story of the prison population 1995-2009, England and Wales*, London: Ministry of Justice Statistics Bulletin.

Ministry of Justice (2013). *Proven Re-offending Statistics Quarterly Bulletin July 2010-June 2011, England and Wales. Ministry of Justice Statistics Bulletin*. London: Justice Statistics Analytical Services.

Northern Ireland Office (2008). *Explanatory memorandum to the Criminal Justice Order (Northern Ireland) 2008*, No. 1216 (N.I. 1). U.K.: The Stationery Office Limited.

Probation Board for Northern Ireland (2013a). *PBNI Recall Audit*. Belfast: Probation Board for Northern Ireland Presentation.

Probation Board for Northern Ireland (2013b). *Risk of Serious Harm to Others Procedures*, November 2013. Belfast: Probation Board for Northern Ireland.

The Criminal Justice (Northern Ireland) Order 2008. No. 1216. Belfast: The Stationery Office Limited.

Legislation

Wells v Parole Board [2009], UKHL 22, [2010] 1 A.C. 553).

FIGURES

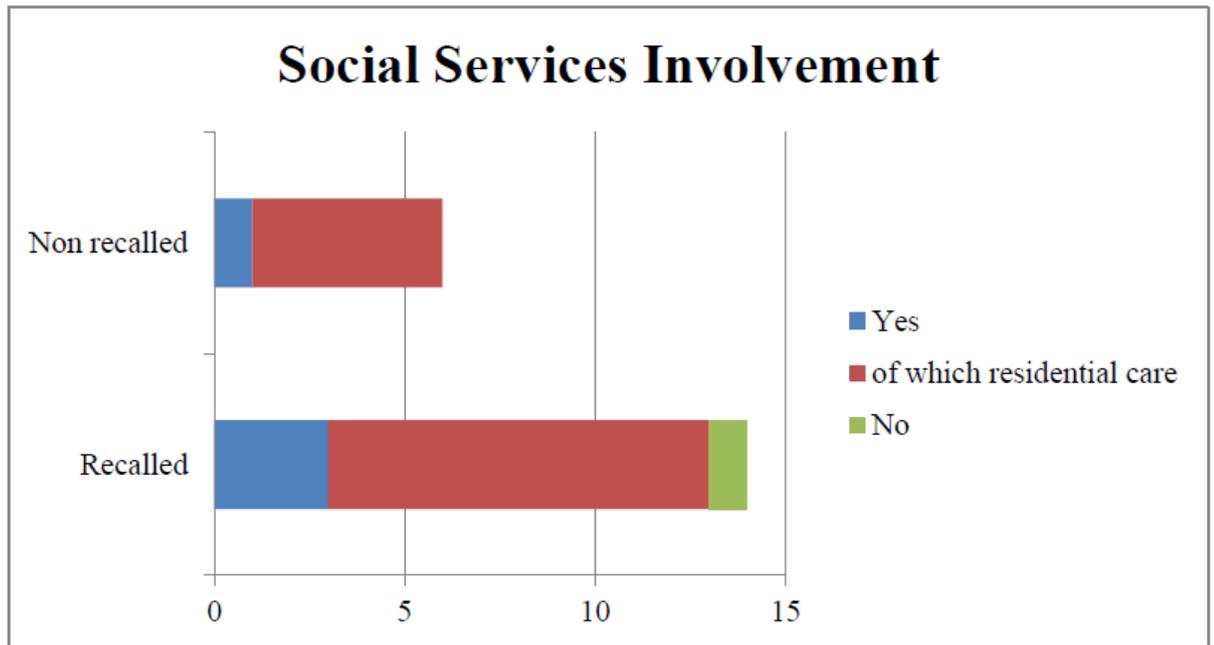


Figure 4.1: Social Services involvement

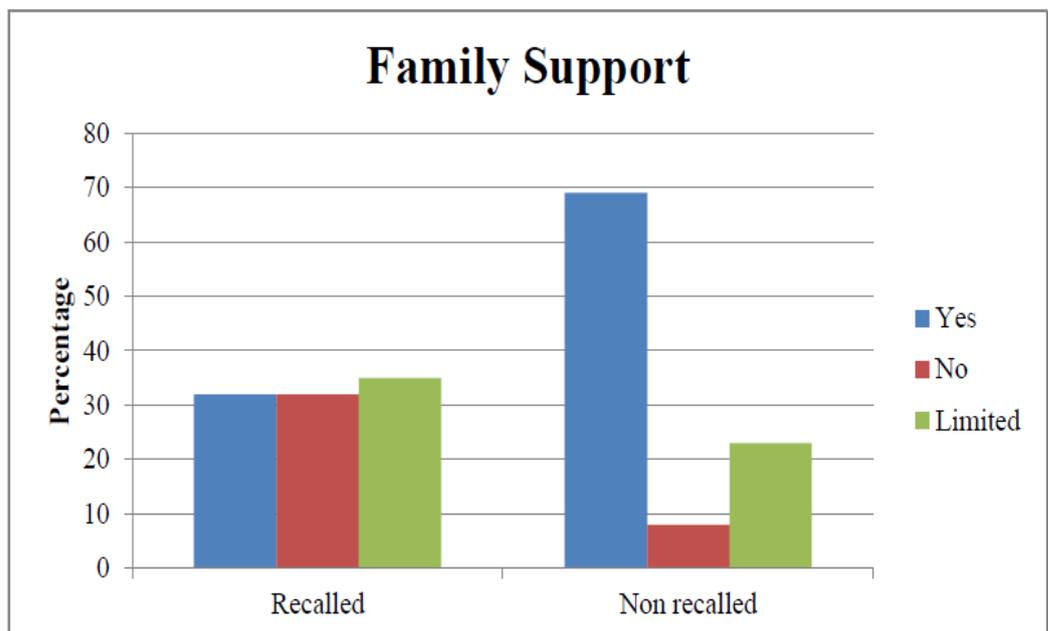


Figure 4.2: Family support

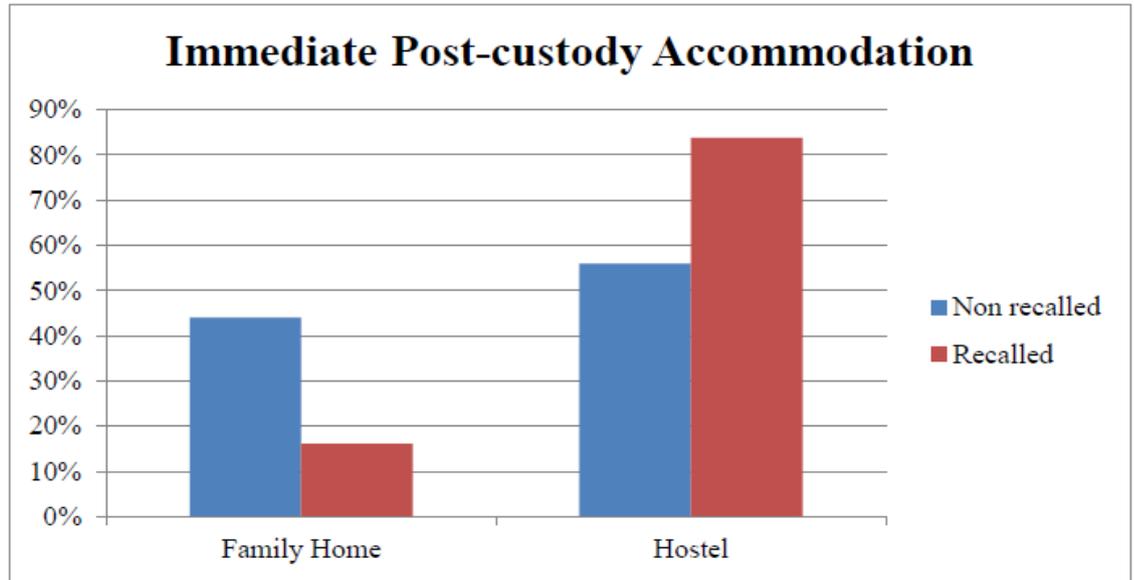


Figure 4.3: Immediate post custody accommodation

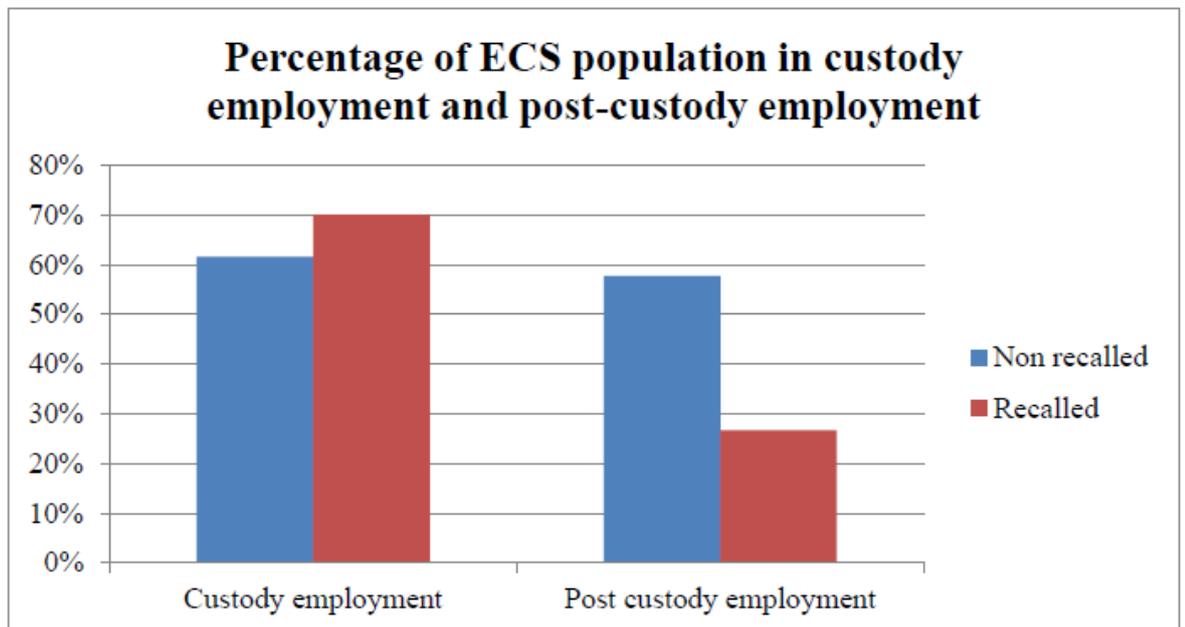


Figure 4.4: Custody and post custody employment

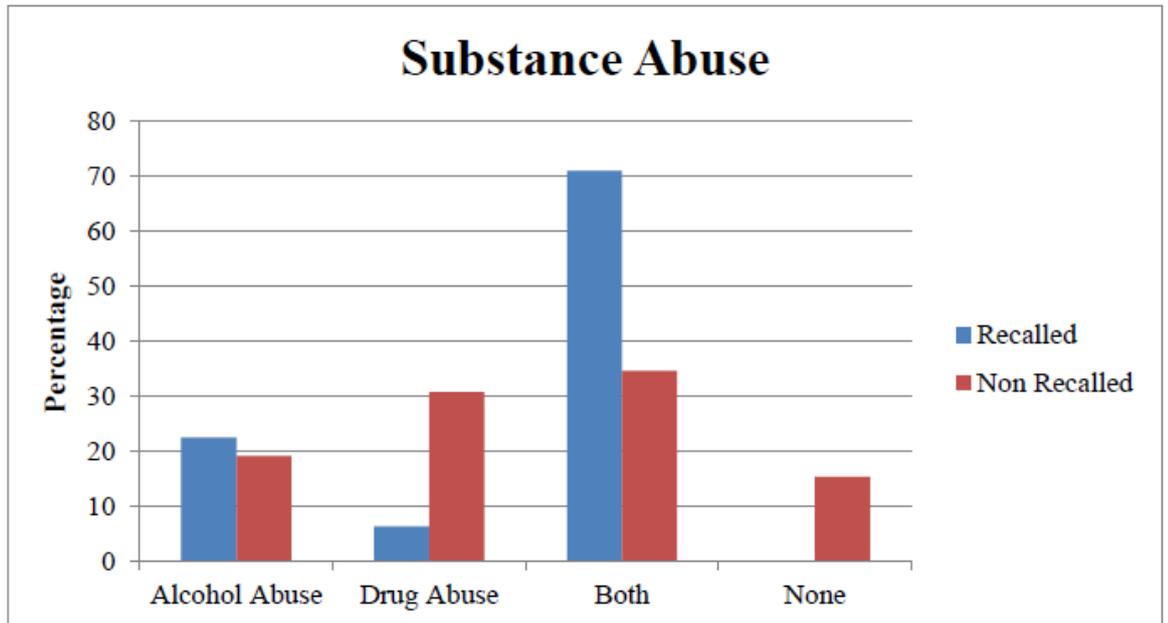


Figure 4.5: Substance abuse

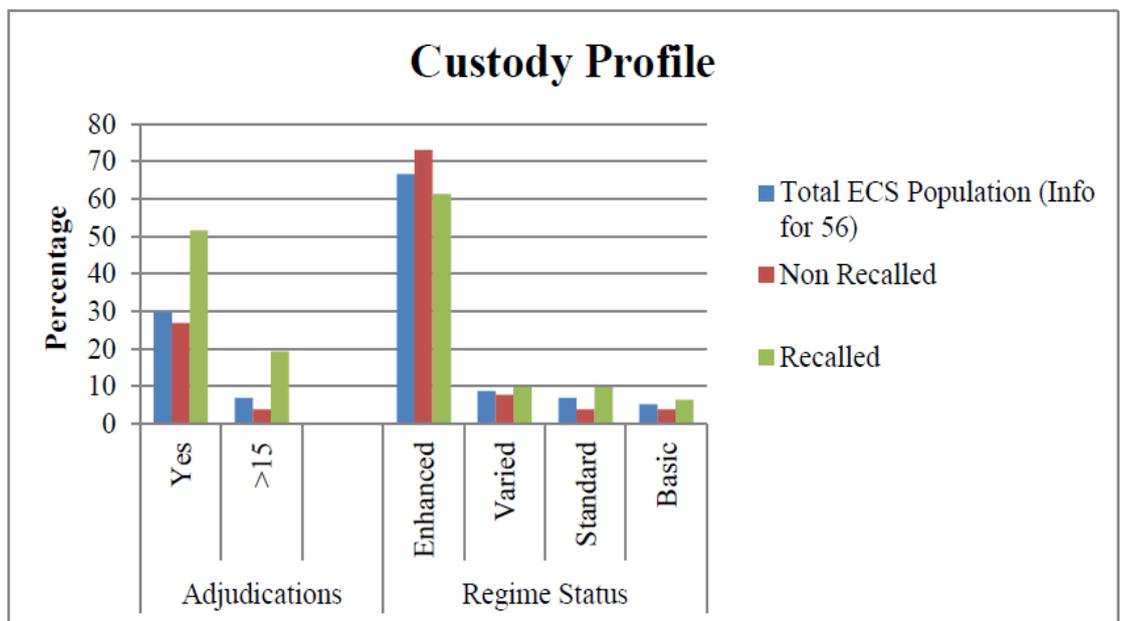


Figure 4.6: Custody profile

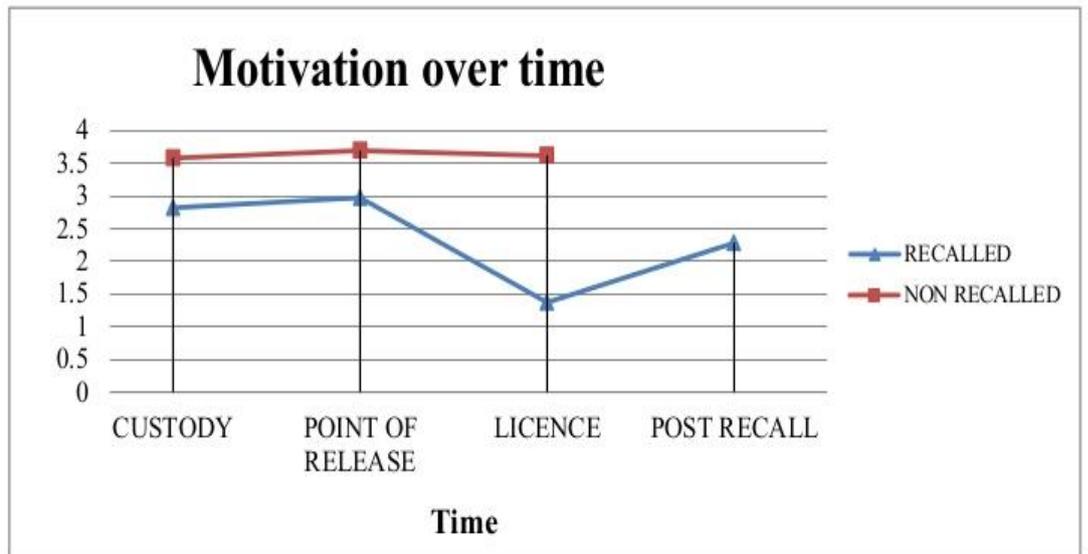


Figure 4.7: Motivation over time

