A History and Analysis of the
Salisbury Street Foundation in Christchurch

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Abstract

The Salisbury Street Foundation (SSF) currently operates as a Residential Community Centre in Christchurch, New Zealand. The history of this programme, however, dates back over 23-years to its inception in 1979. Due to its extensive past, SSF has the ability to provide a valuable contribution to literature surrounding community corrections in New Zealand. As little has been previously published about SSF, this thesis offers the most comprehensive document compiled regarding the Foundation. It explores the history of SSF and then analyses the programme in terms of rehabilitation, and organisation and management.

In the completion of this research, an extensive search of archival material relating to SSF as well as 13 semi-structured interviews was undertaken. When obtaining information on SSF from these sources, a focus on five main areas of interest was maintained. These were (1) the personality of each programme director and the influence he/she had on the running of the programme; (2) operational philosophies and strategies; (3) the role of the Board of Trustees; (4) the effect of legislative changes; and (5) the impact of critical events and incidents.

Overall, my findings diverge from previous studies which largely measure the success of rehabilitative programmes solely in terms of reducing recidivism. Instead, I suggest that the success and longevity of SSF has had more to do with the organisation and management of the programme, than its ability to reform every individual whom attends. Therefore, while some observations can be made in relation to recidivism at SSF, the Foundation more importantly provides a valuable example of what works in the management of nonprofit, community-based residential programmes, and what does not.

CHAPTER ONE

Introduction and Methodology

Introduction

The Salisbury Street Foundation (SSF) in Christchurch is one of three Residential Community Centres currently operating in New Zealand.[1] At present, the programme accommodates a maximum of eleven residents at a time, most of whom generally arrive as a condition of their parole or release from prison, and remain in the programme for between six and twelve months. A block of flats has also recently been purchased accommodating for up to seven graduates of the programme. Monetary support for SSF comes largely from the Department of Corrections. The organisation is in a good financial position and its assets include two mortgaged properties worth approximately half a million dollars. The programme continues to develop and further expansions are being considered.

SSF's transition to a Residential Community Centre occurred with the deletion of habilitation centres under the Sentencing Act 2002. Prior to this, the Foundation had become New Zealand's first pilot habilitation centre in April 1996 and operated as one of four community-based habilitation programmes following the introduction of this new initiative under the 1993 Criminal Justice Amendment Act. The history and development of SSF, however, extends back well before its establishment as a pilot habilitation centre.

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[1] The other two centres are Montgomery House in Hamilton, which is run by the New Zealand Prisoners Aid Rehabilitation Society, and Te Ihi Tu in New Plymouth, which is a kaupapa Maori programme that, along with SSF, had previously operated as a pilot habilitation facility (Ministerial Briefings 2002).

The programme was initially introduced in 1979 and inspired by the Delancey Street Foundation, a self-help residential facility situated in San Francisco. Since its establishment, SSF has experienced many changes and endured a variety of difficulties. It provides a pertinent example of a community-based organisation, illustrating 'what works' and 'does not work' in relation to rehabilitation, and organisation and management, while also reflecting shifts in correctional policy in New Zealand since the late 1970s.

Prior Research

Due to its extensive history, SSF has been an important experiment in community corrections in New Zealand. Despite this, there has been almost nothing published about it. This thesis offers the most comprehensive document yet compiled regarding the Foundation. Other material on SSF includes a few Department of Corrections Reports and some newspaper articles. These, however, only offer limited and select amounts of information. Prior to this study, the principal document regarding SSF's history is a Master of Arts thesis completed by Kath Jamieson in 1991. As we shall see, though, a variety of difficulties surrounded the production of this work, which ultimately resulted in it being embargoed for five years. Since Jamieson completed her research on SSF a number of crucial changes have occurred as a result of the Foundation's transition to a habilitation centre. This thesis covers SSF's entire history up until early 2003, considering changes both prior to, and following, the programme's inception as a pilot habilitation centre.

Objectives

This thesis has two key objectives. The first is to compile a comprehensive history of SSF from its introduction in 1979 through to its current existence. In order to contextualise this, however, it is first important to reflect upon the processes responsible for the inception of SSF. Consequently, chapters two and three will discuss the international rise in community corrections and the role of the halfway house and more specifically the Delancey Street Foundation in San Francisco.

SSF's history can be separated into two principal periods: pre-habilitation centre, and habilitation centre and beyond. Chapters four and five will consider each of these intervals respectively. In order to give consistency to the analysis, throughout discussion on SSF's history, a focus on five main areas of interest will be maintained: (1) the personalities of the directors and the influence they had on the running of the programme; (2) operational philosophies and strategies; (3) the role of the Board of Trustees (BOT); (4) the effect of legislative changes; (5) the impact of critical events and incidents.

The second key objective of this research is to discuss and analyse the role and impact of SSF in New Zealand. The themes of this analysis are: a) to consider the notions of habilitation and rehabilitation, and the debate surrounding these ideas, including "what works" and where SSF fits into this discussion; and b) to discuss the importance of organisation and management in SSF's long term success, as well as its near failures, during both its pre-habilitation and habilitation phases. Chapters six, seven and eight will

consider the significance of each of these areas and the role they have played in the success and longevity of SSF.

Method

The methodology for this study incorporated both written and oral components. Initially it began with a literature review focussing on the areas of correctional policy and community corrections both internationally and in New Zealand, management of not-for-profit organisations and theoretical concerns relating to rehabilitation and punishment. Publications consulted included books, journal articles, newspaper articles, reports and New Zealand Parliamentary Debates. Following the completion of this general investigation, the focus of research narrowed. An exploration and examination of SSF's written archival material, dating from 1979-2002, was undertaken. Information on SSF's first decade was held in the University of Canterbury's MacMillan Brown Library,[2] while all subsequent information was situated at SSF's residence in Merivale, Christchurch. Written material considered included annual reports and their minutes, minutes of BOT meetings, correspondence (both incoming and outgoing), Department of Justice and Department of Corrections reports, and a small amount of published material on SSF and other community-based alternatives.

In addition to the consultation of written archival material, a series of 13 interviews was carried out with key personnel who had been involved with SSF at different stages throughout its history. These interviews were semi-structured, based on questions and

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[2] In order to gain access to this material, consent had to be given by SSF (see appendix A).

ideas that had emerged from the written material, while also allowing room for further discussion relating to SSF and key individuals (see appendix B). Interviews generally lasted between 45 and 90 minutes and all participants made themselves available for further questioning if needed.

Those interviewed were:

1. Dave Robinson, a probation officer, who co-founded SSF and was involved with the programme for over ten years both as a therapist and Chairperson/member of the Board of Trustees.

2. Geoff Samuels, a clinical psychologist, involved with SSF during its formative years both as a therapist and member of the Board of Trustees.

3. Kevin Butson, a former resident, who became SSF's first Director between 1983-1986, and remained involved with the programme until mid-1988.

4. Ken Turner, a former resident, who was Director at SSF between 1987-1990.

5. Anni Brown, one of the few female residents during the 1980s, who continued her involvement with SSF as a member of the Board of Trustees (Chairperson 1992-1993) and became interim Director for a brief time in 1991-1992.

6. Meladie Bras, who joined the Board of Trustees in the late 1980s and was Chairperson in 1991-1992. She withdrew from the Board soon after this time.

7. Genevieve Strang, who has been involved with SSF since 1988, although she left for a brief period early in the 1990s. Genevieve's role has been primarily as a counsellor but she has also become Acting Director at certain stages when the programme was in between managers.

8. Greg Newbold, who has been a member of SSF's Board of Trustees since 1989. He was Chairperson for a year during 1990-1991.

9. Kathy Dunstall, a member of the Roper Committee, who joined the Board of Trustees in 1990. She stood down for a brief period in the mid-1990s in protest of the conditions involved with SSF becoming a habilitation centre but later rejoined the BOT and was involved with SSF until her resignation in 2001.

10. Colin Elliot, who was the Director of SSF in 1993-1994.

11. Glenn Newman, who was Director of SSF between 1994-1997 and was largely responsible for establishing the programme as New Zealand's first pilot habilitation centre.

12. David Coom, who had been the Director of SSF since 1997. He recently resigned, in February 2003, to take up a position at the Christchurch City Council.

13. Jeff Cooper, who was a resident at SSF during 1999 and is now working as a member of the staff both supervising residents at the St Albans Street house as well as at the new flats on Manchester Street.

Henry 'Skip' Crossen was also approached but was reluctant to be involved with the research and refused to be interviewed.

Ethical issues

Human Ethics Committee approval was not necessary for this research because those involved did so in a professional, rather than a personal, capacity. Consent was, however, gained from SSF's Director and select BOT members in order to access written archival material. Throughout the thesis the names of the professionals that have been involved

with SSF, including directors, Board members and staff, are genuine. Pseudonyms have been used in certain circumstances, particularly when referring to incidents involving residents, in order to protect their privacy.

Scope of Research

When considering SSF's history, certain factors have guided my research. As mentioned, they are the personalities of the directors, the role of the BOT, operational philosophies/strategies, legislative changes, and critical events. The reason for focussing on these aspects is that although a lot has happened to SSF during its 23-year existence, they have had the greatest impact on the development and functioning of the Foundation. Along with this, the decision to focus on these areas was based on the practical consideration that those I had interviewed had been professionally involved with SSF and therefore they were the factors most strongly related to their experiences.

During SSF's history and analysis both pre-habilitation and habilitation centre phases are taken into account. At times, however, the second period tends to dominate discussion. The reasons are twofold. First, following SSF's establishment as a habilitation centre the documentation and evaluations available on the organisation increased considerably. Second, as a habilitation centre SSF experienced its most stable and prosperous period. Therefore, when analysing reasons for the success of SSF this period is the most significant.

Relevance of Research

A history and analysis of SSF provides a comprehensive and valuable contribution to the literature on community corrections in New Zealand. This is because, as compared with so many organisations of this type which have failed, SSF has been a prominent community-based facility in Christchurch for the past 23 years. As mentioned, SSF's longevity allows the programme to offer a practical example of how changes in correctional policy in New Zealand have impacted on the development of one particular community-based residential facility. For instance, SSF's history is reflective of the changing relationship between government and community-based organisations in New Zealand. These developments are important because they display a notable shift in both the desire of the Department of Corrections (known as the Department of Justice before 1995) to be formally involved with community-based organisations, and in SSF's initial determination to be independent of formal correctional authorities.

Analysing SSF in relation to the principle of rehabilitation, also provides an opportunity to assess the Foundation and frame it within the context of the "what works" debate. Many of the difficulties with assessing the rehabilitative "success" of residential programmes are highlighted by SSF. Most of these problems revolve around the focus on recidivism as the primary measure of rehabilitative success. As we shall see in later discussion, attempting to measure the rehabilitative "success" of SSF continues to reinforce the complexities surrounding recidivism.

An examination of SSF illustrates the factors important to the successful continuation of community-based facilities. Although SSF's history has not been smooth and the programme has endured numerous difficulties, it has consistently managed to overcome its dilemmas. For example, up until their deletion under the Sentencing Act 2002, SSF was the only habilitation centre established under the 1993 Criminal Justice Amendment Act which operated with any degree of success. One purpose of this research is to find out why SSF has survived when numerous other similar organisations have collapsed.

The relevance of completing a history and analysis of SSF, therefore, is greater than offering a historiography about the organisation. It provides insight into a variety of areas including rehabilitation, the organisation and management of not-for-profit facilities, and the development of community corrections in New Zealand. SSF illustrates many of the difficulties commonly faced by rehabilitative programmes, as well as indicating how these concerns can be remedied. This is essential because as has been seen with the recent experiment of habilitation centres, these types of facilities frequently struggle to survive long-term. Overall, SSF is a unique community-based organisation because of its longevity and, as such, has a lot to offer discussion relating to criminal justice.

CHAPTER TWO

Community-based Alternatives to Custody

Introduction

The treatment of criminals is a complex issue that has been debated throughout history. A great area of contention, which has surrounded the prison since its introduction in the late 18th Century, has been its inability to reform criminal offenders. It has been repeatedly asserted that the coercive, sterile and artificial regime of the prison is inconsistent with the notion of rehabilitation. Instead, rehabilitation has been argued to require a degree of voluntarism and a minimum of oppression which is more reflective of life in open society. It has also been increasingly claimed that crime is a reflection of societal problems and as such, criminals should be dealt with in the community. It was as a result of these changing perceptions that "intermediate sanctions" or "community corrections" grew in popularity throughout the Western world during the twentieth century.

This chapter has two key objectives. The first is to consider some of the major critiques of imprisonment. These have focussed on contradictions within penal philosophy including the incompatibility between the ideology of imprisonment and its practical existence, and contradictions between the goals of incarceration as being able to both punish and rehabilitate criminal offenders. The second objective of this chapter is to outline the rise of, and rationale behind, the development of community corrections, particularly following World War Two. Internationally, America was at the forefront of developments in non-custodial alternatives. Some leading examples from the U.S.A.

include the Chicago Area Projects, the Cambridge-Somerville Youth Study, the Highfields programme, the Provo Experiment and the California Community Treatment Project. In New Zealand, the post-war popularity of community corrections followed international progressions. These initiatives incorporated the promotion of alternatives such as probation, home leave, work release, work parole hostels, and periodic detention. As we shall see, the establishment of the Salisbury Street Foundation (SSF) in Christchurch in 1979 occurred as a direct result of these international and local processes and developments.

Criticisms of Imprisonment

Criticism of incarceration is almost as old as the prison itself. Early skeptics emerged despite a general approval of imprisonment amongst early commentators (Newbold 2002). Detractors argued that the humanitarian principles upon which the penitentiary had been based were failing to be adhered to. They alleged overcrowding, inhumane and unsanitary conditions, and psychosis and depression caused by solitary confinement (Newbold 2002). Novelist Charles Dickens was one of the earliest cynics of the prison system. In 1842, during a visit from England to America, he claimed, "You know of course that we adopted our improvements in prison-discipline from the American pattern; but I am confident that the writers who have the most lustily lauded the American prisons have never seen [them]" (Dickens cited in Forster, 24/07/2002).

Other early critics of the penitentiary system included Henry Mayhew, a well-known social enquirer, who asserted in 1862 that, "[I]t is plain . . . that our treatment of criminals

neither deters nor reforms" (Mayhew and Binny cited in Rawlings 1999: 94). The editor

of London's *Daily Chronicle*, Henry Massingham, also embarked upon a damaging

campaign in the early 1890s, alleging overcrowding, dehumanising conditions,

understaffing, poor discipline and a lack of productive work within most prisons

(Rawlings 1999). He declared,

> Our prison system is the worst in the world. It is the least successful. It starves them, it crazes
>
> them, it makes brutes of them. It is a mere criminal factory, which pours out of it gates every
>
> year an increasing mass of people who will be in and out of the cell for the greater part of
>
> their lives (Rawlings 1999: 105).

During the twentieth century, criticism of imprisonment intensified and developed. Frank

Tannenbaum contributed to ongoing debate, publishing *Crime and the Community* in

1938. He considered how an individual came to be labelled as 'deviant' and how this

process, referred to as the 'dramatization of evil', was justified and reinforced through the

criminal justice system and incarceration.[3] He alleged that imprisonment was problematic

for a number of reasons: overcrowding, idleness, poor sanitation and health, and a lack of

education within the prison (see Tannenbaum 1938: 296-303, 310-313). The fundamental

nature of the prison and its impact on the individual was, however, deemed to be the most

detrimental aspect. According to Tannenbaum (1938: 478), "There is not a shred of

evidence that punishment . . . has beneficial effects on the future lives of the men

punished . . . All we know about prisons indicates that punishment merely confirms the

criminal in his career". Instead, he suggested that the criminal was a product of the

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[3] While Tannenbaum (and also Clemmer) tended to focus on men, their ideas have since been applied to
other criminal groups.

community and as such, the maintenance of contacts and associations with free society was essential if the offender was to be rehabilitated. Therefore in order to address the incidence of crime, the criminal needed to be dealt with within the community rather than in an environment totally inconsistent with open society.[4]

The first comprehensive study of prison society, *The Prison Community*, was published by Donald Clemmer in 1940. He introduced the notion of 'prisonization', described as "the taking on in greater or lesser degree of the folkways, mores, customs and general culture of the penitentiary" (Clemmer 1958: 299). Clemmer proposed that every incarcerated individual experienced a certain level of 'prisonization'. Of the 2,300 men involved in his study, he alleged 20 percent were "completely prisonized" and that "most men in penitentiaries have no chance of being salvaged if they become prisonized to any appreciable extent" (Clemmer cited in Newbold 1978: 155). He contended that the influence of prisonization was "sufficient to make a man characteristic of the penal community and probably so disrupt his personality that a happy adjustment to any community becomes impossible" (Clemmer 1958: 300). Any reformation that occurred, therefore, happened not because of influences of prison but in spite of them (Newbold 1978). Clemmer concluded, "prisons work immeasurable harm on the men held in them" and that "it is impossible to view the immediate future [of corrections] with much optimism" while prisons dominate correctional policy (Clemmer 1958: 316, 319). Instead, alternatives needed to be found, preferably in open society, where the processes

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[4] Tannenbaum's suggestion that crime was a product of society emerged contrary to the beliefs of earlier criminological theorists, such as Cesare Lombroso, who had asserted that criminal causation was based on biological and psychological inferiority (Clemmer 1958).

of prisonization would be irrelevant and the potential for readjustment significantly improved.

As the twentieth century progressed, sceptics increasingly argued that the nature of the prison was paradoxical, that there were fundamental contradictions within the goals and objectives of incarceration. It was suggested that the two key aims of the prison, protection of society and reformation of criminals, were counter-productive and mutually exclusive (Ayllon and Milan 1979, Newbold 1978). As Newbold (1978: 31-32) suggested "one of the major difficulties faced by prison systems is that they lack any unilaterally consistent set of goals . . . Punitive custody and progressive reform have long been considered by social scientists to be irreconcilable with one another". The U.S. Federal Bureau of Prisons recognised these incongruities in 1948, asserting that,

> Our modern prison system is proceeding in a rather uncertain course because its administration
> is necessarily a set of compromises. On the one hand, prisons are expected to punish; on the
> other they are supposed to reform. They are expected to discipline rigorously at the same time
> they teach self-reliance (cited in Ayllon and Milan 1979: 7).

The contradictions between these two principles arguably ensured that the focus and value placed upon them was not equitable or balanced (Dodge 1975a).

The underlying ideology of imprisonment was impugned for focusing on punishment and confinement rather than correction and rehabilitation (Dodge 1975a). It was suggested that the incompatibility of these two objectives negated any attempts at effective rehabilitative programmes (Ayllon and Milan 1979, Dodge 1979, Newbold 1978). The inability of prison to reform, therefore, both resulted from, and enabled, the dominance of

punishment to continue (Dodge 1975a). The disintegration of the perceived potential of the prison to rehabilitate reinforced its role as being the protection of society from the most dangerous and violent of offenders. This view was reflected in 1973 by America's National Advisory Commission on Criminal Justice Standards and Goals (President's Crime Commission). This Commission stated that, "[p]risons should be repudiated as useless for any purpose other than locking away persons who are too dangerous to be allowed at large in free society" (Haas and Alpert 1986: 357-358).

The prison environment was rebuked as contradictory to life in free society, a situation that restricted an ex-inmate's ability to make a successful transition back into the community. As Ayllon and Milan (1979: 258) suggested,

> It is as if the correctional institution, with its emphasis upon obedience, passivity, punishment, and aversive control procedures, is 'well designed', albeit unintentionally, to instill dependence, helplessness, lack of initiative, resentment, and aggression – traits that most would agree are maladaptive both within the institution and broader context of society.

A major aspect of the discrepancy between life in prison and in the community was the denial of the basic democratic rights of prisoners, which were guaranteed to other citizens. Hickey and Scharf (1980: ix) contended that, "Prisoners are the most powerless of people. Legally, historically, and in popular mind, they are noncitizens, nonpersons. From the society, they can demand nothing, not even minimal conditions of respect and safety". Inmates, it was argued, were denied even the most basic human comforts, including "a wife's kiss on return from work, a choice of food, a leisurely cup of coffee, and opportunity to withdraw from unpleasant associations" (Johnson 1968: 499). In order to overcome these problems, critics suggested that democratic rights needed to be

extended to convicts and criminals needed be dealt with in the environment where the offence had occurred; within the community (Hickey and Scharf 1980).

Another factor determined as negatively affecting an individual's transition back into the community, was the stigmatising effect of incarceration. The notion of stigmatisation and labelling was popularised by Howard S. Becker in *Outsiders* (1966). In this book, Becker (1966) argued that once detected, convicted and sentenced for committing a criminal offence an individual was rejected by larger society and labelled an 'outsider'. The impact of the stigma placed upon a 'labelled' individual hugely restricted his/her ability to reintegrate into society and as a result often served to confirm the offender in their criminal career (Newbold 2000). Other authors later reinforced the ideas of Becker, asserting that the stigma attached to imprisonment, or alternatively the labelling of prisoners as undesirable or untrustworthy, tended to override whether or not they had been rehabilitated and hence limit their options once released from prison (see Dodge 1979, Tomasic and Dobinson 1979).

Numerous commentators continued to reiterate the idea that prisons confirm offenders in their criminal careers. It was alleged that prisons were doing more harm than good because they were serving "as sophisticated training centers for the criminals among us" (Dodge 1975a: 234). Seen as crucial to the reinforcement of criminal behaviour was the existence of a largely universal informal system of values amongst prisoners. Sykes and Messinger (1975) completed an important investigation into the inmate culture, 'The Inmate Social System', originally published in 1960, which established the major aspects

of the inmate social code. According to Dodge (1979: 253), the overall impact of the inmate culture was to create an environment that was "self-defeating" and "reinforce[d] negative social values" because "It is, most often, the informal inmate society of the institution that is the socialization mechanism and shapes the prisoner's reaction to confinement".

Recidivist rates have been consistently used to illustrate the failure of imprisonment. This reflects a general assumption that recurrences of offending behaviour are a measure of the relative success or failure of treatment (Johnson 1968). The focus on reconviction as the best way of evaluating a rehabilitative programme has remained despite the difficulty of assessing recidivism (see Johnson 1968, Walker 1968).[5] Internationally, high levels of recidivism reinforced the impression that prisons were failing (Hirst 1994, Dodge 1979, Ayllon and Milan 1979, Newbold 1978, Martinson 1974). It was claimed that anywhere between 50 and 85 percent of released offenders would be subsequently reconvicted within a few years of release (see Ayllon and Milan 1979: 8, Newbold 1978: 392, Johnson 1968: 644). As a result, the popular conception of a criminal career as occurring "consistently, continuously, and progressively" appeared vindicated (Johnson 1968: 648), and the inability of prisons to reform accurate (Hirst 1994, Dodge 1979, Ayllon and Milan 1979, Newbold 1978, Martinson 1974). Recidivist rates, therefore, served to reinforce the numerous other critiques of imprisonment and strengthen the suggestion that alternatives to custody needed to be found.

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[5] The problems with relying exclusively on recidivism as a measure of success including the difficulties with accurately predicting recidivist rates will be discussed in-depth in chapter six.

Allegations of overcrowding and poor conditions within prisons also persisted internationally throughout the twentieth century. Prisons were frequently accused of being a "convenient dumping ground" for criminals (Vass 1990: 183) and indeed prison populations throughout the world continued to soar (see Duff and Garland 1994, Call 1986, Newbold 1978). The result of these unprecedented increases in prison populations saw overcrowding become a more serious problem than it ever had been before (Dodge 1979). Even the opening of a multitude of new prisons in many Western countries could not keep up with the influx of prisoners (Newbold 1978). Community-based facilities were, therefore, promoted as a "means of relieving the prison from further crowding pressure and the need to spend more on refurbishment and construction [of prisons]" (Vass 1990: 34).

Despite increased criticism of prisons it has rarely been suggested that incarceration should be disposed of completely and support for the prison system has remained. Dodge (1975a) alleged continuing approval has been based on the prison serving two legitimate functions. First, a Government has a duty to protect its citizens from the most dangerous of offenders necessitating that the prison be reserved as a treatment of last resort. Second, while imprisonment should not be the basis of the law, it is important that those who have broken the law and harmed other citizens be punished. Accordingly Dodge (1975a: 248) concludes that incarceration should remain for the "incurably criminal" as a means of protecting society, but that the vast majority of offenders would be better placed in community-based treatment programmes. Perspectives such as this proved influential in

an international movement towards the expanded use and development of community-based alternatives to custody.

THE RISE OF COMMUNITY-BASED ALTERNATIVES TO CUSTODY

International Developments – Pre-WWII

Growing disenchantment with imprisonment was essential in the expansion of intermediate sanctions during the twentieth century. The underlying philosophy of community corrections, however, has a long history that dates back well before this. Most early examples of community-based correctional facilities were not part of official penal policy and therefore did not flourish (Fox 1977). It was not until the 1930s, with America at the forefront of development, that community involvement in crime prevention and correction increased. A number of initiatives were influential in recognising crime as a social problem and investigating whether criminals would be more efficiently dealt with in the community than in prison. The Chicago Area Projects and the Cambridge-Somerville Youth Study are two such examples.

Chicago Area Projects

The Chicago Area Projects were established in 1932 by a group of sociologists from the University of Chicago and the Institute for Juvenile Research. These investigators were interested in testing the hypothesis that community disorganisation caused high crime rates (Fox 1977). Focusing on locations where the Great Depression had left concentrations of underprivileged people in large urban areas, the researchers considered

how deviant behaviour and social and environmental conditions were causally related. They discovered that areas with high crime and arrest rates also had large numbers of welfare recipients, limited infrastructure, poor sanitation and considerable health problems. This led the Chicago academics to conclude that crime was one index of social breakdown, especially in slum areas of cities. The researchers surmised from their findings that it would, therefore, be futile to remove offenders from the community and to isolate them with similarly disadvantaged individuals. This would merely serve to perpetuate criminal behaviour by congregating criminals and allowing them few non-criminal contacts.

The Chicago Area Projects offered a number of opportunities to those living in poor neighbourhoods. Those responsible for heading the Projects attempted to mobilise individuals living in slum areas and provided counselling in order to encourage non-criminal behaviour through improving self-esteem and providing youth with skills and status. They also encouraged people residing in areas with high crime rates to develop organisations and strengthen groups which would potentially reduce crime, including the church, welfare agencies and civic groups. This was promoted because it was assumed that if community disorganisation caused crime then organising the community would reduce crime by offering incentives and rewards for conforming behaviour (Fox 1977).

The Chicago Area Projects were considered very successful despite the fact that no independent scientific evaluation of the programmes had been undertaken. It was believed that these Projects reduced delinquency in the communities into which they

were introduced and as a result, by 1959, twelve similar projects had been established in Chicago and other American cities. By the 1970s, however, criticisms began to emerge. It was suggested that there were many uncontrolled variables in assessing community-based programmes and that many delinquency prevention programmes, such as the Chicago Area Projects, lacked a rigid research methodology. One critique was that many programmes established themselves in an experimental neighbourhood without providing a control setting (Fox 1977). As a result, in spite of initial optimism, the Chicago Area Projects were eventually abandoned.

Cambridge-Somerville Youth Study

The Cambridge-Somerville Youth Study was another of the earliest studies undertaken concerning the treatment of delinquents within the community. It was based in Boston, America and began in 1935 under the leadership of Dr. Richard Cabot. The research studied a sample of delinquents in order to test the efficiency of treatment in the prevention of delinquency (Fox 1977). Six hundred and fifty boys, aged eleven years on average in 1939 and from working-class areas, were selected by teachers and social workers as being at high risk for potential future delinquency. The boys were subsequently separated into two matched cohorts. Between 1937 and 1945, the first group received a fairly intensive programme of treatment and counselling over a period of two to eight years, while the 'control' group received no treatment at all (Newbold 2002). The Second World War and other disruptions meant that the programme was not as consistently intensive as had originally been intended, but it was still arguably far more than the 'control' boys received from the educational and welfare services available to

them. Each boy involved in the treatment group, for instance, was allotted a counsellor, someone who could offer active advice, help and direct therapy for personal problems. Counsellors also helped bring the boys into contact with Scouts, Y.M.C.A., or other youth organisations and enabled more than half to receive special scholastic tutoring (West 1967).

The results of the Cambridge-Somerville Youth Study have been widely discussed. To many, including those involved with the study, it was apparent that intensive treatment was no more effective than the educational and welfare services in place within the community in preventing boys from becoming involved in delinquent behaviour (Fox 1977). This evaluation focused on the "interchangeability" of penal measures, both custodial and non-custodial, and was later used as an example by cynics of 'rehabilitation' (Newbold 2002).[6] William and Joan McCord, however, found more optimistic results in 1959 when they re-examined more than 500 boys who had participated in the study (McCord and McCord 1959). They conceded the treated group had just as many convictions as the untreated group, but also alleged that more in-depth investigation showed about a dozen boys who had received very intensive counselling that did better than the same number of matched controls. The general consensus, however, was that the intensive treatment had proven largely ineffective.

International Developments – Post-WWII

Modern developments in international community corrections did not begin to emerge

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[6] The impact of cynicism surrounding the notion of rehabilitation will be discussed in chapter six.

substantially until the 1950s and 1960s (Fox 1977). The post WWII economies of many countries were experiencing rapid growth and high employment after a period of sustained economic uncertainty. As a result of these flourishing conditions, more state money was available to be spent on the correctional system. There was also increased pressure for a review of the correctional system as disenchantment towards imprisonment continued to grow. This was especially relevant following the war as many countries experienced huge surges in crime rates, particularly amongst juveniles, but there was reluctance to incarcerate youth for what were generally petty crimes (Yska 1993).[7]

General perceptions surrounding crime and the treatment of criminals were changing. The perspectives of prison critics resulted in an increasing recognition of crime as a reflection of society and as such a problem that should be dealt with within the community. As Montilla (1977: 5) stated,

> Crime and corrections exist not as independent forces within the community but as
> manifestations of the community itself. Crime reflects the mores of the community, its missed
> opportunities, its social, racial, and economic problems, its willingness to tolerate deviant
> behavior, its ability to absorb deviants, and its ability to manage itself.

Consequently, it was frequently claimed that the primary focus of correctional policy must become decarceration (Byrne and Yanich 1982).[8] The introduction of community-based programmes was crucial to this movement towards decarceration and a shift away from custodial measures (Chan 1992).

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[7] Escalations in juvenile delinquency were the direct result of the increased affluence that developed in many Western countries following the war. This enabled youth a greater disposable income, which provided juveniles with a greater opportunity to display independence and/or resistance (Yska 1993).
[8] Decarceration, the opposite of incarceration, was defined by Scull (1984: 1) as "a state-sponsored policy of closing down asylums, prisons and reformatories" so that individuals convicted of criminal offences could be dealt with in the community.

As a result of these changing attitudes a multitude of community-based alternatives developed internationally during the 1950s, 1960s and 1970s. While it is not possible to consider all of these they included probation, day parole (otherwise known as work and study release schemes), attendance and training centres, diversionary programmes including community service, therapeutic communities, residential programmes and halfway houses[9] (see Carlson 1976, Fox 1977, Miller and Montilla 1977a, Dodge 1979, Tomasic and Dobinson 1979, Vass 1990). Three leading American examples of this trend are the Highfields programme, the Provo Experiment and the Community Treatment Programme (CTP).

The Highfields Programme

Established in 1950, the Highfields programme in New Jersey was a pioneering community-based alternative aimed specifically at youth. Targeting male juvenile delinquents aged 16 and 17 years this short-term, non-custodial facility focused on developing a resident culture and encouraging self-rehabilitation, responsibility, support and control amongst those involved (Weeks 1958). It employed a social-psychological approach using frequent, long and intensive group discussions to deal with the reasons behind a young person's delinquent behaviour (Burgess 1958b, Weeks 1958). Residents were also expected to work during the day at an adjacent mental institution. Throughout their stay at Highfields, the boys were given numerous opportunities to maintain their contacts with the community. These included frequent shopping and movie visits to local

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[9] Halfway houses including Synanon and the Delancey Street Foundation will be considered in depth in chapter three.

towns and allowances for home leave at regular intervals (McCorkle, Elias and Bixby 1958).

Evaluation was a critical component in the development of the Highfields experiment. According to Burgess (1958b: xviii) the programme was "notable as the first major effort to measure the effectiveness of a project for the rehabilitation of delinquents". Research undertaken on the programme indicated that it was successful, with residents released from Highfields being found to have a lower rate of recidivism than comparative control groups who had been confined in a regular reformatory (see Burgess 1958a, Weeks 1958, McCorkle, Elias and Bixby 1958). McCorkle, Elias and Bixby (1958: 113), for example, alleged that of those involved in the programme since its introduction, 83 percent (199 boys) had succeeded and 17 percent (41 boys) had failed to successfully adjust to life in the free community.[10] As a consequence of its perceived success, the Highfields project became a prototype for many other residential treatment centres and community projects, involving both juvenile and adult offenders. These included residential programmes in Essexfields in Newark, New Jersey, Southfields in Louisville, Kentucky and the Minnesota Training School in Red Wing.[11]

The Provo Experiment

Based in Utah, The Provo Experiment in Delinquency Rehabilitation was initiated in 1959. It was claimed to be "one of the first efforts to provide a community alternative to

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[10] Successful adjustment was measured based on whether a released resident was still living in open society on June 30, 1955 when McCorkle, Elias and Bixby's study began.
[11] Although an extensive search was undertaken, I was unable to find out what happened to the Highfields Programme after this point.

incarceration for persistent delinquent offenders" (Fox 1977: 23). The Provo Experiment was based on three basic assumptions. The first was that group techniques were necessary because delinquent behaviour was a community/group problem and needed to be treated as such. This approach disregarded the medical model which had previously treated a criminal as 'sick' and instead delinquents became both the contributors and recipients of group decision-making. Secondly, it was believed that the delinquent must be perceived as part of a "delinquent social system" (Fox 1977: 23). Thirdly, it was asserted that in order to resolve the conflicts imposed on them by both 'conventional' and delinquent social systems, delinquents must be involved with the community. Crucial to all of these assumptions was the use of the peer group as a resource for perpetuating the norms and imposing the sanctions of the 'conventional' community system.

The Provo programme revolved around two key phases. These were the focus on intensive group therapy and the maintenance of connections and employment opportunities within the community (Fox 1977). In order to ensure community ties remained those assigned to the programme lived at home and spent only part of the day at the treatment centre. The Provo Experiment was abandoned after only five years due to the expiration of funding from the Ford Foundation. While little evidence was accumulated throughout the duration of the Provo Experiment, a four year follow-up study showed that Provo boys, when compared with a control group of incarcerated individuals, had fewer arrests and when reconvicted, committed less serious offences both prior to, and following, release from the programme. When contrasted with the outcomes of individuals released from regular probation, however, the results of the

Provo Experiment were not so promising. The outcomes of these two community-based initiatives were found to be comparable with the rates of rearrest and reconviction for Provo boys being only slightly lower than those released from probation (Empey 1977).

The California Community Treatment Project

The California Youth Authority (CYA) established the Community Treatment Project (CTP) in Sacramento in 1961. Anticipating that the public might hinder movements towards community alternatives for adult offenders, the CYA believed they needed to develop a successful project in order to reduce public resistance (Jamieson 1991). The project they fostered was called the Pilot Intensive Counselling Organization (PICO). It drew upon an experimental group of juvenile delinquents from offenders administered by the California Department of Corrections. This group was released to parole supervision immediately, while a control group was sent to youth prisons for eight to nine months. During their involvement with PICO, participants were classified according to their "interpersonal maturity" and a controlled treatment programme of intensive counselling was developed and implemented in accordance with the needs of each individual (Fox 1977: 231).

The results of CTP and the PICO project have generated much discussion. One follow-up study contended that individuals released to the PICO project were less likely to be reconvicted than the control group (Palmer cited in Jamieson 1991). Other findings, however, suggested that while 90 percent of eligible CTP youths were at least as effectively dealt with in the community-based environment, less than 50 percent were

handled more effectively than in traditional, custodial-based programmes (Fox 1977). Despite contentions relating to the overall success of CTP, the project was influential in subsequent developments of community corrections in America. In 1965, for instance, advocates of community-based facilities used the PICO project to persuade the Californian legislature to embark upon a large Probation Subsidy Program (Irwin cited in Jamieson 1991).

The Highfields project, the Provo Experiment and CTP were important post-WWII community-based programmes in the treatment of juvenile offenders. While discussion surrounding the overall effectiveness of these programmes was contentious, these American initiatives attracted a lot of attention and had a profound influence upon the subsequent development of community corrections for youth and adults not only in the United States but throughout the Western world. A crucial aspect in all of these alternatives was the use of group therapy in non-custodial residential settings, a focus which will later be established as being essential in the initial philosophy of SSF. These programmes also continued to reflect the ideas of prison critics and penal reformists who had suggested that imprisonment could not be expected to help rehabilitate criminals. The continued reinforcement of these notions ensured that the search for non-custodial alternatives to incarceration persisted.

Community Corrections in New Zealand

Advancements in community corrections within New Zealand during the post-war era generally imitated broader international shifts, especially those occurring in America and

Great Britain. Influenced by global criticisms of imprisonment and the widespread implementation of non-custodial alternatives, community corrections in New Zealand began to expand and develop during the 1950s and 1960s. Initial efforts towards the implementation of community-based alternatives were primarily aimed at diverting young offenders from jail. This was in reaction to a huge surge in juvenile delinquency in New Zealand post-WWII, as had been experienced internationally (Yska 1993). Alternative methods were, hence, sought to deal with this unprecedented phenomenon.

The Criminal Justice Act 1954 recognised it was important for young and inexperienced offenders to be intercepted and dealt with within the community, whenever possible. This was based on the rationale that recidivism would be curtailed by keeping young people away from the influence of established criminals and by providing them with training and rehabilitative programmes (Newbold 1989). Imprisonment was, therefore, promoted only as a last resort and practical steps were taken to redirect young and first time offenders from further criminal behaviour (Webb 1982). These steps initially included the implementation of borstal training, detention centres and corrective training, which although still custodial sentences, were offered as alternatives to imprisonment and/or enabled the separation of young and first time offenders from experienced criminals. In conjunction with, and subsequent to, the emergence of these custodial measures other community-based sentences were implemented and/or more extensively developed. These alternatives included the expansion of probation, home leave, work parole hostels, work release and the introduction of periodic detention.

Probation

Probation was initially implemented in New Zealand, under the First Offenders Probation Act of 1886, as a cost-effective alternative to prison. Following the introduction of probation a number of amendments and changes were made to its provisions, the most significant of which occurred in The Criminal Justice Act 1954. This Act aimed to develop probation more extensively (Webb 1982). The primary reason for emphasising probation was to reinforce imprisonment as a last resort and promote community-based alternatives to purely custodial and punitive measures. According to the United Nations (UN), "The aim of probation is social rehabilitation *without punishment*" (Webb 1982: 173, emphasis in original). This focus reflected the ideas of prison critics and their concerns regarding the contradiction between the goals of imprisonment, punishment and rehabilitation, and the impact of prisonization on inmates. The Department of Justice (1954: 6) in New Zealand supported these claims, asserting that, "a developed and fully efficient Probation Service . . . offers the only continuing form of penal treatment that leaves the offender within the community under supervision".

The expansion of probation under the Criminal Justice Act 1954 was largely based around the principles developed in a United Nations Department of Social Affairs report, *Probation and Related Measures*, published in 1951. In New Zealand, a probation order was established as consisting of a term between one and three years (Webb 1982). It was available for individuals convicted of an offence punishable by imprisonment and the consent of the offender was not required. The probationer was required to report regularly to an approved probation officer, notifying him/her of any change of address, and

complying with the directions of the officer in regards to place of residence, employment, and personal associations. In the advent of a breach of any of the conditions of probation, the probationer was faced with a fresh summary offence and the possibility of up to three months imprisonment or a fine of up to $200.

Probation was claimed to be an important aspect of custodial after-care as well as a non-custodial option. The Criminal Justice Act 1954 made substantial provisions for post-release probation (Webb 1982). It was promoted as providing offenders with supervision, advice and assistance in order to prevent further offending. This was perceived as crucial because,

> The step from the restrictions of imprisonment to the freedom of community life is a difficult
>
> one . . . If it is accepted that a prisoner on his release is to be given the opportunity to take his
>
> place again in the community, then he is entitled to reasonable assistance to enable him to
>
> achieve this objective (Department of Justice 1954: 24).

Probationary supervision was initially available for at least one year in every case where an individual was liable for over a year in prison (Webb 1982).[12] This changed in 1967, however, when the Supreme Court was empowered to specify a different period of probation if the offender had been sentenced to over four years imprisonment. Post-release probation also enabled the courts to recall an offender back to prison as long as he/she was still under supervision and his/her sentence had not expired.

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[12] Statutory supervision provisions were not seen as appropriate for those serving a prison sentence of less than one year.

Home leave

Home leave was introduced as an option for inmates approaching the end of their sentence under the Penal Institutions Act 1954. It was based on British initiatives, which enabled prisoners serving sentences of over three years to visit their homes for five days within four months of their release (Webb 1982). In New Zealand the scheme began cautiously with only six inmates being given compassionate or temporary leave in 1956. By 1969, the schemes had begun to gain momentum, with adult inmates who were serving their first sentences being able to spend up to three days at home every four months. Home leave was further extended to apply to all prisoners in minimum-security prisons who had a suitable family member or sponsor in 1974, and in 1975 to inmates in medium-security institutions in special circumstances towards the end of their sentence. These schemes were also later expanded to include release based on recreation and education (Newbold 1989) as well as leave for community rehabilitation centre assessments (New Zealand Ministerial Committee of Inquiry 1989).

Home leave was advocated as a constructive and necessary step in penal practice. The rationale behind this scheme was that it could help with the transition from prison to life in the community (Webb 1982). This was viewed as essential because, as critics suggested, adjustment "From an ordered and controlled existence to a free life with all its temptations is a great test for any person" (Webb 1982: 121). Home leave was promoted as enabling inmates to re-establish networks, including family relationships and employment prospects, prior to their official release from prison. It was also perceived as

being able to boost a prisoner's self-confidence and self-respect by placing trust and confidence in him/her to spend time away from the confines of jail.

Work Parole

The concept of work parole was enacted under the Penal Institutions Amendment Act 1961 (Dodge 1979). This voluntary programme enabled prison inmates to be released during the day for work in private employment, returning to the penal institution in the evening (Webb 1982). Most of those released to work, as was the case with temporary release, were nearing the end of their sentences and considered a low risk to public safety. Although it was not always easy to find work, many inmates were able to benefit from the introduction of this scheme during the 1960s and 1970s. In 1977 and 1978, for example, 559 and 445 individuals respectively were approved and able to find employment (Webb 1982).

Individuals involved in work parole were expected to contribute part of their wages towards their prison accommodation and an additional portion to pay back any fines imposed by the courts (Dodge 1979). The remaining funds were available to be used to support dependents or to be placed in a personal savings account. The advantages of these work parole schemes were promoted as once again including the assistance provided in the transition from incarceration to life in the community and the enhancement of an individual's self-respect through the ability to support himself/herself and their family (Webb 1982). Another suggested benefit was the reduction of the burden on the taxpayer through the inmate's partial contribution to his/her accommodation.

Work parole hostels

Work parole hostels, established in New Zealand at the beginning of the 1960s, reinforced and continued the ideals of work parole and home leave. They aimed to provide support for long-term inmates and to assist them in the transition from confinement to the freedom of open society (Webb 1982). A small group of individuals were selected for these hostels, where they resided under minimum supervision and could go out and work daily in the community.

The first work parole hostel was opened on the first of September 1961 in Invercargill, after public opposition halted the construction of one planned for Auckland. Following the introduction of the first hostel a number of others were established throughout New Zealand. They emerged both as part of existing penal institutions and as separate facilities. This was problematic particularly in relation to the authorisation of home leave as compared with work parole hostels. The appointment of officers and clarification of conditions surrounding the transfer of inmates to work parole hostels and their return to a penal facility in certain circumstances, including breach of conditions, was instituted in the Penal Institutions Amendment Act 1978.

Periodic Detention

Periodic detention was introduced under the Criminal Justice Amendment Act in 1962 as a new experimental sentencing option for juvenile delinquents, aged 15 to 21. The sentence of periodic detention was instituted as a way of bridging the gap between complete custodial sentences and lesser alternatives such as fines and probation (Webb

1982). Its main aim was to give 'undisciplined' youth a taste of detention, without interfering in their normal lives (Department of Justice 1968). New Zealand's first periodic detention centre was established in Auckland in 1963, and then expanded to include Christchurch in 1964, and Lower Hutt and Invercargill in 1965.

The Secretary for Justice, Dr. John Robson, proclaimed periodic detention to be a "pioneer New Zealand treatment" and a "milestone in the development of a new attitude in the treatment of offenders" (Robson 1970: 9). In actuality, although not identical, it was partially based on British attendance centres and the work of the Boston Citizenship Training Group (see Webb 1982, Robson 1987). British attendance centres, for example, were implemented for young offenders who could be ordered to attend for certain periods typically during the weekend. The rationale behind these centres was "punishment through the deprivation of leisure" (McClean and Wood 1969: 204). They were seen as giving juvenile delinquents a taste of institutional life and therefore acting as a deterrent to further offending as well as providing educational and reformative aspects rather than simply a punitive focus (McClean and Wood 1969). Many of these objectives also existed within periodic detention in New Zealand.

Work was central to the sentence of periodic detention for juveniles (Robson 1987). Work centres were established and run under the control of a Warden and an Advisory Committee, consisting of a Stipendiary Magistrate, and representatives from the church social services, the police, the trade union movement, the Child Welfare Division and any other interested groups. Detention at one of these centres could occur during the

weekends, for any term up to a maximum of one year. The goal of work centres was "inculcating in the offender a sense of consideration for others through the performance of tasks for the benefit of the community, or, more especially, to those members of the community who can benefit with some help" (Webb 1982: 185). As well as attendance during the weekend, those involved were also expected to report to a supervisor at specific times, one or two evenings per week.

Periodic detention was extended to incorporate adult males in 1966 with the upper age limit being removed from the provisions of the sentence. At the end of 1974 female periodic detention was also introduced, being available for women offenders aged 16 years and over. The first centre for adult males was opened in Auckland early in 1967 and for females in Auckland in 1974. By the time periodic detention was implemented for women, the work element had ceased to be an essential feature of the sentence, with the focus being on "achievement goals and social maturity" (Webb 1982: 188). Also the centres established for adults did not provide overnight accommodation and, as time progressed, non-residential facilities became increasingly available for juveniles as well (Webb 1982). Consequently, the use of non-residential centres increased from the mid-1970s. In 1976, amending legislation allowed for the establishment of reporting centres in suburban areas, and then in 1980 'Saturday only' periodic detention was introduced (Webb 1982).[13]

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[13] The sentences of community service and community care (later renamed community programme) will be dealt with later within discussion on the history and development of SSF.

Residential periodic detention experienced a very different fate from its non-residential counterpart. Despite Robson proudly asserting in 1970 that of those who had been involved with periodic detention since its introduction, 67 percent had not been reconvicted by the end of 1969, five years later, the tone was not so positive (Robson 1970). The concern was that those who were being sentenced to periodic detention were not only those who would have otherwise received a custodial penalty, but also those who would previously have been fined or placed on probation. Residential facilities were also expensive compared with non-residential alternatives, especially when the number of residents attending the centres was on the decline (Webb 1982). As a result of these factors, in 1980 it was decided that over the following five years residential periodic detention centres would be progressively closed (AJHR[14] 1980, vol. 2, E-5: 20) and by the end of the decade only a small number were still being used (AJHR 1987-1990, vol. 6, E-5: 47).

Overall, the key themes of New Zealand correctional policy during the 1950s, 1960s and 1970s focused on the creation of goodwill within the community and a 'firm resolve' to deal with offenders without removing them from society, whenever possible (Department of Justice 1964). These themes reflected an international shift in penal policy following increased scrutiny of imprisonment, its negative outcomes and ineffectiveness, by many commentators and suggestions that community-based alternatives needed to be found. The perspectives of prison critics influenced the implementation and/or development of community-based alternatives in New Zealand, including probation and periodic detention, and for those who still received custodial sentences, pre and post-release

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[14] Appendix to the Journal of the House of Representatives (AJHR).

options were instigated to help inmates in their transition back into society. The goals largely initiated in the 1954 Criminal Justice Act continued throughout the 1960s and 1970s and in 1967, for example, the 1954 Act was amended further to limit the number of short custodial sentences that could be passed by the courts, once again strengthening the formal acceptance of community initiatives for non-serious offenders (Criminal Justice Amendment Act 1967 s.10).

Conclusion

The increased popularity of community-based alternatives to custody during the twentieth century emerged out of growing disenchantment with the prison system. Critics of imprisonment established that incarceration was largely ineffective at rehabilitating criminals. The artificial environment and coercive regime present within the prison clearly impeded, rather than promoted, its ability to reform. Incarceration existed, therefore, simply as a means of confining and punishing criminals, not rehabilitating them. The failure of imprisonment was obvious through its constant inability to reduce recidivism, the principle goal of the criminal justice system. Consistently a majority of those released from prison were returning within a short space of time. As a result, prison populations soared and conditions within custodial facilities deteriorated. Hence, by the mid-twentieth century, correctional administrators and penal reformers throughout the Western world had little option but to investigate alternative, non-custodial options.

Community-based sentences, in theory, were based around significantly different ideals than imprisonment. They focused on providing a certain level of voluntarism and a

minimum of coercion and isolation. Responsibility for dealing with offenders was also extended from those working within the criminal justice system to the wider community. This reinforced the belief that crime was a reflection of society and societal problems and as such an issue that would be best dealt with in the community. As a result of these changing perceptions, a variety of community-based programmes were introduced internationally. Despite high expectations, however, community-based alternatives to custody did not eliminate prior difficulties with reforming criminals. Once implemented many non-custodial facilities often proved as ineffective as imprisonment. Criminals were not necessarily rehabilitated and rates of recidivism frequently remained high.

Developments in penal policy and correctional practice occurred as part of an enduring learning process into how best to deal with offenders and how to most successfully intervene and prevent further criminal activity, a process which still continues today. The increased use of intermediate sanctions, while not resolving issues surrounding rehabilitation, significantly altered the environment of corrections. Community-based facilities widened the scope of responsibility for criminal activity from formal custodial structures to the wider community. As a result, both residential and non-residential programmes emerged, and were run, outside of official correctional administrations. As we will later observe, these changes were influential in the inception, and introduction, of the Salisbury Street Foundation in Christchurch 1979.

CHAPTER THREE

The Halfway House

Introduction

The inception of the Salisbury Street Foundation (SSF) was directly related to the general development of the halfway house. Although halfway houses have assisted criminal offenders in the community for over 200 years, it has been since the 1950s that they have experienced their most significant period of growth. Of particular interest is the development of one specific halfway house, the Delancey Street Foundation (DSF). This self-help residential facility was instituted in San Francisco, California in 1971 and when SSF emerged eight years later, it was modelled on this programme. Therefore, in order to understand SSF and the influences responsible for its introduction, it is important to consider the background and functions of halfway houses and, in particular, the development of DSF.

THE HALFWAY HOUSE

Historical Origins

Community-based facilities known as halfway houses have existed for over 200 years. Throughout this time they have incorporated a wide range of programmes, both residential and non-residential, and have been available to not only criminal offenders, but also to youth-at-risk, the homeless and the mentally ill. The precise origins of the halfway house are not entirely known. One of the pioneer efforts was undertaken by the

Philanthropic Society of London in 1788, when, appalled by the number of children begging and stealing to live, purchased three small cottages to house young people and juvenile delinquents picked up off the streets (Keller and Alper 1970). These children were then taught skills including gardening, tailoring and shoemaking by the craftsmen and their wives who lived in the cottages.

The halfway house concept for adult offenders originated in England, Ireland and America in the early 1800s. In America, the first halfway house was established in Massachusetts in 1817 and others soon followed in New York and Pennsylvania during the 1820s (Latessa and Allen 1997). Perceptions influencing such developments were reinforced by the Massachusetts Commission in the early 1820s. This Commission promote e use of halfway houses as a way for individuals to overcome the difficulties they faced following their release from prison, including stigmatization and trouble finding employment (Keller and Alper 1970). The halfway house, in this circumstance, literally stood for 'halfway' between the prison and the community.

Despite these early developments, the existence of halfway houses was sporadic until the late nineteenth century. Strong community opposition to the existence of halfway houses prevailed within both the public and private spheres. The American Prison Association, for example, claimed that halfway houses would "perpetuate prison stigma and create a permanent class of undesirable citizens" (Keller and Alper 1970: 7). This hostile climate meant that only a few institutions, primarily stemming from private and/or religious sources, managed to survive through the nineteenth century (Champion 1996). Some

American examples include a halfway house opened by a group of Quakers in New York City in 1845 and a 'House of Industry' established in Philadelphia in 1889.[15] The first halfway house for women emerged in Boston in 1864, over 40 years after the recommendations of the Massachusetts Commission, and operated there for over 20 years.

In the late nineteenth century, the spread of a group of halfway houses known as the Hope Halls was important to the establishment of the halfway house as a community alternative (Keller and Alper 1970). The development of the Hope Halls began in 1896 when Maud Booth and her husband rented a large house in Manhattan. As a result of community opposition, however, they were forced to move to Long Island two years later. In 1903, they opened a second Hope Hall in Chicago and then subsequent facilities in San Francisco, CA; New Orleans, LA; Hampton, FLA; Waco, TX and Columbus, OH. While some of the early Hope Halls only lasted for short periods, others continued for many years, providing temporary shelter in amiable surroundings and enhancing perceptions of the halfway house. Ironically it was parole, itself a liberal development, which was primarily responsible for the discontinuance of many of these halfway houses when parole emerged in the early twentieth century.

Recent Developments

It was in the 1950s that the 'halfway house' experienced its most significant period of growth (Miller and Montilla 1977b). As discussed in the last chapter, increased criticism

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[15] This halfway house was still receiving parolees from Pennsylvania prisons over 80 years later in 1970 (Keller and Alper 1970).

surrounding the prison and its ensuing high rates of recidivism, and a growing awareness of the problems faced by released prisoners enhanced the profile and popularity of community-based facilities such as the halfway house. Alternatives to imprisonment were promoted as efficacious and as a result, the scope of the halfway house was widened. During the 1960s in the U.S, Attorney General Robert F. Kennedy recommended government funding for halfway house facilities and in 1965 the Prisoner Rehabilitation Act was passed, authorising the establishment of community-based institutions, including halfway houses, for both adult and juvenile offenders (Champion 1996).

Internationally, one of the most significant events in the promotion of state-operated halfway houses was the creation of the International Halfway House Association (IHHA) in Chicago in 1964 (Champion 1996). As a result, the number of p blicly operated halfway houses increased dramatically. For example, in the United States and Canada, the number of functioning halfway houses rose from 40 to 1,800 between 1966 and 1982 (Champion 1996: 363). These figures are possibly lower than the actual number of halfway houses in existence, because the statistics relied upon affiliation with the IHHA. Other researchers have suggested that as many as 2,300 halfway house programmes existed in 1981 (Champion 1996).

The nature of many halfway houses underwent a significant change by the late 1970s. They became increasingly developed as alternatives to incarceration, catering for probationers in need of limited residential confinement. Their role, hence, emerged as a "halfway-in" type of facility rather than the "halfway-out" of custody approach which

had dominated previously (Champion 1996). According to Latessa and Allen (1997), the notion of the 'halfway house' has also largely been rendered obsolete since the 1990s and replaced by other terms including 'community-based residential facilities' and 'residential treatment centres'. Despite the change of name, however, the basic correctional and theoretical philosophy of the 'halfway house' has remained largely unaltered.

Definition

Establishing a comprehensive definition of a 'halfway house' is difficult. The third annual meeting of the International Halfway House Association in 1967, for instance, could not agree on either an official name or on what the key aspects of the facilities should be (Keller and Alper 1970). These definitional difficulties are due to the immense diversity that has existed amongst institutions that refer to themselves as halfway houses and the like (Champion 1996, Keller and Alper 1970). Considerable variety and even disparity can be found in regards to location, staffing patterns, treatment goals, array of services, resident numbers and profiles, and cost-effectiveness.

Despite significant variations, there are some basic elements that are common to the notion of the halfway house. These include their existence within the community and the absence of the restrictions of prison. Halfway houses also tend to be relatively small, either privately owned or part of the criminal justice system, and to incorporate programmes that include a work and/or study release scheme and some degree of group therapy and/or individual counselling (Fox 1977, Champion 1994). Individuals who

participate in a halfway house programme either volunteer to attend or are sentenced as the result of a court order or a parole condition following release from prison.

The Functions of Halfway Houses

The general role of, and rationale behind, the 'halfway house' is similar to that of most other community-based programmes. On the whole, they aim to bridge the gap between open society and the traditional institution, reduce the ill-effects of imprisonment, and emphasise the responsibility of the community for the phenomenon of crime (see Dodge 1975b, Miller 1977, Keller and Alper 1970). More specific functions of halfway houses tend to vary according to the individual goals of institutions. Champion (1996), however, summarises the fundamental functions of all halfway houses into seven categories. These are (1) parole rehabilitation and reintegrati n into the community; (2) provision of shelter and food; (3) vocational training, employment advice and job placement; (4) client-specific treatments; (5) reducing prison overcrowding; (6) supplementing the supervisory roles of probation and parole agencies; and (7) monitoring probationers, work and study releasees, and other individuals, with special programme requirements. While it is not possible to consider each of these aspects in detail, the overall role of these functions can be outlined in relation to both "halfway-out" and "halfway-in" types of facilities.

The traditional "halfway-out" house was designed to provide assistance and support to an offender following their release from prison and during their readjustment back into the community (Miller 1977). Reflecting perspectives of numerous prison cynics (see chapter two), Keller and Alper (1970) suggested that this period was critical. They asserted,

The first few months represent the most difficult time in the life of the released offender. Yet he is sent out into the world with many unreal expectations as to the possibility of subsequent adjustment, given the problems he brought with him to the institution, and the sizable residuum still unresolved when he leaves. Adjustment to any social situation requires a natural endowment, a set of skills and above all an attitude. For the returning inmate, this adjustment is rendered all the more difficult when it is realized that in preparation for his return to society, he has, in the process, been shut up away from it (Keller and Alper 1970: 172).

Historically, many "halfway-out" institutions simply offered food, clothing and a temporary place to stay for those recently released from prison (Champion 1996). More modern facilities have, however, increasingly incorporated a more comprehensive programme including counselling, vocational skills training and employment advice (Champion 1994).

"Halfway-in" houses are a more contemporary development than their "halfway-out" counterparts. These facilities provide a residence for those in need of some restricted confinement without completely removing them from the community (Champion 1996). The lives of probationers ordered to a "halfway-in" house are structured in various ways through programme requirements. These include curfews, random and compulsory drug/alcohol testing, restricted interaction with family and friends in the community, and high levels of supervision. Travis (cited in Champion 1996) suggested that these restrictions were designed to make life uncomfortable for residents. This is because "halfway-in" facilities exist as a form of punishment and therefore need to maintain punitive elements, whereas "halfway-out" houses aim to provide "homelike and

supportive environments" focussed on readjustment into society through the principles of

rehabilitation and reintegration (Champion 1996).[16]

Effectiveness

The overall effectiveness of the 'halfway house' is difficult to evaluate. There is a dearth

of published material investigating the relative successes and failures of this community-

based alternative (Champion 1994). Reasons for the lack of research are complex and

vary between publicly and privately owned institutions. Miller and Montilla (1977c)

argue that performance evaluation of public community corrections, as with the wider

criminal justice system, has historically been given a low priority. They describe how

privately administered programmes may not have the financial resources over and above

basic operating costs to undertake research and also that private facilities are not

obligated to 'prove themselves' to the government or the general public so choose not to

evaluate their programmes.[17]

Results from studies that have been completed into halfway house programmes are mixed

(see Bennett 1995, Fox 1977, Miller and Montilla 1977c, Keller and Alper 1970). This is

partially reflective of the immense variety that prevails amongst halfway houses. They

are based upon, and run according to, different philosophies and ideologies, utilise

different strategies, and target different groups, hence making it difficult to assess these

programmes as a whole. Inconsistencies also exist in approaches to, and methods of,

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[16] The principles of rehabilitation and reintegration are to be discussed in greater depth in chapter six.
[17] A greater consideration of the issues surrounding the evaluation of community-based programmes (particularly in relation to SSF) will be dealt with in chapters six and seven.

evaluation. Research often focuses on different components of a programme and rates them according to varying measures of success. By being aware of these problems, however, it is possible to reflect on the debate surrounding halfway houses with regards to their positive and negative aspects.

Two basic factors have been argued to be crucial to the evaluation of community-based programmes such as halfway houses. The first is a consideration of the processes involved in the programme, the "mechanics of the operation", and the degree to which policies and procedures are being carried out (Miller and Montilla 1977c). An assessment of these factors, however, can only be established in relation to specific programmes and not within a general discussion on halfway houses. The second aspect relates to overall outcomes including cost-effectiveness, recidivist rates both during and following the completion of a programme, and community responses to halfway house facilities. These factors are more conducive to a broad analysis of halfway houses than precise operational issues. Therefore, the areas of effectiveness to be considered are: cost effectiveness, recidivism and the reintegration of offenders back into the community, and community responsibility and support.

According to Champion (1996) cost-effectiveness of halfway houses is largely undisputed. They tend to be comparably less expensive than prisons, operating at a "fraction of the cost required to incarcerate [offenders]" (Champion 1996: 372). This is especially true in regards to public funds because halfway houses are often private, or only partially funded by governmental sources (Latessa and Allen 1997). Critics,

however, allege that many halfway houses have been initiated as 'window dressing' and are therefore inexpensive because they lack direction and resources (Fox 1977). They also argue that a lack of funding impacts on the competency of personnel, causing many programmes to stagnate or exist only temporarily due to incompetent and/or poorly trained staff. Halfway houses are also more expensive than two of their alternatives, namely straight parole or outright release from prison (Champion 1996).

The role of halfway houses in the reintegration of offenders into the community cannot easily be assessed. The measure made use of most frequently is recidivism. This is problematic, however, because as noted, methods of gauging recidivist rates vary greatly among studies (Champion 1996). For instance, does recidivism simply mean re-arrest or does it mean reconviction? And what if an offender is released without any charges being filed? Moreover, assessing what level of recidivism should be considered comparatively better than other alternatives or no intervention at all, is complex. This is because establishing control groups that are similar in nature to those being evaluated is difficult, and if variations exist, results may be influenced especially in regards to factors acknowledged as increasing the likelihood of reoffending. The complex nature of measuring levels of recidivism (to be discussed in chapter six) makes it difficult to know conclusively the impact of halfway houses on reducing involvement in criminal behaviour. These difficulties become obvious once studies assessing recidivism are compared. While one study states that research indicates that halfway house residents perform better than offenders who receive other sanctions (Carlson and Seiter cited in

Champion 1996); another asserts "one look at the extremely high recidivism rates . . . is indicative of the failure of current attempts" (Miller and Montilla 1977c: 266).

Halfway houses are frequently assessed through the general perceptions and opinions of those involved in and around the programmes. Overall, community support for halfway houses has been sporadic and often limited (see Fox 1977, Champion 1996). Many members of the general public fear halfway houses pose a threat to public safety and that crime rates are higher in neighbourhoods housing such programmes, despite a lack of evidence to reinforce such beliefs (Champion 1996). Even citizens who favour community-based sentences tend to want them situated "on the other side of town" (Fox 1977: 263). This has made it difficult for many programmes trying to achieve stated objectives that include the maintenance of community ties and accessibility of community resources. Promoters of halfway houses have claimed that objections can be reduced through effective public relations and education (Champion 1996). They also suggest that simply by having these types of facilities in the community it places subtle pressure on the public to take responsibility for the restoration of an offender to "useful citizenship" (Fox 1977: 285).

Synanon

A pertinent example of a halfway house, which also has direct relevance to upcoming discussion on DSF, is Synanon. Synanon was one of the pioneer therapeutic communities established in the late 1950s to deal with drug offenders outside of prison. An ex-alcoholic, Charles E. Dederich, set up this residential drug treatment programme in Santa Monica, California, in 1958. Its primary aim was to help clients stay off drugs through

the principles of self-help and self-reliance (Shaffer 1995). Prisons and traditional mental health services had largely failed many of these individuals who had extensive histories of crime, imprisonment, and drug and alcohol addiction and so they voluntarily attended the Synanon in order to assist each other with their drug withdrawal and rehabilitation. Synanon was well known for its unconventional methods including a controversial counseling style, called attack therapy or 'The Game'. Graduation from the programme consisted of residents progressing through a series of stages until they were allowed full community responsibilities (Jamieson 1991).

Many criticised Synanon's unorthodox approach. A number of citizens and government officials living in the communities where Synanon had housing were fearful of the criminals and addicts living nearby, and through public protests attempted to remove the programmes from their neighbourhoods (Shaffer 1995). They were especially concerned by the notion of former addicts treating recently-arrived addicts, which varied significantly from the traditional medical approach of 'experts' and 'patients'.

Synanon's popularity suffered a significant decline from the late 1970s. The leaders of the programme, exercising strict control over its followers, slipped into cult-like behaviour and became involved in highly publicised violent actions. In 1978, for example, a rattlesnake was placed in the mailbox of a Los Angeles-area attorney who had sued Synanon. The attorney was bitten but not killed in the incident. Consequently, Dederich was arrested and charged for his involvement but missed a jail sentence by pleading no-contest to charges that he had conspired to murder the lawyer and by

relinquishing control of the group. This incident was followed in 1979 by a small weekly newspaper in Northern California, the Point Reyes Light, winning a Pulitzer Prize for its investigative series on Synanon, making the group's name synonymous with paranoid cults. As a result Synanon lost its tax exemption and was finally disbanded in 1991 (Jackson 2002).

Despite criticisms and its ultimate decline, Synanon also gained a large amount of support from the general public, especially in its early years. Well-known individuals including Hollywood actors and other celebrities promoted the programme. Over 25,000 people were members of the programme at various times including thousands of non-addict clients attracted to Synanon by its unconventional methods and becoming involved with various aspects of the programme (Shaffer 1995). As a result of this support Synanon was extended to other locations both in the United States and overseas. It became a model for other community-based facilities and halfway houses such as Odyssey House, Daytop Village and the Delancey Street Foundation. The example of greatest relevance to future discussion is DSF.

DELANCEY STREET FOUNDATION

Introduction

The Delancey Street Foundation was established in 1971 in San Francisco, California. It was founded by John Maher, an ex-heroin addict, and his girlfriend (who later became his wife) Mimi Silbert, a psychologist and criminologist at the University of California,

Berkley. DSF emerged, and still exists, as a residential rehabilitation programme dedicated to the principles of self-help and self-reliance. Its primary focus has been on helping ex-offenders and drug addicts by encouraging them to confront their problems and take personal responsibility for initiating change in their own lives (Hampden-Turner 1976).

History

Before founding DSF, John Maher, was a former resident of the pioneer therapeutic community, Synanon. After leaving Synanon early in 1971, Maher was followed by a number of individuals who had also left and were looking for further assistance. Maher believed residents were leaving Synanon because the programme had largely failed them (Jamieson 1991). This was due to its perspective that addicts needed to be protected from the community, thus creating a culture of dependency on the organisation.[18] Alternately, Maher wanted to establish a programme that made ex-addicts and ex-offenders accountable for their actions and responsible for reintegrating themselves back into the community. Maher approached Mimi Silbert at the University of California to help him develop a suitable programme for ex-Synanon clients. As a result, Maher and Silbert co-founded and presided over DSF.

The programme was named the Delancey Street Foundation after a district in New York City. At the beginning of the twentieth century, Delancey Street, situated on Manhattan's Lower East Side, was where immigrants had first settled in search of a better life (Karol

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[18] Maher was, however, impressed with its administrative practices and therapeutic techniques, utilising some of these later within DSF.

1990). Here, "in a spirit of cooperation", immigrants from all countries and backgrounds are remembered as having lived and worked together in order to strive towards one goal, achieving "success" for themselves and their children (Karol 1990: 1). The reasons for choosing the name, "Delancey Street Foundation", were twofold. First, it was a reflection of Silbert's own family roots. As Silbert (1997: 1) claims,

> I grew up in an immigrant family in a ghetto. My family moved out of the ghetto and into the American dream. I went through school and graduate school . . . [I obtained] three masters degrees and two doctorate degrees. I left behind close friends who ended up in prison or dead, many of whom had more talent or brains that I did. It became my life's dream to get in and help the people I had left behind.

Second, Maher and Silbert saw their residents as 'immigrants', coming to Delancey Street in order to begin new lives. According to Silbert (cited in Jamieson 1991: 305), "They are a group of people who don't know how to make their way in American society. Like immigrants, they have to band together, to get strength from supporting each other". Hence, the goals from the community of immigrants in old New York were fundamental to the rationale behind DSF.

Initially, DSF was run out of Maher's San Francisco home and composed of "four residents and a $1,000 loan, from a loan shark" (Silbert cited in Karol 1990: 2). As Maher's house grew more crowded, however, he and 40 to 50 ex-addicts moved into three mansions (which had previously been the Russian and Egyptian consulates) atop Pacific Heights, "the most posh section of San Francisco" (Silbert 1997: 2). Maher's rationale for establishing in this area was that, "All social problems should move to where rich people live – that way the problems can receive attention from the sector which has

most control over the system that produced them" (Maher cited in Hampden-Turner 1976: 62).

Philosophy

Maher and Silbert utilised many ideologies within the early administration of DSF. Initially, it developed as adaptation of the Kibbutz, basing itself on the principles of self-reliance and self-sufficiency present in the communal settlement in Israel (Wilentz 1996). The rationale behind focussing on the principle of self-help was that Maher and Silbert believed that for change to occur, those with problems needed be responsible for altering their own lives. This was viewed as essential if the cycle of addiction, offending and imprisonment was to be broken. In the words of Maher,

> . . . *most convicts are scum.* Of course social conditions *made* them that way. They've been fucked over, and they fuck each other. Point is, that's never going to change, *until we take responsibility for our condition.* To see that we're such is to realize that we don't have to be! Recognition clears the way for change (Maher cited in Hampden-Turner 1976: 134, emphasis in original).

Maher alleged that prisons and traditional therapy had largely failed in this regard and that DSF would be able to offer what they had not. Therefore, the Foundation's overall goal was "for the addict to achieve independence not only from his habit but also from the institution that rehabilitates him" (Silbert 1989: 2). Other aspects deemed important included a work ethic and focus on the importance of business activity, a need for strong leadership, and a reliance on the local community (Jamieson 1991).

The Early Programme

The programme that originally developed at DSF was based around a unique combination of group therapy, residential rehabilitation, education, and community work. Residents were expected to commit to the programme for at least two years, during which time the programme was designed to alter the individual's customary 'anti-social' patterns of interaction with the community through methods of goal attainment and action. The purpose of the programme was not only to separate individuals from their destructive lifestyles but also to assist them into more challenging life directions (Delancey Street Foundation 1987). The basic guiding principles of DSF were, and still are, accountability, responsibility and residents taking pride in what they do (Silbert 1997).

Combative Therapy: 'The Game'

Throughout DSF's history, the focus of the programme content has changed and developed. During the 1970s DSF was renown for its Synanon-style combative group theory technique, which was also known as 'The Game'. 'The Game' was played three times a week and involved residents verbally taunting each other and making usually grossly exaggerated allegations in order to release their frustrations and hostilities (Hampden-Turner 1976). As well as Games, Dissipations or marathon Games were held. These marathon Games usually lasted at least 45 hours and residents were required to have been playing Games for a year before they were allowed to watch or participate in a Dissipation because it was a lot more serious and intense than 'The Game'.

The theoretical rationale behind Games was that they were necessary and important in the prevention of more destructive behaviour and as a way of getting residents to consider their faults (Hampden-Turner 1976). By learning to withstand provocative behaviour, Maher claimed, residents could learn to deal with problems in their lives and to accept responsibility (Fox 1977). Maher recognised, however, that Games were not useful in isolation but rather as a key ingredient of the overall programme of DSF. He stated, "Games make little sense when looked at in isolation from their context . . . I doubt people are healed or grow in Games so much as they grow between the Games and the contrasting worlds of work, politics and in-house socializing" (Maher cited in Hampden-Turner 1976: 27).

'The Game' generated a lot of public opposition in relation to the dilemma it posed to the issue of violence versus non-violence. DSF was dedicated to a programme of non-violence and yet in many regards 'The Game' elicited violence and the substitution of physical violence for verbal violence (Jamieson 1991). Maher's retort to this was,

> We got some squares who think the Game is 'cruel' and 'hard' on people, 'cause we yell at each other and discourage sniveling. But there ain't nothing cruel about Games for someone who's lived in East Oakland, or for someone who's been in jail, where half the people are looking to cut you and the other half to fuck you (Maher cited in Hampden-Turner 1976: 19).

Despite Maher's explanations, the paradox surrounding combative-group therapy was the main reason for a change in emphasis that occurred during the 1980s and 1990s.

Funding

DSF was established as a private organisation. According to Silbert (1997: 1), the decision was made that "We'd start something with no staff or funding, and we'd rely on the people who were the problems to become the staff and to make each other's lives work". Hence, throughout its history, DSF has displayed a unique ability to feed off itself. DSF has never received any state or federal government grants and has instead financed itself through numerous business enterprises. The rationale behind remaining self-sufficient has been to avoid the restrictions and focus on 'one-issue solutions' that accompany funding (Silbert 1997). As Silbert explains, "One of the joys of being an unfunded program is that you don't have to gather phony statistics to send to people who are funding you, provided you have 98.2 percent success every year" (Silbert 1997: 2). By alleviating these pressures the programme has been subsequently able to accept whomever they deemed worthy. As Silbert (1997: 2) asserts,

> We didn't take the cream of the crop. Instead, we took the bottom 2 percent of the population. Today, as when we started, Delancey Street's population represents every social problem in America. Our average resident is violent, has been in a gang, has been in and out of prison a number of times, has felony convictions, is illiterate, unskilled, has never worked even at an unskilled job for as long as six months, and has no work habits.

Graduation Process

DSF has always been based upon a very clear hierarchical structure. In many regards, its operation has been almost military in nature. When a resident first arrives he/she is called an 'immigrant' and stripped of his/her former status and identity. Maher described this as symbolising a new beginning (Hampden-Turner 1976). Each new arrival has their hair

cut short and personal items including jewelry and make-up removed. Since its introduction, residents of DSF have been allowed only very limited interaction and communication with others for the first twelve months. They have been supervised 24-hours a day and expected to perform janitorial duties including cleaning and gardening for at least three months or until they are seen to have "develop[ed] self-respect and a sense of responsibility toward the House" (Jamieson 1991: 307).

Over time, individuals move up the DSF hierarchy. Gradually they are able to develop relationships, firstly on the 'inside' and then on the 'outside'. Many gain employment in one of the Foundation's businesses while others become staff members, assisting newcomers and helping in the administration of the organisation (Jamieson 1991). The progression of clients up this hierarchy has always been essential to the functioning of DSF, as the Foundation relies heavily on its residents to organise and run the programme.

Discipline

Since its inception, DSF has revolved around three cardinal rules: no drugs or alcohol, no violence, and no threats of violence. Violation of any of these rules has resulted in instant expulsion, no exceptions. The President of DSF has always been ultimately responsible for all resident dismissals. According to Silbert (cited in Jamieson 1991: 311), the reinforcement of such strict rules has been essential because, "I know I can never allow a violent atmosphere to develop, and that begins with threats. I can't bend". Despite the necessity of these stringent rules, however, Silbert continues to find it difficult asking an

individual to leave, knowing the likelihood may be that they will return to criminal behaviour, addiction, prison and even death (Jamieson 1991).

Along with the three cardinal rules, numerous other in-house rules have also existed. As Silbert (cited in Wilentz 1996: 22) describes, "Really, we have millions of rules but only three are inviolable". Throughout its history, much of the disciplining that has occurred in regards to these less rigid rules has come from the residents themselves. The rationale behind resident-led discipline is explained by Frank Schweikert, a former armed robber and heroin addict, who is now an assistant to Silbert. He suggests that, "Delancey Street makes a commitment to put up with you. But everybody is watching everybody else. Unlike, prison, here you're accountable" (cited in Wilentz 1996: 22). Hence, violators of rules have their heads shaven and are relegated back to the beginning of the graduation process. An example is made of them in order to reinforce the necessity of conforming and committing to the Foundation's principles.

Maher's Decline

In the early 1980s, John Maher began to drink again. His behaviour became "erratic and destructive", and he made inebriated speeches to DSF residents and suggesting that he wanted to destroy the Foundation (Wilentz 1996: 20). As a result, Maher was forced to resign from DSF in 1984. Greg Silbert, Maher and Silbert's son, describes what happened to his father,

> He was extremely intense, and there's a way in which people who function with that level of
> intensity are amazing and captivating, but sometimes frightening. As we got older, you could see
> a frightening side of him become more dominant . . . He hated injustice. Eventually, he began to

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see it everywhere, and took it rather personally . . . He saw enemies everywhere . . . He saw the

world against him . . . He couldn't manage Delancey Street anymore (Wilentz 1996: 20).

Following his resignation, Maher returned to the street and lived the rest of his life as an

addict before dying of a heart attack in 1988 (*People Weekly* 1998).

Delancey Street in Recent Times

Following Maher's resignation in 1984, Silbert took over as President and Chief

Executive Officer of Delancey Street and remains in these roles today. She is a nationally

recognised expert in the field of criminal justice and is well known as the 'driving force'

behind DSF. Silbert continues to put an immense amount of time and energy into DSF.

She is unreservedly dedicated to the programme. Her personal life is there and she has

little contact with anyone outside of the Foundation. She dominates every encounter and

aspect of the programme, including businesses, therapy and education. The almost

'divine' presence of Silbert within DSF is reminiscent of cult leadership. As one author

describes, "Walking with Silbert around Delancey Street premises, you feel as if you're

accompanying a kind of savior. Grown men . . . [and] women . . . run over to say, "Hi,

Mimi," in excited, timid teenage voices filled with a mixture of worship and fear"

(Wilentz 1996: 11).

Throughout the 1980s, 1990s and into the 21st century, the reputation of DSF has

continued to expand and the demand for the programme has escalated. As a result, the

range of facilities and services has been extended to cater for the increased demand. Now

the Foundation provides for more than 700 residents in institutions in upstate New York,

Santa Monica, California, North Carolina, and New Mexico, in addition to San Francisco

(Karol 1990). The centralised residence in San Francisco Bay has also been further developed. Known as the Embarcadero Triangle, it is now a four storey, 350,000 square foot complex worth 14 million dollars. It contains 177 apartments which are built above a ground floor of restaurants and small shops including shoe repairs, a delicatessen and a vegetable market. The facility also includes a recreation area, a computer learning centre and several classrooms. Despite all of these extensions, however, DSF is still continually forced to turn away a large percentage of potential applicants (Jamieson 1991).

DSF continues to accommodate a very diverse range of individuals, most of whom have a long history of drug addiction and/or incarceration. In fact, the average resident at DSF has a ten-year history of drug abuse and has experienced four or more terms of imprisonment (Wilentz 1996). Of those referred to the programme, approximately half arrive following the completion of a prison term. The remainder of DSF residents come either directly from the courts (20 percent) or off the streets in order to avoid problems such as drug addiction, prostitution, and/or homelessness (30 percent) (Newbold: personal communication). A two-year commitment is still expected of all DSF residents, although during the 1990s the average length of stay increased to four years (Silbert 1997) with most residents staying on for longer than ever previously before "testing the real world waters" (Wilentz 1996: 9).

Organisation and Management

Today, DSF remains completely self-sufficient. The Foundation continues to be very much been based on a system of one member teaching another. The older clients are

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expected to assist the newcomers and courses within the programme are taught by residents. Every resident works and the only individual to get paid is the President. A Board of Directors, associate directors, volunteers, and invited experts are also responsible for the management of DSF, although always on a voluntary basis.

DSF also continues to develop many businesses as a very successful means of supporting itself. The first business established, a moving company which emerged as the result of the programme donating their services to their local community in Pacific Heights in order to alleviate fears that crime would go up and property values down, on its own earned two million dollars in 1997 (Silbert 1997: 2). Other businesses that have emerged include a gourmet restaurant, print shops and a division of market items emblazoned with college logos. All of these ventures have proven extremely profitable. For example in 1997, business ventures grossed Delancey Street 15 million dollars (*People Weekly* 1998).

A key reason why DSF continues to avoid any external funding is that it does not want to be identified as a drug programme. This is because, while residents are very often drug addicts, no drug counselling is offered as part of the agenda. As Silbert (cited in Wilentz 1996: 10) explains, "We are not therapeutic, we do not provide services to our people. We have no program model and no medical model". Instead, DSF focuses on developing its numerous business enterprises and fostering a work ethic amongst its residents. In the words of Silbert (cited in Wilentz 1996: 10), "We work and we expand. We are entrepreneurs . . . We are immigrants into the American mainstream".

Programme Content

During the 1980s and 1990s, the aspects of programme content that were emphasised changed. 'The Game' was rejected due to its combative and often cruel nature and hence therapeutically, the focus shifted to interpersonal communication rather than confrontation through the involvement of residents in group sessions and daily seminars (Silbert 1997). Alternative aspects of the programme, including education, vocational training and community service, were also increasingly prioritised and further developed.

Currently at DSF, there is an emphasis on education. All residents must now receive a high school equivalent education before they are able to graduate from the programme (Silbert 1997). A range of in-house classes, taken by ex-residents and covering a wide range of topics including medicine, arts and technical training, are offered providing individuals with the ability to improve their knowledge. Also a compulsory cultural education programme has been developed in order to expose individuals to the middle-class world of museums and theatres.

DSF provides vocational training schools in order to give residents the opportunity to gain work experience. Each resident is trained in three skills: one manual, one clerical and one in public service (*People Weekly* 1998). Residents are given the opportunity to run a number of businesses, from car repairs to restaurants, although, as mentioned, they earn no wages and instead all earnings are pumped back into the organisation. The aims of vocational training include enabling individuals to repay their debt to society and

providing them with a means to earn a legitimate income in the community when they leave the programme (Jamieson 1991).

An intensive programme of community service has always been an important part of the programme at DSF. It continues to occur in a number of areas including youth drug prevention, family counselling and crime prevention. The rationale behind the programme's involvement in community work is that it helps Delancey Street to establish and sustain validity and credibility in the community (Silbert 1997). This was especially important during the early stages of the programme as there was a large amount of public opposition. Another purpose is, once again, the repayment of debt to society.

Effectiveness

When assessing DSF, it is important to recognise the origins of the information promoting the programme's success. No independent, systematic study has ever been completed on recidivism at DSF. In fact, Silbert asserts that the main reason for being self-sufficient and maintaining independence is to avoid having to be accountable in this way to alternative funding sources (Silbert 1997). The information received about DSF, therefore, generally comes directly from those in charge of running it. Hence, it is rarely mentioned that although the rate of recidivism among DSF graduates is extremely low, a high percentage of those admitted leave in the first three months and overall approximately 20 percent leave after this, and before they have finished their initial two-year "commitment" (Wilentz 1996).

High rates of defection, especially in the initial stages of involvement, are directly related to the rigid structure of the programme. The clearly established authoritarian structure of DSF has seen the programme become almost monastic in orientation and cult-like in status (Newbold: personal communication). Colleen Costa, a San Francisco parole officer who sends about a quarter of her clients to DSF, claims that while she respects the programme, she wavers on its overall value. She suggests,

> It's a good program, but it's very strong stuff. Basically, they brainwash you and break you down, so unless you have something hanging over your head, like a l-o-o-o-o-o-n-g prison sentence, you're not going to make it . . . There are eyes watching you 24 hours a day. That's why such a high percentage leaves . . . They can't put up with it because it's too stringent . . . That harshness unfortunately leads to a lot of quick failures (cited in Wilentz 1996: 12-13, 16).

For those who do manage to remain at DSF, the rigorous nature of programme, in many regards, inhibits the possibility of high levels of recidivism. According to Costa, "You go in and they constantly yell at you, they make you seem like you're nothing, and only then, they start to build you up. The image you had of yourself before, it's gone" (cited in Wilentz 1996: 12-13). The conditions, therefore, are so tough they largely restrict the possibility of failure. Also for many there are no other alternatives but to complete DSF's programme. As Costa explains, "That's one reason Delancey takes only the worst of the worst. The worst ones have a reason to succeed there. People with an option . . . they won't stay" (cited in Wilentz 1996: 13).

Consequently, DSF has been able to boast a list of remarkable successes:

1. By 2001 more than 14,000 former convicts, drug abusers and homeless men and women had graduated from the programme (*Ascribe Higher Education News Service* 2001).

2. A number of those who have graduated from DSF have subsequently been successful in becoming lawyers, sales people, and policemen and policewomen. In fact, according to Silbert, 90 percent of those who have completed DSF's programme now lead law-abiding lives (*People Weekly* 1998).

3. During its first 19 years of operation there was not one incident of physical violence and no arrests (Jamieson 1991).[19]

4. According to Silbert (1989), the overall retention rate for those who remained in the programme for longer than three months hovered at approximately 80 percent throughout the 1980s.[20]

The harshness of DSF, combined with its resultant successes has led to substantial discussion surrounding its methods of criminal rehabilitation. While some commentators maintain the programme is too stringent, overall DSF has raised questions in regards to the comparative inability of more traditional and 'softer' approaches to reform criminals and addicts. These suggestions have been consistent with the "hard line" approach taken towards criminal offenders in the United States, especially since the 1990s (see Schmalleger 2001, Silverman 2001, Inciardi 1999). In fact, according to Irwin and Austin (1994: 1), America has been engaged in an "unprecedented imprisonment binge" which

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[19] These were the most recent statistics available.
[20] These were the most recent statistics available.

has seen the prison population increase by 168 percent between 1980 and 1992. As a result of this "just deserts" mentality regarding the treatment of criminal offenders, DSF has gained significant support through its rigid approach. For instance, a Solano County probation officer, Terry Watkins, asks, "What's wrong with washing all the s--- out of your brain? Delancey Street just doesn't feel sorry for anyone" (cited in Wilentz 1996: 16).

Reasons for Success

Despite debate and criticisms surrounding its effectiveness, Delancey Street has frequently been acclaimed as one of the most unique and successful residential institutions in America. The programme currently caters for over 1000 residents in five locations across the U.S and its popularity continues to grow. It has received widespread recognition and media attention, both in the U.S.A and internationally. This began with the publication of *Sane Asylum* by Charles Hampton-Turner in 1976, which gained a significant readership worldwide, and has continued with numerous other articles and publications. DSF drew praise from American Presidents Jimmy Carter, Ronald Reagan and Bill Clinton (*People Weekly* 1998) and the U.S Department of Justice also made use of it as a model for the development of their federal rehabilitation programmes (Jamieson 1991). Factors offered as being responsible for the overall success of DSF as a community-based residential facility include leadership, financial success and programme structure.

DSF gained a lot of support through the skills of the founders, John Maher and Mimi Silbert. As Beals (1978) summed up, they were "the perfect yin and yang combination". These two individuals were very highly regarded and the nature of the two, Maher as the aggressive ex-addict and Silbert as the intelligent and ambitious academic, were complementary. Maher (prior to his relapse) and Silbert have also been completely dedicated to the programme and vehemently believe in its ability to reform addicts and offenders. This is reflected in Maher's assertion that, "The very contrast between prior 'fuck-ups' and their present achievements jolts the audience into admiration" (Maher cited in Hampden-Turner 1976: 147), and Silbert's declaration, "I absolutely adore my life . . . For 27 years, I've seen the lowest 10 percent come through the door. But a few years later, strong decent human beings walk out" (Silbert cited in *People Weekly* 1998: 3).

As mentioned, a key to DSF's financial success is its numerous business ventures. Substantial profits, now in excess of 15 million dollars per year, is why the programme is fully self-sufficient. Also, having residents as unpaid staff has meant no payroll and, hence, the ability for all profits made by DSF businesses to be placed back into the institution. As a result, the programme has flourished and been able to further develop its facilities, including the luxury expansion of DSF's main premises in San Francisco Bay.

The nature and structure of DSF's programme has also been advocated as contributing to its overall success. As a voluntary organisation, residents choose to attend DSF and are, therefore, arguably more motivated to change than those sentenced to residential or non-

residential facilities. In most cases, offenders would rather attend DSF than accept the alternative, which in California is primarily a lengthy prison sentence or life without parole due to its three strikes laws for repeat felons and especially violent offenders (see Silverman 2001, Inciardi 1999). Subsequent to an individual making the decision to attend Delancey Street, the programme provides all of the resources and support residents require in order to successfully achieve change (Silbert 1997). This incorporates not only therapeutic measures but also a focus on more practical skills such as education, work and vocational training. Through targeting these aspects residents are able to gain work experience and the possibility of financial security once they graduate. This in turn helps self-esteem because often, for the first time, residents have acquired skills that they can use out in the community.

Conclusion

The 'halfway house' is not a recent development in community corrections. These community-based facilities have existed for criminal offenders for over 200 years. Throughout this time, they have evolved according to a range of differing ideas and philosophies ensuring that great variation has always existed between halfway houses and their accompanying programmes. As a result of this immense diversity, it has been difficult to succinctly define what a 'halfway house' is, or clearly establish their functions and overall effectiveness. The overriding rationale upon which halfway houses are based, however, remains largely the same. These factors, comparable to those of other community-based alternatives, include a recognition of the role of the community in the production and resolution of crime, an aim to bridge the gap between incarceration and

open society, and a need to overcome the ineffectual nature of the prison. It was in light of these principles that programmes such as Synanon and DSF were able to develop and due to the flexibility the title 'halfway house' offered they were able to employ their own unique, and often unorthodox, approaches.

While the unconventional nature of DSF has generated both immense support and strong criticism amongst commentators, its overall success is difficult to measure conclusively. As suggested, this is because it has always been very insular and, hence, no independent research has been undertaken. Despite this, DSF's influence as a community-based facility cannot be dismissed. The programme has thrived and expanded significantly over the past 30 years, evolving in conjunction with current trends and philosophies surrounding the treatment of criminal offenders. Today, DSF continues to flourish. It remains fully self-sufficient and for those who manage to stay in the programme long-term, future prospects generally appear positive. It has prompted the development of numerous facilities worldwide, including SSF, and based on its current popularity, DSF looks certain to maintain its influence in the near future.

CHAPTER FOUR

SSF History - The Pre-habilitation Centre Phase

Introduction

The history of the Salisbury Street Foundation can be separated into two distinct periods: pre-habilitation centre and habilitation centre. This chapter deals with the former of the two, which extends from SSF's inception in 1979 up until preparation began towards its establishment as a habilitation centre in 1995. During this time, SSF's programme developed through four significant phases. The first was an introductory or *ad hoc* phase, when, between 1979 and 1980, the programme worked to establish itself. From 1981 to 1985, the second phase occurred, which focused on changing offenders' criminal propensities through psychotherapy. The third phase (1986-1989) was centred on encounter recreation and enhancing self-esteem through challenging recreational situations. Finally, during the fourth phase (1990-1995), the programme incurred numerous changes and developed a broader and more comprehensive overall approach.

Throughout discussion on SSF's pre-habilitation centre history, a focus on five main areas of interest will be maintained. These are (1) the personality of each programme director and the influence he/she had on the running of the programme; (2) operational philosophies and strategies; (3) the role of the Board of Trustees; (4) the effect of legislative changes; and (5) the impact of critical events and incidents. Each of these aspects is crucial to understanding SSF's past and reasons behind the directions it took, as

well as leading into discussion on issues of rehabilitation, and the organisation and management of not-for-profit organisations.

PHASE ONE: 1979-1980

Inception of SSF

Early in 1979, David Hall, an inmate serving time at Christchurch Prison (locally known as Paparua Prison) read a copy of *Sane Asylum* (1976), the book Charles Hampden-Turner had written about the Delancey Street Foundation in San Francisco, California. Intrigued by the American programme and believing there was value in its approach towards ex-prisoners and former addicts, Hall passed the book on to a fellow inmate, Robert Armstrong, who subsequently agreed with his view. The two prisoners realised that there was very little support in New Zealand for offenders following their release from prison. In fact, one of the facilities that had been available in Christchurch, the Prisoners' Aid and Rehabilitation Society (PARS) hostel, had just closed after allegations of embezzlement of PARS funds by an official within the organisation. To Hall and Armstrong, therefore, the implementation of a programme similar to DSF in Christchurch seemed a logical alternative that would be able to provide help to those wanting to make a change in their lives.

David Hall was responsible for taking the first step towards establishing a facility similar to DSF. He approached Dave Robinson, a Christchurch probation officer and

psychologist who was counselling inmates at Paparua Prison, with the idea. In the words of Robinson,

> There was a guy called David Hall, who was on the debating team, and he came up to me . . . and
> said about setting something up for 'us' for when we get out of prison . . . He said I think you
> better come out on your own to the prison 'cause there are a couple of guys I'd like you to talk
> to. So a couple of days later I met Robert Armstrong who had this article about Delancey Street
> in San Francisco . . . and [eventually] I said to these guys I will help you establish a programme.

Robinson's agreement to help the inmates establish a post-release facility occurred despite early misgivings about the ability for a programme with such extreme methods to be successful in New Zealand. Robinson, who was originally from Canada, was skeptical about whether New Zealanders would be receptive to the idea. As Robinson explains, "We were pushing the envelope. We were asking people to do some major paradigm shifts in their heads and it took a while to convince New Zealanders who were by and large conservative and didn't change their views easily". Another concern Robinson had related to the mindset of prospective clients. His opinion was that, "New Zealanders are not cut from the same fabric (as Americans). In those days all New Zealanders had been brought up under the welfare system and they actually believed that somebody owed them something". This worried Robinson because he feared it would be difficult to promote DSF's values of self-help and self-reliance if the majority of those who were going to be involved "were still playing the major victim".

Along with Robinson, another probation officer and a colleague from the Department of Justice[21] became involved in investigating further the possibility of setting up a programme similar to DSF in Christchurch. They organised a meeting at Paparua Prison, which ascertained that inmates were interested in the idea. Subsequently, a series of groups were established with inmates in the prison. These groups helped in the development of a rationale for the ensuing organisation, which was to remain similar to DSF but be adapted to New Zealand conditions. The initiators then gained support from the Department of Justice which viewed the prospective facility as innovative and potentially beneficial to the after-care of ex-prisoners.

New Zealand's Legal Structure

At the time of SSF's inception, criminal justice in New Zealand was largely structured around the Criminal Justice Act 1954, its subsequent amendments, and accompanying legislation. Prior to the introduction of SSF in 1979, the most recent legislative changes had been implemented in the Criminal Justice Amendment Act 1975. Under this Act, one-third remission was established as standard for all minimum-security prisoners. Parole eligibility at half sentence was made available to those serving five years imprisonment or more with parole after three and a half years for all finite sentences of seven years or longer (Webb 1982). The non-parole period for those serving sentences of life or preventive detention was cut from ten to seven years (Newbold and Eskridge, forthcoming 2003).

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[21] Names unknown

Legislatively, provisions for community-based sentences were expanded in New Zealand during the 1970s and into the early 1980s. As discussed in chapter two, probation continued as a crucial aspect of after-care, home leave requirements were relaxed and work parole extended. Periodic detention was also developed, although due to rising costs the sentence was restricted to daytime attendance by the late 1970s. In 1980, community service was introduced. This sentence, deemed to be less punitive than periodic detention, required an offender to do voluntary work in the community, according to a timetable established by the Justice Department. Amongst the legislative conditions of these sentences, however, no real provisions existed for community-based programmes. At this time, these facilities existed outside of New Zealand's criminal justice system as non-profit facilities, and were therefore responsible for their own management and administration, including the acquisition of funding and clientele.

The Early Programme

After months of preparation and planning, the Salisbury Street Foundation was established in Salisbury Street, Christchurch, in October 1979. The initial facility was situated in a four-bedroom house leased from the Methodist Mission. Robinson describes the developments which led to the emergence of SSF:

> I spent a lot of time with him [David Hall]. I used to go out to the prison once or twice a week
>
> and we'd sit and talk. When he got out of prison initially he came and stayed with me, at my
>
> house, and we began the process. We talked to probation officers and we gradually put together
>
> this concept and we got the Methodist Mission behind us. They gave us our initial house on
>
> Salisbury Street, which is why we called it the Salisbury Street Foundation. We gradually started
>
> to put it together.

Establishing a Board of Trustees

Once SSF had been initiated it was essential that the programme established a Board of Trustees (BOT). In 1979, under the provisions of the Charitable Trusts Act 1957, the Salisbury Street Foundation Trust was created. The Charitable Trusts Act set out the role and functions of a BOT and regulations for its operation. It defined a BOT as consisting of no more than twelve members and no fewer than three. Board membership was deemed to be open to any person interested in the Board's objectives and capable of assisting the Board in carrying these out through their "skills, knowledge, expertise, profession, standing in the community or other qualification".[22] Some of these key objectives were defined in SSF's constitution as being:

1. "To provide a rehabilitation scheme for prison inmates, discharged prison inmates, drug addicts and other individuals who have experienced institutions, hospitals, treatment programmes and been involved with statutory Government and voluntary agencies, so that such individuals might both individually and collectively develop in the community".

2. To carry out services that are beneficial to the community including relief of poverty, advancement of education, vocational training, employment, recreation, accommodation and social welfare.

3. "To seek, accept and receive donations, subsidies, grants, endowments, gifts, legacies, loans and bequests either in money or in kind".

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[22] Charitable Trusts Act, 1957

4.   To have the general power to enter into any arrangements with any Government or

authorities, supreme, municipal, local or otherwise that may seem conducive to the

Board's objectives.[23]

The specific functions instituted under the Charitable Trusts Act were revised and further

developed by those involved at SSF. It was understood that the BOT would involve a

group of about five individuals. Initially, their primary role was to "sort out [SSF's] own

philosophy so that it works as one with trust and understanding".[24] The goals set out by

the Board for SSF were to be in full operation by March 1981. It was believed that by

doing this, the BOT would ensure that "the overall concept [of SSF] is maintained and

the rights of the individual are upheld".[25]

SSF's BOT was established with a dual role. This incorporated: (1) being a close overseer

of financial matters; and (2) generating and maintaining a creative therapeutic

community. Financially, the Board was deemed responsible for considering various

monetary grants and making sure that maximum use was made of these funds while

remaining conducive to the aims of SSF. It was suggested that the BOT work out a

careful plan/programme for the use of funds, in such a way as to increase the income of

the Foundation. In relation to the second role, it was decided that the Board should have

the final word regarding the advisability and acceptance of a programme or a client. In

doing this, however, it was essential that every decision was negotiated fully and retained

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[23] SSF Constitution, 1979
[24] BOT Document: Role of SSF Board, 1979
[25] Ibid.

flexibility. There was also a desire for the BOT to increase its visibility with residents by playing a more active and participatory role in the programme. Finally, in regards to the future direction of SSF, the Board was expected to be innovative and instrumental in introducing new initiatives. For example, it was envisaged that by the end of 1980 SSF would be publishing a monthly paper.[26]

Aims and objectives

SSF, like DSF, was set up as a therapeutic community. Its explicit goal was to rehabilitate the ex-offenders who attended the programme and help them to reestablish themselves in the community. An idealism surrounded SSF with the programme's initiator, Dave Robinson, hoping that residents would develop their own programme based on their individual needs. Therefore, as time went on, few external structures would be required. Robinson believed that the project would follow DSF and become fully self-sufficient. As he explains, "It was my hope, my dream, but it was of course going to be taken over and run by ex-prisoners themselves".

An early promotional pamphlet (1979) clearly set out the aims and objectives of SSF:

> Salisbury Street Foundation is a place for people who've been in prison.
>
> But it's more than just a "half-way" house. It's more than just a place to stay. We expect those who join us to make a commitment to us and to our programme. The minimum stay is three months.
>
> We think our programme is a good one. Its aim is to give ex-inmates a real foundation for a prison-free future. Lots of people – probation officers, social workers and the like – are involved.

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[26] BOT Document: Role of SSF Board, 1979

But the real basis of Salisbury Street is the group – those who have been inside.

We try and consider the whole person and his place in the community . . .

FINALLY, THOUGH, WE ARE ON ABOUT HELPING EACH OTHER TO CHANGE OUR

OWN LIVES to get out of the prison cycle . . .

We also know that part of the problem is in us, so we have regular "encounter" groups to help

us understand who we are and how we've got to where we are . . . We don't want to pretend

life at Salisbury Street is all a bed of roses . . .

We haven't got all of the answers, but we're making a start, and we're doing it together . . .

If you're inside and interested in Salisbury Street we want to hear from you . . .

Drop us a line. We'll be in touch.

Programme Structure

During its first year, a weekly schedule existed for those residing at 237 Salisbury Street. Work was a central feature of this routine. As Anni Brown, an early resident of SSF explains, the programme had "a little bit of structure but looking at a work scheme, getting people out to work, because it was difficult for people getting out of prison to get jobs". Every resident was expected to work at the house Monday to Friday from 10am – 12pm and 1 – 4pm, with set tasks being set out for each day. These were: Monday and Tuesday - maintaining SSF's grounds; Wednesday - a compulsory hobby day; Thursday - volunteer work, either for the Methodist Mission or another organisation; and Friday - individual programmes including educational and vocational training. Group therapy/individual counselling sessions also occurred on a frequent basis including an obligatory Thursday night group. Attendance at all groups, work and hobbies was compulsory.[27]

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[27] During the weekend a range of different activities were organised by the residents.

Initially, attendance at SSF was voluntary. There were a variety of reasons why individuals chose to go there. For some it was a way of avoiding jail or keeping away from further trouble, while for others it was a means of accessing work. As Ken Turner, a resident at the time explains, "back then for me and for a lot of members then the alternative was help up either go and do this programme or [end up in] jail and so of course you're going to go there". Anni Brown also had a multitude of reasons for wanting to attend SSF. She recalls,

> I got into some trouble. My partner robbed a bank and went to jail for seven years and I was in a
> really volatile situation. I was a junkie . . . and my probation officer was actually Dave Robinson
> and he suggested to me I was on my way to jail . . . I had a daughter who was six and I was on
> the verge of losing her so I applied to go, well just asked Dave really, if I could go to SSF.

Once involved in the programme, residents were assessed monthly by their peers and the BOT. Then at the end of three months it was decided whether a resident was ready to leave the Foundation. At this point, their options were to stay at 237 Salisbury Street and renegotiate their contract, or to leave the programme while potentially maintaining contact through becoming a link person for an individual starting at SSF.

Early Problems

Within its first year of operation conditions at the Foundation deteriorated quickly. Residents, who had initially been enthusiastic, soon got bored and lost motivation to remain at SSF and because attendance was voluntary they were not compelled to stay. As well as this, involvement in criminal activity continued frequently to occur. Reasons for these difficulties were twofold. The first factor was due to the location of the Foundation.

It was situated in the inner city, the "old stomping grounds" for many SSF residents (Jamieson 1991: 47), and hence the temptations of their former lives continued. This situation was accentuated by the fact that the organisation was located between two pubs and consequently residents ended up spending a lot of time drinking in bars with old associates.

The second aspect was that administratively, SSF was still young and undeveloped and hence few formal rules and little structure existed. In fact, during its early period, while SSF had experimented with a wide variety of freedoms and lifestyles, rules and regulations were generally avoided. According to Brown, "We were all living together with no actual structure, no rules as such. There were no rules like no alcohol and offences, or no drugs or no offending. It was just respect each other and there was an assumption that people would automatically do that". The lack of rules, however, proved extremely problematic. Many of the residents simply did not have the skills to manage themselves in an unregulated environment. For instance, the first trial releasee to arrive at the Foundation had a serious drug problem and the unstructured programme was highly unsuited to his needs. As a result, SSF became criticised as ineffective and as "an opportunity to get something for nothing" (Jamieson 1991: 47). In response to this and in keeping with the goal of fostering self-responsibility, some suspensions were introduced for limited periods.

Along with disciplinary problems, early ambitions to become self-sufficient were not realised. Residents often struggled to settle into a work routine, which was especially true

for those who had spent long periods in prison, where dependency and a lack of motivation were common. Attempts to run small businesses, utilising the skills of residents, therefore, proved both impractical and unsuccessful. In fact, according to the First Annual Report (1979-1980), "Job creation schemes left a lot to be desired". The Ball and Chain shop, for example, conceived as an SSF outlet for prisoners' arts and crafts, closed without achieving any significant losses or gains after only three months in operation. This was the result of a variety of factors but most significant was the influence of new government legislation aimed at controlling the flow of drugs into prisons. By restricting the flow of goods to and from prison, the legislation limited a prisoner's ability to access the materials needed to make arts and crafts, and hence the shop could not secure enough items to sell. The most successful early project was Strand Promotions, an agency which booked bands for hotels. This business, however, became independent, thus removing it as a revenue earner for SSF.

In addition to all of the other difficulties being faced by SSF, on the second of July 1980, David Hall's employment was officially terminated from the T.E.P scheme,[28] the Board and the Foundation. This occurred following a series of BOT discussions and letters to Hall, warning him that he was breaching the terms and conditions of his employment. Concerns had emerged relating to both financial mismanagement and inadequate supervision of the T.E.P scheme. The BOT initially suspended him on the 19 February 1980 from all powers as a member of the BOT[29] and as coordinator of SSF, pending a

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[28] This Training and Employment Programme (T.E.P) was a scheme which had been developed by the Labour Department and was being run as part of the programme at SSF.
[29] Under section 2(e)ii of Appendix B of the Constitution.

satisfactory explanation of "financial anomalies and recompense thereof".[30] Failure to resolve these issues, however, resulted in a written notice of non-compliance and finally the termination of his employment and involvement with SSF, the programme he had helped create.[31]

Programme Review

So SSF's first year of operation was characterised by numerous difficulties. According to Murray Cree, one of the early programme administrators at SSF, "The first full year of operation has been one of insight and experience . . . we have made numerous mistakes in the early stages . . . Essentially the problems were caused by inexperience in administration".[32] The areas considered to require the most revision at the end of 1980 were the rules and regulations present within the organisation. It was decided that a new set of rules were to be drafted and debated after Christmas, including gaining feedback from prospective clients still in prison to ensure sustained commitment despite tight codes of behaviour. Total abstinence from alcohol and drugs was deemed the most essential of the new rules. This followed the suspension of a resident for three months due to his addiction issues and ongoing concern for the remaining three residents who each had an incipient alcohol problem. Also there was an increasing recognition that future members were likely to have extensive histories of substance abuse as well. Another rule to be implemented was a ban on all personal off-premises use of marijuana because "too many

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[30] BOT Meeting 19/2/1980
[31] Specific details relating to Hall's termination are sparse because, as it occurred over 20 years ago, both the records available and the recollection of the event by those interviewed was limited.
[32] First Annual Report 1979-1980

'street (crims)', known to be active, were frequenting Salisbury Street".[33] It was further

discussed that SSF should consider closing for a month if conduct remained unacceptable.

PHASE TWO: 1981-1985

Closure and Relocation in Merivale

In spite of the Board's resolutions, the difficulties faced by SSF during its first year of

operation continued into the 1980s. As a result, in 1981, the organisation was forced to

close. According to Jamieson (1991: 47), the programme had become "little more than a

prop for its unmotivated clients". Many of the residents were still heavily involved in

criminal activity, the house was full of stolen property, and equipment was disappearing

from SSF as well.

Several months later, after undergoing a significant review, SSF was relocated and

reopened. The new facility, a former Christchurch periodic detention centre that had the

ability to house 12 residents, was rented from the Department of Justice at a very low

rate. It was situated in St Albans Street, Merivale, an environment which was

significantly different to the inner city where involvement in criminal activity by

residents had been common. Instead, Merivale was a quiet, upper-class neighbourhood

situated away from the centre of town. SSF's new location imitated DSF and Maher's

rationale behind locating the programme in one of the most prestigious areas of San

Francisco, Pacific Heights. He had declared:

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[33] BOT Meeting 23/12/1980.

All social problems should move to where the rich people live – that way the problems can

receive attention from the sector which has most control over the system that produced them . . .

You can no more cure an addict or criminal in slum than you could cure an alcoholic in bar

(Maher cited in Hampden-Turner 1976: 62-63).

Those working at SSF also believed it was important to move the residents away from

their former associates in order to enable them to develop greater connections with the

values, attitudes and skills of 'anti-criminal' groups.

Programme Goals and Structure

Once resituated, a major objective for those involved within SSF's administration was to

significantly revise the aims and structure of the programme. Four key Foundation goals

were decided upon.[34] These were:

1. To promote the individual well-being of members through self-awareness, group

    consciousness, and vocational and social skills.

2. To create a 'therapeutic' community based on the peer group and principles

    associated with it.

3. To create an independent financial base providing employment and income to

    members and the Foundation.

4. To promote awareness of the criminal justice system and the need for alternatives,

    to make submissions relating to some, to promote awareness of the Foundation and

    its activities generally.

Each of these factors was deemed crucial to the continuation and expansion of SSF and

so each point needs to be considered in-depth separately.

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[34] SSF Programme Outline 1981

The philosophy of self-help

Links to the programme at DSF were maintained, with the principle of self-help remaining central to SSF's philosophy. The development of skills such as personal responsibility and self-reliance were considered essential as many involved in the programme had never been equipped with these qualities. As Murray Cree stated in the Second Annual Report, "Rehabilitation is the wrong word for the Foundation because it helps people who have never been habilitated in the first place".[35]

In order to further promote the principle of self-help, residents were encouraged to continue being involved in the day-to-day running of the organisation. According to a SSF brochure, "For the Foundation to operate, it is essential that participants become responsible for its development as well as their own . . . The household is run by the residents . . . People living in the house need to develop a sense of responsibility".[36] All residents were expected to attend weekly House Meetings, where house-related matters were discussed. It was believed that the strength of SSF's programme relied heavily on resident's involvement in the programme and that the role of positions, such as House Manager, carried with them both status and accountability. House Managers, who in the early 1980s included Graham McFelin, Kevin Butson, and Judi Peterson, were expected to lead residents and support programme administrators by helping organise house activities and through reinforcing programme goals and rules.

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[35] Second Annual Report 1980-1981: 4
[36] SSF Informational Brochure 1982: 2

The development of self-help among residents was considered crucial if the overriding programme goals of personal change and reintegration were to occur. As SSF administrators stated,

> A person coming out of jail is usually delighted to be out, but is often short of money, confused, anxious or angry, unwanted and not liked. *When the ex-prisoner has come to realise that his or her only real options in life are further crime, suicide or change, and chooses to change, that is where S.S.F. can help.* We recognise the most difficult choice is change! The aim of our programme is to provide a supportive atmosphere where it is possible to relax and to experience personal growth. The goal is for the ex-prisoner to build a future without drugs, crime or prison.[37]

Therefore, each resident was expected to be instrumental in bringing about change in their own lives. As Dave Robinson told one newspaper in 1981, "He must change his attitudes to himself, his peers, his family and society; rethink and re-evaluate" (Jackson 1981).

SSF encouraged the progression of residents towards personal change by offering maximum support and a range of resources to all involved in the programme. This included providing a safe environment, where rules existed and were strictly adhered to. Each newcomer to SSF was required to sign an agreement to abide by the rules of the programme. The main rules were no criminal activity, drugs and/or alcohol, and no sex or violence between residents, for the duration of the programme.[38] Failure to obey these basic house rules could result in instant dismissal. Support was also maintained through a clearly structured weekly programme comprising of therapy groups (up to 18 hours per

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[37] SSF Informational Brochure 1982: emphasis in original
[38] SSF Informational Brochure 1982

week), work, community work, recreation, the learning of social skills, self assessment groups, educational and vocational training, plus free time for individual interests and hobbies.

A minimum commitment of three months was retained for all who joined the programme. SSF administrators believed, however, that at least two years was needed to "build a positive, responsible, confident and self-sustaining lifestyle".[39] Hence, it was discussed that SSF would ideally become a two-year programme and by 1984 a two-year contract had been developed. The guidelines for those wishing to graduate therefore ranged from a normal two-year residence, a two-year residence plus conditions, or a residence of less than two years but with a qualifying performance.

Family was also considered essential in advancing change and promoting the reintegration of residents back into the community. Administrators believed that by focusing on 'family', residents would become aware of the gaps in their childhood and family experiences, enabling them to alter their own family life accordingly. All involved within SSF were expected to function as a family, providing initial support, so that each resident would gradually and systematically take full responsibility for himself/herself and his/her actions. As a result of the desire to create a family environment, women were allowed to join the programme from 1982. According to SSF's Annual Report (1981-82), women brought "with them a natural and healthy balance to the house and its activities. No longer need we fear the dread prison image – of the abnormal, single sex institution".

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[39] SSF Informational Brochure 1982

Once women became involved in the programme, children were also included so they were able to stay with their parent/s.

Psychotherapy

Between 1981 and 1985, psychotherapy dominated the programme at SSF. The organisation defined itself primarily as a therapeutic programme which focused on a "total reorganisation of an individuals values, attitudes, psychological and behavioural patterns and general lifestyle".[40] The rationale behind this was that most of those entering the programme came from dysfunctional families and poor social backgrounds, had extensive criminal histories and prison records, were substance abusers and generally had "immense difficulties in dealing with life issues that many people in the society take for granted".[41] Hence, it was believed that residents needed to gain insight into the impact that past experiences and familial dysfunction had had on their development and progression towards criminal behaviour. It was only by acknowledging the influence of these early experiences that the reformation of an individual's 'criminal personality' could occur. As Geoff Samuels, a psychologist at SSF at this time, explains,

> You see these people had been through some pretty traumatic life situations and hopefully (through psychotherapy) they were going to be able to deal with those and make a real difference in their lives, and hopefully they were going to be able to have some good experiences and be secure with us, the Salisbury Street Foundation, to gain new experiences.

The rationale behind the dominance of a psychotherapeutic programme was centered on the belief that a criminal personality existed and was able to be 'cured' through a course

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[40] SSF Background Paper, Dave Robinson 1984
[41] Ibid.

of therapy. One informational brochure about SSF (1983) described the significance of this criminal personality,

Living in the criminal world, inside and outside of prison, has as very deep effect on the personality. There are rhythms, patterns and habits that make up a typical criminal personality. The criminal may be quite unaware of this because of the lack of understanding of the world outside of this environment . . . The personality change that is required, for our experience, takes a lot of hard work. We realise that giving up a way of life with its own friends and language is nothing short of a culture shock . . . It is because we recognise the deep-seated nature of the criminal personality, that we have organised a tight programme and we stick firmly to our values and rules. It is also why we have an intensive programme of therapy available.

Within this psychotherapeutic model, group therapy was viewed as the most pivotal form of counselling.[42] Once again this followed DSF and the emphasis the programme had placed on the therapeutic benefits of group sessions. According to Robinson, group therapy involved a mixture of "yelling, and holding people's hands – going in with hob-nailed boots and a handkerchief" (cited in Jackson 1981). The value of a group, over an individual, approach to counselling was summarised into five main categories. These were: (1) exploring thoughts, feelings and actions, to pinpoint and solve problems; (2) making clear decisions to carry out new plans and to get support in sticking to them; (3) learning and trying out new skills such as being assertive, showing anger, accepting love, understanding others, and being open and honest; (4) learning how others see you; and (5) looking into childhood origins of repeated offending, lack of confidence, destructiveness. The therapists at SSF, however, also used the group environment for other purposes. As Geoff Samuels explains,

We really aimed to bring staunch people from prison and make them accountable. We really wanted to shake up the transition back into the community . . . So we were really encouraged that we could bring issues to the group and challenge people's whole attitude . . . (Also) it was very much part of the group, having several members who'd been through different psychotherapeutic experiences and who were willing to challenge others . . . Having people who knew both sides, who could bring out material and who were from the same kind of lifestyle made it easier.

During the early-to-mid-1980s, a range of group therapy sessions was held, the most prominent of which occurred each week on a Thursday evening. This general therapy group was compulsory for all residents, with some 'outsiders' being included as well. Other groups and experimental courses held at SSF included psychodramas, assertion and social skills courses, and classes in sexuality, spontaneity, and movement.[43] In 1982, following the lead of DSF and its 'marathon Games' (see chapter three), the first 12 hour marathon therapy group was held at SSF. The exercise was deemed "profitable" because it introduced "a whole new view to a range of personal attitudes and experiences"[44] and subsequently, in 1983, SSF developed these longer group therapy sessions as a tool in much the same way as DSF had done.

Group sessions at SSF were generally run by two qualified therapists; Probation Officer, Dave Robinson and Psychologist, Geoff Samuels. As well as being therapists, these men were also heavily involved in other aspects of programme, including being members of the BOT. Their overall input with regards to the programme content and focus on the

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[42] Fifth Annual Report 1983-84: 2
[43] Ibid.
[44] Third Annual Report 1981-1982: 2

therapeutic component was, therefore, significant. In fact, their influence was recognised in the Third Annual Report, which stated "[Dave and Geoff] have put a lot of personal effort into the therapy side of the programme on top of their valuable work as Trustees".[45] As well as the qualified therapists, residents such as Graham McFelin, Ken Turner and Kevin Butson, were also recognised as playing an important therapy role in evening groups. As well as group therapy, individual therapy was provided, if requested, and was generally carried out by Justice Department psychologists.

Management: Board of Trustees

The Board's initial objectives were maintained and additional functions developed. Overall, these goals included:

1. To supervise, approve, and promote activities and programmes within the Foundation.

2. To oversee financial affairs.

3. To provide assistance as individuals to the Foundation according to their skills and connections.

4. Generally, to advance the Foundation's goals.

As mentioned, between 1981 and 1985, the focus was strongly on developing the administrative structure of the programme, which had been the cause of many of the programme's early difficulties. The Board created three sub-committees that were to improve specific areas of the programme. These were an administration sub-committee, a programme sub-committee and a public relations sub-committee. The role of the administration sub-committee was to create and maintain viable administrative

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[45] Third Annual Report 1981-1982: 2

procedures and to promote external support for the organisation. The programme sub-committee was expected to create and maintain the "therapeutic" programme and ensure its effectiveness. And the public relations sub-committee's role was to ensure that the aims of SSF were promoted to the community.[46]

During the early 1980s, the Board of Trustees met at SSF weekly, although this shifted to a monthly meeting in 1984. Throughout this time, the Board comprised a combination of professionals, including several with prison experience, and residents, both former and current. Board meetings were promoted primarily as giving residents a chance to watch how the organisation was managed. The purpose of this was related to the desire Robinson and others had for SSF to follow DSF and become self-sufficient. Robinson believed that he and his colleagues would only remain involved with the organisation until its basic administrative structures were established and then they would be able to leave the programme to be operated by its residents. The ultimate aim was still for ex-residents to graduate into positions of responsibility within SSF and to be solely responsible for the organisation and management of the programme.

Funding: Social Rehabilitation Subsidy Programme

Ensuring SSF had sufficient funding to survive was a constant concern as the programme worked to establish itself during the early to mid-1980s. The initial setting up costs for the organisation in 1979-80 had been met by a $14,000 grant from Internal Affairs. Subsequent to this, any grants available to residential programmes such as SSF were continually being studied. SSF administrators often found themselves held back by Inland

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[46] SSF Programme Outline 1981

Revenue Department (IRD) regulations when attempting to obtain tax-deductible donations from firms and large corporations. Some small grants of less than $1,000 were received from the Christchurch City Council, the Trustee Savings Bank, and a few other small trusts and individuals. The most significant financial contribution, however, came late in 1981 when the Social Rehabilitation Subsidy Programme (SRSP)[47] was introduced.[48]

The SRSP, introduced by the Department of Social Welfare, came into effect on the 1st October 1981. It was available to incorporated societies and charitable trusts, which provided "a proven rehabilitation programme for a finite period in a residential setting", with a treatment period of between three months and two years.[49] The intended purpose of this subsidy was summarised as being to,

> Assist voluntary welfare organisations offering a programme of special care or treatment (not necessarily medical) in a residential setting to persons with addiction problems, emotional or psychiatric disorders, histories of repeated offending or related difficulties. The programme offered must seek to rehabilitate persons who could otherwise become dependent on Government support and assistance, so that they can cope adequately in the community.[50]

The SRSP was designed to provide additional relief, in conjunction with existing voluntary and community contributions, for programmes experiencing financial difficulties or operating at a substantial loss. The amount of funding available was a maximum of $25 per week for each person involved in the programme and payment was

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[47] SRSP: Guidelines for Voluntary Agencies 1981
[48] The SRSP continued to fund SSF throughout the majority of its pre-habilitation centre phase.
[49] SRSP: Guidelines for Voluntary Agencies 1981
[50] Ibid.

made by way of a single yearly grant applied for annually. In 1982, SSF, which had been taken as a model structure for the SRSP, received the maximum amount of $15,000. Administrators at SSF regarded this scheme for ex-prisoners as a policy breakthrough. It increased funding opportunities for SSF, which along with existing sources,[51] enabled the programme's financial position to slowly improve through the early to mid-1980s. During this time, the level of income versus expenditure was comparable, with only a small amount of surplus being left at the end of each financial year.

Community networks

For those involved with SSF, another important component of the programme was establishing and maintaining community networks. This included promoting in the community a general awareness of the failures of the current criminal justice system and the need for community-based alternatives. In fact, for SSF, public education was a key part of the programme's weekly community work. Programme administrators and residents were determined to challenge the structures and officials who they contended continued to endorse prisons and deny prisoners their "rights" by "treating them as second class citizens".[52] This was achieved through letters being written to newspapers and officials, and in the general promotion of SSF and its philosophies, which reinforced the belief that prisons do not rehabilitate offenders. According to Robinson, this was because, "Crime is a community problem and the solution must eventually be found in the community, too" (cited in Jackson 1981). Therefore, members of SSF argued that

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[51] Another major funding source came from the unemployment benefits of SSF resident's, which, apart from a small amount given back to residents for spending, when into the communal programme funds.
[52] SSF Archival material 1984

since, "the causes of crime are largely social and cultural in origin it is imperative that ex prison inmates have residential facilities which divert them away from the site of resistance".[53] They continued to state that, "We believe very strongly that social policy measures, a higher level of police surveillance and longer prison sentences, are not going to arrest the rising level of crime".[54]

As well as providing a general awareness of New Zealand's correctional environment, maintaining a strong, positive community image of SSF was emphasised.[55] The importance of having a good image in the wider community was to show outsiders that residents at SSF were serious about successfully re-entering the community and to make those involved in the programme feel like "we have earned our way".[56] A key feature of this was weekly community meal nights held at SSF,[57] which had operated since the programme commenced and continued as a successful contact point between SSF and interested guests or groups. As one SSF brochure described, "People learn by experience and so we invite people to experience aspects of the Foundation and its growth process by joining our weekly community meal night".[58] As well as these meal nights, visits were made to churches, service clubs and fellowships in order to explain the paradox of prison and promote SSF. The Foundation also worked to maintain close links to the Probation

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[53] SSF Archival material 1984
[54] Ibid.
[55] Second Annual Report 1980-1981
[56] Fourth Annual Report 1982-1983:5
[57] Currently, in 2002, these meal nights continue to be an important aspect of the programme at SSF.
[58] SSF Brochure 1982

Service, the Prisoners' Aid and Rehabilitation Society (PARS), the Movement for Alternatives to Prison (MAP) and other organisations with similar goals.

The Penal Policy Review Committee, 1981

An examination of penal policy and sentencing provisions within New Zealand was undertaken in 1981 by a government appointed Penal Policy Review Committee. Due to the importance SSF administrators placed on maintaining community networks, a lot of time and effort went into preparing a submission for the Committee. Numerous guests, including various staff and consultants of the Justice Department, visited the programme and as a result SSF gained significant exposure by being presented as an example of a community-based after-care project in the review (New Zealand Penal Policy Review Committee 1982: 69).

Within the completed penal policy review document, there where two recommendations of direct significance to SSF. First, was that imprisonment was stressed as a penalty of last resort. Hence, one of the explicit aims of the review was "to consider the means by which the incidence of imprisonment can be reduced to the greatest degree consistent with the maintaining of public safety" (New Zealand Penal Policy Review Committee 1982: 39). This translated into the further promotion and development of after-care facilities and community-based alternatives to custody. Second, the "Throughcare" concept was introduced. Throughcare was advocated as a means of ensuring the management of prison sentences so that appropriate arrangements were made for release and assistance was given to criminal offenders in their reintegration into the community.

The throughcare concept emerged subsequent to discussion concerning the inadequacies of pre-release or work parole hostels. While it was acknowledged that these facilities provided support and assistance with re-entry into the workforce prior to release, they were criticised for being too selective and for generally not admitting those who had a history of violent or sex crimes. Also, work parole hostels only catered for a small percentage of the overall prison population and recidivist rates indicated that they were no more successful in reintegration that straight release from jail (New Zealand Penal Policy Review Committee 1982: 68-69). Operationally, the hostels were expensive to run, had low occupancy rates, and were plagued with selection difficulties and administrative conflicts. Hence, it was decided that alternative post-release facilities were needed for as many newly released inmates as possible because,

> The need for after-care is obvious. The nature of a sentence is to cut a person off from those relationships and community ties making up life in society. The longer the term, and the more remote the prison is from his own community, the deeper and more permanent will be the effects at the time the prisoner is delivered back to freedom" (New Zealand Penal Policy Review Committee 1982:145).

Throughcare was designed to help reintegrate the offender back into the community, an aim, which according to the Penal Policy Review Committee (1982: 6), "has been grossly neglected in penal policy to date". Throughcare incorporated three phases: (1) services at court, that is, welfare workers providing immediate support to the offender and his/her family; (2) the term of the sentence, including planning for the release and reintegration of the offender into the community; and (3) preparation for release and immediately after,

incorporating involvement with programmes that are able to help ensure the offender is fitted back into the community.

Of significance to SSF was the third phase, which involved the further development of a wide range of after-care facilities. Essential to this recommendation was the greater involvement of welfare and other voluntary agencies in the social, educational, and recreational services available to programmes located in the community. The Committee insisted that these facilities be flexible in their operation and incorporate a wide range of aspects, such as life skills and social skills, literacy development, vocational training and pre-employment programmes, work co-operatives and work trusts, therapeutic communities and halfway houses, community hostels and homes, day training schemes, foster family schemes, sport and recreational programmes, cultural and ethnic support schemes, assessment and treatment facilities for drug and alcohol addicts, and supervised reparation. SSF was promoted as a good example of such a programme, which could be utilised in the development of the throughcare concept. The Committee stated,

> They could include existing pre-release hostels to be used by individuals and agencies within the
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> community rather than the department; hostels such as those presently run by PARS, or half-way
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> houses based on the Delancey Street Foundation in the United States and operating like the
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> Salisbury Street Foundation in Christchurch or Kahanui in the Bay of Plenty (New Zealand Penal
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> Policy Review Committee 1982: 69).

Programme Expansion: Second Stage

During the early to mid-1980s, encouraged by the findings of the Penal Policy Review Committee, a lot of discussion occurred regarding the expansion of SSF through the

development of a 'second stage'. The rationale was that in the first stage, residents had "a chance to create a new sense of self – in the second stage the aim is to make the living of the new self a reality".[59] The second stage was, therefore, to be geared towards promoting collective self-sufficiency for those who had "realised the value of mutual support and are accepting the responsibility that goes with it".[60] It was anticipated that the second stage would provide an environment for the training of residents as well as assisting them to find a job and remain in it.

In order to maintain a collective environment, it was decided that a 'second house' should be available for those progressing to the second stage. It was envisaged that residents living at this premises would require minimal oversight, following their own interests/work during the week while continuing to attend group meetings at the Foundation, and sports activities, where possible. Administrators at SSF believed that the Foundation needed to develop a commercial base to underpin its other activities and it was hoped that a second stage/house would provide a source of funds to help develop other aspects of the programme. It was decided that only those at the second stage should carry out work because the first stage occupants were "too unstable to be relied on as a foundation for income and business".[61] The goal of the second stage was, therefore, to create work opportunities through combining the collective labour of ex-residents in

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[59] SSF Newsletter 1984
[60] SSF Programme – Role of Supervisor/Organisation 1980
[61] Ibid.

order to overcome individual exclusion in the field of employment and by 1984, a number of businesses and work proposals were being considered.

Prospective second house facilities included a Forfar Street property, which SSF unsuccessfully attempted to purchase in late-1984 when it ceased being a residential periodic detention centre, and a derelict property at 92 Packe St, St Albans, which was eventually rejected due to the amount it would cost to renovate it.[62] Also in furtherance of second stage/house, the BOT established a second trust, the Salisbury Street Foundation Development Trust, which was to provide some funding for these ventures in the future.[63]

Key Personalities

From the early to mid-1980s, the responsibility for the running of SSF existed in the hands of a select few. While numerous others, especially residents, were heavily involved with the programme and were essential to its development, the level of commitment was most significant among four key people. Dave Robinson and Geoff Samuels have already been mentioned, both as psychologists and members of the BOT. Along with these two individuals, the roles of Murray Cree and Kevin Butson were critical.

Murray Cree

Throughout the early 1980s, Murray Cree was a hugely influential figure in the development of SSF. In the words of Robinson, "Murray was an administrative genius.

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[62] While the notion of a second stage/house was proposed during this time it was never implemented. It was not until 1987 that a second house was rented for a works skills programme and then in 2002 that a second property was purchased. These developments will be considered in upcoming discussion.
[63] Fifth Annual Report 1983-1984: 3

He put together the structure [of the programme]". Originally a community social worker, Cree became involved with SSF in 1979 devoting five hours per week while still remaining a full-time social worker. Then, following SSF's relocation in Merivale, he was appointed the administrator of the programme in October 1981. He was also selected as Chairman of the BOT six months later, when the Board was experiencing some difficulties. This was due to the often conflicting goals and interests of BOT members, an issue which was to plague SSF throughout its existence.

Cree was deemed to have the skills to project "a strong, confident and progressive image" which would lead the organisation into the 1980s.[64] It was also believed he would help the BOT achieve focus and guide the organisation in the direction necessary to ensure that SSF became a viable enterprise. This dual role approach was established as necessary for the early stability of SSF. As time progressed, however, members of SSF's Board and staff viewed the "super manager" role taken on by Cree as increasingly problematic. It was argued that,

> In recent months it has become clear that the organisation has become dependent upon [Cree]...
> because of the combined power of the roles coupled with the professional skills of the person...
> Thus the new Board with fresh minds from the outside, plus the relegation of Murray to the
> functional position of Secretary means the House, its Managers and the Trustees will have to
> work together more rather than relying on Murray to fill all the gaps. This is the next step in
> developing a strong self-help organisation.[65]

Despite this change in management structure, those involved in the programme at this time all mentioned and acknowledged the role Cree played in developing the

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[64] SSF Background Paper 1984
[65] Ibid: 2

administrative side of the programme and establishing a wide base of support including the Probation Service, the Psychological Service and the Methodist Central Mission.

Kevin Butson (1983-1985)

Kevin Butson was one of the early residents at SSF, beginning his involvement with the place soon after it opened. He had a long criminal history and had previously spent time in prison following numerous burglary convictions (Butson: personal communication). In 1982, the quietly spoken Butson moved into the role of House Manager and within a year he became SSF's first Programme Director. As Butson himself describes, "Over a period of twelve months I [went from] taking part in the programme [to] taking on more responsibility as the Director of the place". Butson's appointment as Director reflected the overriding desire of Foundation initiators to see SSF become fully self-sufficient and completely run by its residents.

For Butson, being Director of SSF was a total lifestyle situation. He claims, "I lived for the place. I believed in it". As a result, Butson was involved with the organisation 24-hours a day, seven days a week, living there permanently throughout his time as Director. His rationale behind maintaining such a total commitment was, "I believe you have to be there, because you have to practice what you preach and you have to oversee them like children" (cited in Jamieson 1991: 53). As Director, Butson was heavily involved in the development of the programme content and structure. As well as this, however, he believed an essential part of his role was to "lead by example and be there so I could say if you do this and do that, then look at me! You can stay out of jail".

Initially, Butson supported the psychotherapeutic regime operating in the programme. He had experienced psychological change during his time at SSF and it had altered his life dramatically. As one Board member at the time explains,

> [Kevin] is an example of how that programme [of psychotherapy] can work for a small number of people. He was . . . a high-class burglar, safeblower and criminal and very well organised, a very able guy. And he gave all that up. Changed completely . . . He's now one of the most upright, moral and honest people I think I've ever met (cited in Jamieson 1991: 56-57).

Hence, Butson was committed to the psychotherapeutic rationale and the use of group therapy as a critical component of the Foundation's programme.

As well as psychotherapeutic treatment, Butson believed it was essential that rules be strictly adhered to. His belief was that if rules were rigorously enforced, residents would be more likely to recognise the "error of their ways" and change their behaviour. Consequently, Butson admits he expelled a large number of residents who failed to comply with the rules.

> I guess the bottom line was that I kicked a lot of people out [of SSF] . . . I would have kicked probably 70 percent of the people out. But, I didn't see any other way for it, because I believed that the programme had to be upheld. If you turned a blind eye to anything, it didn't work (cited in Jamieson 1991: 54).

The impact of maintaining such a strict regime was paradoxical. While it ensured that a general anxiety existed amongst residents who had volunteered to attend the programme, it also reduced the overall effectiveness of the programme because it only ended up dealing with a small, select number of ex-offenders.

Decline of Therapeutic Emphasis/Resignation of Butson

By mid-1985, Salisbury Street was once again nearing closure. There were virtually no residents at the Foundation, which was the result of Butson's expulsions as well as others abandoning the programme feeling frustrated and dissatisfied. Both residents and board members were increasingly questioning the dominance of psychotherapy as a method of goal attainment. Residents were failing to see any obvious benefits in group therapy for them while various board members were struggling with the theory that residents could go through a course of therapy and emerge at the end 'cured' of their criminal personalities. Butson, himself, had also come to the opinion that very few people in the prison system wanted a residential therapy programme. Instead, he believed that a work rehabilitation programme would be more successful. As a result of his disillusionment, Butson resigned as Director in September 1985. He claimed, "I couldn't handle people being so negative - the whole attitude of 'the world owes me' . . . I needed to be around positive people that were fun, that you could communicate with". Butson did, however, remain involved with SSF until mid-1988 but to a much lesser extent.

Criminal Justice Act, 1985

Less than a month after Butson announced his resignation, the Criminal Justice Act 1985 was introduced. This Act replaced the earlier 1954 Act and implemented many of the recommendations made in 1981 by the Penal Policy Review Committee (1982). It was based on two principles. First, that those convicted of committing serious offences, especially violent crimes, should be sent to prison. Second, that the majority of offenders should not be sent to prison and, therefore, a variety of other options should be available

that would fit their crime (Department of Justice 1990). As discussed in chapter two, this reflected the general perception that offenders should be dealt with within the community, whenever possible, as opposed to being incarcerated.

The Criminal Justice Act introduced two new sentences, community care[66] and reparation, and also replaced probation with "supervision". The sentences which impacted most significantly on the structure of, and programme at, SSF were community care and supervision. Community care was introduced as a community sentence of up to one year, which could be either residential or non-residential (Criminal Justice Act 1985 s. 53(1)). It was intended primarily for first time and non-serious offenders, with the aim of diverting them from jail and increasing "the constructive and beneficial involvement of offenders in supportive community activities . . . and . . . the responsibility taken by community groups for offenders" (Spier and Luketina 1988: 131). The sentence of supervision, available for a period of six months to two years, was deemed appropriate for any offender convicted of any offence punishable by imprisonment (Ministry of Justice 1999). It differed from probation because it incorporated additional conditions which could require an offender to undergo treatment in a community programme or to receive probationary supervision or any other such provision that the court believed was likely to reduce the likelihood of reoffending (Criminal Justice Act 1985 ss. 46 and 50 (1)(a)).

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[66] Community care was later renamed community programme (from the first of September 1993), and then subsequently abolished by the Sentencing Act 2002 (see chapter five).

Parole provisions were broadened under the Criminal Justice Act 1985. Previously, parole eligibility at half sentence had been available to those serving five years of imprisonment or more. For all finite sentences of seven years or longer, parole was an option after three and a half years and for those serving sentences of life or preventive detention following the completion of seven years (Webb 1982). Within this Act, prisoners serving a term of less than 14 years became eligible for parole after the expiry of half of their sentence, while those serving life, preventative detention or a term of more than 14 years became eligible after seven years of that sentence (Criminal Justice Act 1985 s. 93 (1)). The overall aim of widening the conditions of parole was to reduce prison numbers. Initially this occurred as there was a surge of inmates into the community and hence the prison population fell to its lowest level since 1970. Within 13 months, however, the prison muster was higher than it had been when the 1985 Act took effect because many parolees had reoffended and returned to prison (Newbold and Eskridge, forthcoming 2003).

The introduction of the Criminal Justice Act 1985 had a considerable impact on SSF. Prior to the implementation of the Act, residents attended SSF on a voluntary basis. Under the new Act, however, SSF could now formally receive both parolees and those who had not served any period of imprisonment. Of those coming from prison, inmates were eligible for early release from prison if they had a suitable community programme to attend (Criminal Justice Act 1985 ss. 101(2) and 99(1)(b)). Hence, the principal motivation for attending SSF changed. Rather than admissions occurring voluntarily,

generally due to a desire to cease further criminal involvement, the primary reason for attending SSF became early release from prison. Legal restrictions placed on residents also obligated them to remain in the programme until their parole period was complete. Failure to do this could result in residents being breached for violating parole conditions and subsequently being sent back to prison. Therefore, the overriding concern for many who were sent to SSF was completing the programme without being sent back to jail and the level of involvement and commitment displayed related only to what was necessary to ensure this occurred.

The average length of stay at SSF declined significantly after the passing of the Criminal Justice Act. Prior to the Act, some residents stayed for between one and two years. Following 1985, however, SSF was redefined as a six to twelve-month programme and subsequently, as a result of numerous expulsions and voluntary departures, the average length of stay fell below four months.[67] This made it difficult for SSF to maintain its goal of accessing staff from the resident pool. It also meant that staff had to carry a larger burden of the workload because there were not the long-term residents there to help with the administrative and therapeutic aspects of the programme. As a result, SSF had to increasingly rely upon skilled, professional staff that had had no prior involvement with the organisation.

The 1985 Act necessitated a review of the programme content at SSF. While formal sentencing provisions ensured funding from the Department of Justice, improvements in

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[67] Seventh Annual Report 1985-1986: 4

finance and resources could not sustain the increase in resident numbers which saw the programme consistently operating at its maximum capacity of 12.[68] Consequently, SSF could not financially maintain the previously intensive counselling component of the programme, which was already under threat due to increased questioning by staff of its effectiveness. As a result, the programme experienced a shift in emphasis. It came to rely on group-type, encounter methods that were aimed at the more 'middle-of-the-road' offender.

PHASE THREE: 1986 – 1990

Director: Terry Easthope

At the beginning of 1986, Terry Easthope replaced Kevin Butson as Director of SSF. Easthope, who had had some previous involvement with the organisation, was seconded to SSF from the Probation service. Easthope was a recreation specialist, who had been an Outward Bound instructor, with 10 years experience at Anakiwa and similar centres in Britain and the United States (Jaspers 1988). He was also a former British Army paratrooper who was committed to strict discipline and a strong authoritarian approach. He believed that SSF would operate most efficiently if run along quasi-military lines, where residents had to follow orders and obey commands.

When Easthope initially arrived at the Foundation, the recently introduced Criminal Justice Act was yet to have a significant impact. The programme was still in dire need of residents, operating with numbers well below what was financially viable. Easthope

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[68] Seventh Annual Report 1985-1986: 4

believed that these difficulties could be overcome, however, by working within the bounds of the Criminal Justice Act and rethinking the core component of the programme at SSF. As a result, once involved as Director of the Foundation, Easthope implemented a shift in the philosophy of programme from psychotherapy to 'encounter recreation'.

Easthope's desire to implement an encounter recreation model at SSF was supported by the majority of those at the Foundation. This was because the change in emphasis, accompanied with the introduction of the Criminal Justice Act, enabled SSF to overcome the crisis created by low resident numbers, which had threatened to close the organisation in 1985. As a result, a major shift occurred over a 12-month period following Easthope's instatement. The organisation was virtually restarted from scratch and developed according to a new key goal, which focused on providing challenging recreational activities for the residents of the Foundation to participate in.

Easthope was determined to establish encounter recreation as a more viable approach than psychotherapy. According to Ken Turner, who took over as Director of SSF in 1987,

> Terry Easthope came along with this philsophy, which is the Outward Bound philosophy really, which is give people self-esteem through achievement, you know, rather than telling them that their mothers love them in a therapy group. You can actually take them out and take them on activities and let them achieve and feel good about themselves because they've accomplished something.

Physical challenge, therefore, became the overriding objective of SSF, while other aspects, including therapy, took a back seat. A strict criterion regarding the acceptance of individuals into the programme was established in order to eliminate those who would

struggle with a physically demanding programme or were at a high risk of reoffending. As a result of this careful selection process, encounter recreation appealed to the client group accepted into SSF. At the end of its first year, encounter recreation was heralded as a huge success. The shift in emphasis, along with the impact of the Criminal Justice Act, had seen SSF's popularity increase, with the programme consistently operating with a full quota of residents. It was asserted that the model "has been worked into a most successful therapeutic and developmental tool" and that it has been a lot less costly to administer than intensive counselling.[69]

Encounter Recreation

The encounter recreation approach, followed by Easthope, is a social-psychological method based on the assumption that ex-inmates exhibit certain characteristics, which are inconsistent with life in free society. These include low self-esteem, poor communication skills, a lack of responsibility, an inability to pursue long-term goals, and a dependence on, and alienation from, others (Davie 1993). As noted in chapter two, this presumption extended from the vast array of literature available suggesting that prison and open society are incompatible, and had serious, negative consequences for incarcerated individuals following their release. The philosophy behind encounter recreation aims to enhance the offender's chances of participating in mainstream society by demonstrating alternative attitudes and behavioural patterns which encourage individuals to face and overcome challenges in a practical way. The encounter recreation approach, also known as wilderness training and adventure-based education, is largely based on the Outward

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[69] Seventh Annual Report 1985-1986: 3

Bound philosophy.[70] It uses recreational activities as vehicles for change by placing participants in unfamiliar and challenging situations, which generally require a high level of physical fitness, patience and determination (Davie 1993).

The wider goal of encounter recreation is to weaken and eliminate the 'anti-social', criminal traits mentioned above and replace them with more functional, 'pro-social' alternatives. Such change has been promoted as being best achieved through a number of key strategies (see Davie 1993). These include offering recreational activities as a constructive use for leisure time and means of channeling boredom. Two important aspects to be considered in greater depth, however, are the breaking down of criminal responses and the raising of self-confidence and self-esteem.

Recreational activities generally offer an unfamiliar environment to many offenders. Hence, the mechanisms employed within prison to maintain superiority, such as the use of coarse language and/or threatening behaviour, become irrelevant. As Easthope describes, "You take the biggest guy in the jail and put him at the end of a rope rock climbing and he loses all his mana. His tough guy image is not worth an ounce of shit because the guy is scared stiff and screaming" (cited in Jaspers 1988). The philosophy behind encounter recreation argues that the outdoor environment requires a new set of skills and problem-solving techniques from those employed in prison. It requires individuals to work together and trust each other, as many of the activities used

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[70] Outward Bound was founded by Kurt Hahn in Wales in 1941 as a means of helping young sailors survive the harsh physical challenges of war. Since this time, Outward Bound has expanded throughout the world (there are 47 international schools in 42 countries) as a means of challenging individual's perceived physical, mental and emotional limits (http://www.outwardbound.co.nz/about/history.html).

emphasise the need for teamwork. Whether it be rock climbing, kayaking, or skiing, the ex-offenders are forced to depend on each other and deal with any complications that may occur.

Encounter recreation has also been promoted as a means of increasing confidence and self-esteem. The rationale behind this is that encounter recreation takes physical prowess, an attribute important to many ex-offenders, and turns it into a vehicle for behavioural change. While at first the ability to complete physically demanding tasks and deal with difficult situations is a very real challenge for most, once individuals begin to be able to complete these set tasks it is said to increase their self-confidence. Turner (cited in Jaspers 1988) explains,

> It's difficult for them because . . . you take away all their support systems: the drugs and alcohol. You're asking them to throw away all their crutches, and telling them to wait awhile until they can build up other ones . . . You're putting them into an environment the don't feel comfortable, or confident in, and therefore they have to start looking at themselves and make themselves feel confident from within.

Director: Ken Turner

In 1987, Easthope was re-appointed to the Probation Service, so stood aside as Director of SSF while still remaining on the BOT. He was replaced by Ken Turner, a charismatic former resident who had left the programme in the early 1980s, trained as a counsellor, and been hired as a social worker at SSF by Easthope in 1986. According to Turner, "I only became Director by default really, nobody else wanted to do it and when I became a resident the programme had relied upon the most senior residents becoming involved in

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running the place". Following his appointment, Turner continued to run the programme along the same lines as Easthope, maintaining the emphasis on encounter recreation.

During Turner's time as Director, between 1987 and 1990, residents continued their involvement in a wide range of recreational activities. These included kayaking, swimming, ten-pin bowling, golf, rock climbing, scuba diving, mountain biking, tramping and volleyball, as well organised events such as the South Island Coast-to-Coast expedition, from Kumara to Christchurch, held in January 1986. Initially, the recreation programme ran over a period of 12 weeks for two days a week. By 1989, however, time spent on encounter recreation had increased, occurring on Wednesday afternoons, and full-day expeditions on Thursdays and Fridays. Combined with the emphasis on recreational activities, there was also a focus on expanding the equipment base. Consequently a wide variety of expensive items were continually being purchased. This included scuba gear, speedboats, kayaks and ski gear all available for use by those involved at the organisation.[71]

Up until mid-1989, the recreation programme at SSF ran according to few formally stated objectives. In July, however, administrative changes were introduced in order to tighten the running of the programme. A comprehensive recreation plan was developed, which divided the year into quarters and allocated specific activities, appropriate to the season, into each section. The overall aim of the recreation plan was to provide residents with the opportunity to graduate through a series of activities, gaining skills that would allow them

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[71] See BOT Meetings 1986-1989

to advance to the next quarter. The progression through these stages ultimately culminated in the undertaking of major endurance events, such as the Coast-to-Coast, triathlons or two to four day tramps which were conducted by SSF most months.[72]

Other Programme Features

Referral process

Throughout Turner's regime, the average time spent at SSF remained four months. This meant that there were frequently places available in the programme and new applicants were constantly being sought. During this time, 80 percent of those involved in the organisation were parolees who arrived as the result of referrals from prison. The other 20 percent were offenders who had not been sentenced to terms of imprisonment but arrived, under the provisions of the Criminal Justice Act 1985, largely as the result of referrals from the Probation Service or the Department of Labour.[73] The referral process at SSF consisted of an individual informally hearing about the programme and writing with reasons as to why he/she[74] wanted to come and join the organisation and/or requesting more information. Many were introduced to SSF through the prison groups that Robinson ran at Paparoa until mid-1989. They ceased at this time, however, as a result of time pressures on SSF employees, a lack of desire to continue work in the prisons and the increased popularity of SSF, thus reducing need for advertising.

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[72] Letter to Sheryn Elborn from Denise Crowe, SSF Assistant Director, 10/4/1989
[73] SSF Archival Material 1990
[74] According to SSF policies and guidelines women were able to join the programme up until its introduction as a habilitation centre. Despite this, it appears that no women were accepted into the programme between 1986-1990.

According to the Annual Report (1985-1986: 2), "The utilisation of the SSF prison group, the availability of the Prison Parole Team liaison and the use of day parole programmes have proved to be an aid to the selection and assessment process this year".[75]

The Recreation Officer at SSF initially responded to all letters received by the programme. Then, for those seeking community care or supervision placements, a Probation Officer was generally required to get involved. As well as this it was expected that all applicants would have a referee who visited the Foundation and assessed the programme content and its appropriateness for the applicant. If a candidate was deemed suitable, the director of SSF, a social work department head and SSF's recreation officer all assessed him. Suitability was decided following the individual being released to SSF for a day parole and an interview with the applicant, referrer and SSF staff. These visits occurred on a monthly basis and intake of residents into the programme was generally limited to a maximum of three persons per month. Once accepted into SSF, residents became involved in all aspects of the programme, which as well as recreational activities included the development of work and life skills.

Work skills

Along with encounter recreation, the acquisition of work skills was also emphasised at SSF. The development of the stage two concept, discussed since the programme's inception, moved closer at the beginning of 1987 when a second house at 151 Edgeware

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[75] Seventh Annual Report 1985-1986: 2

Road was rented from the Ministry of Works.[76] This property provided the premises for the operation of a Training Assistance Programme (TAPS), which began on the 16th of February 1987. Half of the second house provided the scheme's base, while the other half was developed as a flat for those in the scheme.[77] The purpose of this government-funded programme was to provide opportunities for further education and training to those unable to find employment. Any organisation willing to become a training provider was eligible to gain funding and institute a TAPS programme. Butson coordinated the initial TAPS scheme at SSF,[78] where a 'day programme' was developed to run in tandem with the residential programme. By mid-1987, however, the TAPS programme was working very closely with the residential programme and it was being suggested that it "seems possible to combine them".[79] Following the completion of two TAPS modules at SSF, the scheme was discontinued and replaced by a work skills programme, known as the ACCESS scheme.[80]

The government financed ACCESS programme was very similar to its predecessor, TAPS. It provided work training and life skills courses to "assist persons at a disadvantage in the labour market to acquire skills which will increase their potential to find employment".[81] Work-based training within this scheme also incorporated other "positive action" elements, including cultural sensitivity, confidence building, and

[76] Letter to Anne Pitcaithly, Department of Social Welfare, from Denise Crowe, SSF Programme Administrator, 3 February 1987
[77] BOT Meeting 20/1/1987
[78] Butson permanently ended his involvement in SSF in mid-1988.
[79] BOT Meeting 12/5/1987
[80] Government financed ACCESS schemes were initially introduced in 1984. At this time ACCESS courses were available for day residents at SSF and focussed on the development of social/life skills. It shifted towards an emphasis on work skills in 1987.
[81] Wellington Regional Employment and ACCESS Council 1987: 2

encouraging wider job choices. The first ACCESS course began at SSF on the 7th of December 1987 with six trainees, including three from the last TAPS scheme. The scheme ran for 22 weeks, focussing on job readiness and getting people back into the workforce, while also incorporating additional aspects such as defensive driving and anger management.

Rules

Another programme feature, which was important for those entering SSF between 1986 and 1990, was the clear set of rules that existed.[82] These were:

1. All residents agree to cooperate with staff and other residents to the best of their ability and to maintain a positive attitude throughout their involvement with the programme and the Board of Trustees.

2. Unless permission has been obtained from the director, all residents must be at the House after 12am Sunday through Thursday.

3. No criminal offending is tolerated either inside or outside the Foundation.

4. No physical violence under any circumstances.

5. No alcohol to be used or in a residents possession on the Foundation's premises.

6. No drugs to be consumed or in a resident's possession on or off the Foundation's premises. SSF legally able to take random urine samples from residents.

7. No sexual relations on Foundation premises. No friends or partners permitted to stay overnight without the permission of the director.

8. All residents' finances will be placed under the control of the Board of Trustees.[83]

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[82] SSF Newsletter September 1988
[83] Ibid.

Some of these rules were strictly maintained throughout an individual's time at SSF, while others were relaxed as the length of stay increased. For example, when residents initially arrived at SSF for the first week they had a curfew of 10pm Sunday to Thursday, but this was extended to 11pm in the second week and 12am from the fourth week on. When rules were broken, a set disciplinary regime existed. This consisted of three stages, which were a verbal warning, generally issued by the director; a written notice; and dismissal from the programme, although residents were usually given the opportunity to reapply to reenter the programme after two weeks.[84]

As mentioned, discipline was strict during Easthope's time as Director. Many involved with SSF felt that this approach subverted the organisation's goal of creating independent, responsible and self-sufficient people. Despite this rigid environment, criminal offending, especially marijuana smoking, burglary and theft, continued to occur at a high rate. Butson, who was on the BOT at the time, approached Easthope with his concerns regar ng the high level of criminal activity but they were dismissed and the programme continued as previously (Jamieson 1991).

When Turner took over as Director the emphasis on strict adherence to rules and discipline diminished. Turner acknowledges of himself, "You take someone who's made a whole mess of their life and been in a programme for six months and then you put them

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[84] SSF Newsletter September 1988

in charge of all these people. It's crazy! So we had a free-for-all". As a result, incidents of rule breaking were trivialised and warnings often not given.[85] Turner said,

> There were always the underlying rules of no drinking alcohol, no drugs, no female friends to come and stay . . . basically the rules adopted from Delancey Street . . . but during my period, some of guys which were very strong willed guys . . . they were people who when they were in jail they ran the jail . . . So when they came to SSF, why should things be any different. So they'd say we think we should be allowed to go down the pub and you can present quite a feasible argument, you can say well you want us to reintegrate into society, part of society is going and socially drinking . . . So we presented these arguments to the BOT . . . and for whatever reasons they didn't disapprove of it, so some things changed which in hindsight should never have been changed . . . they became judge and jury really and started deviating from the rules.

While the BOT deviated from the rules on some occasions, they were also often largely unaware of much of what was going on during this time. A prison-style "anti-narking" code existed in order to avoid drawing BOT, and at times staff, attention to the widespread criminal offending and rule breaking that was occurring. Turner, himself, used many informal tactics to secure authority over the organisation, including controlling all communication channels, so he could select what information the Board received. Genevieve Strang, a counsellor at SSF, explains,

> There was a coerciveness there. I didn't know what it was at the time, I was probably part of it, but it was about the no narking: I'll scratch your back, you scratch mine. It was unspoken . . . but it seemed to me that was how people worked, ran the place, with a prison record.

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[85] Of the warnings that were given, in 1989, 80 percent involved drug use, either smoking or possession of marijuana (SSF Archival material 1989).

Funding

During Turner's reign as Director, the "free-for-all" mentality extended from freedom from rules to accessing monetary backing. The Board and staff, especially Turner, spent a lot of time applying for donations and grants and were very successful at securing funding for the Foundation. Financially, the programme was more robust than it had ever been previously. Newbold remembers, "There was endless amounts of money, money for everything. Equipment was going missing and getting stolen and it would just be replaced . . . and the guys would have these huge meals and anything that was left-over would just get chucked out". Strang also concedes, "He was very good at getting funding, at putting his boots on and going to Wellington . . . It [the programme] was absolutely humming along and they spent hundreds on recreation gear".

Turner admits, however, that the use of funds donated to the Foundation at this time was not always "honest". He explains, "We continued to apply for funds, we knew how to apply for funds really successfully and were quite successful at it but it was, if you were really honest about it, a little bit deceitful because the funds were never spent on what they were applied for". For example, Turner describes,

> We had a free-for-all, right down to things like applying for funding . . . we would apply for a
> lawnmower ten times over and we would get $1000 for a lawnmower from ten different places
> and never purchase it. So the $10,000 went into the bank to be used for other things. You know it
> was deceitful and it went on for years and years.

Between 1987-1990, SSF had four main sources of funding. These were government sources, philanthropic trusts, the business community and private donations. Increased

amounts of funding enabled the programme to spend more on its operation. For example, during the year 1989-1990, the cost of running the Foundation was $324,200, which was an increase of $86,500 from the prior year. The major sources of revenue during this year were government sources (approximately $60,000) including the Department of Social Welfare ($249.11 per full-time resident on the maximised sickness benefit and accommodation allowance per week) and the Labour Department (ACCESS benefit to individuals of $137.24 per week). Other contributors included the Mental Heath Foundation and the New Zealand Lotteries Board. Programme administrators were well aware, however, that this level of financial support would not necessarily continue. In the financial statement presented to the Board on the 15 August 1989 it was stated that, ". . . while we can operate at the present level until the end of the present financial year, unless we are able to secure permanent long term funding, then the nature of the programme will have to be curtailed very considerably".[86]

The Roper Report, 1989

In 1989, a government prison review was carried out by the Ministerial Committee of Inquiry into the Prisons System. The findings of this Committee were subsequently published in a report, often referred to as the Roper Report. The recommendations of the Roper Report, and subsequent legislative developments, will be considered in depth in chapter five. SSF administrators were, however, heavily involved with submissions to the Committee at this time. Director, Ken Turner, and BOT Chairperson, Dave Robinson, met with the Roper Committee for a number of hours during 1989 to discuss issues including rehabilitation/habilitation and the reintegration of ex-inmates into the

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[86] BOT Meeting 15/8/1989

community.[87] SSF staff supported the recommendations put forward by the Roper Committee, and in fact it was suggested that the concept of habilitation, highlighted by the Roper Report, had been used within SSF since its introduction (New Zealand Ministerial Committee of Inquiry 1989). As Robinson recalls, "We developed a phrase that came out of DSF and we called it a habilitation programme, which happened before all of the stuff that went on . . . in the Roper Report, that mainly came out of SSF . . . and I believe SSF is now called an habilitation centre". Also, in 1989, a member of the Roper Committee, Kath Dunstall, joined SSF's BOT and subsequently continued her involvement with the Foundation until 2001.

SSF in Crisis

By the end of the 1980s, SSF's administration was experiencing a management crisis. The original administrative system set up by Murray Cree was being undermined as the distinction between the process and content of the programme became increasingly blurred. Board members were frequently getting involved in the development of the programme's content, which essentially led to crucial administrative decisions, such as discipline, budgeting and liaison with government heads, being compromised. SSF's Director and other administrators, who were also often more concerned with the content than management practices, had failed to keep comprehensive records throughout much of the mid-to-late 1980s and hence, an unknown amount of SSF's resources were unaccounted for.[88]

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[87] Tenth Annual Report 1988-1989
[88] SSF Special Meeting 10/4/1989

Concern regarding the lack of financial records kept by SSF administrators had been expressed by Bob Calkin, a former commercial lawyer and current Board member, in 1988. He argued, "It seems clear to me that the present accounting system is not meeting the needs of the Board of Trustees of the S.S.F".[89] Calkin, who had himself once been imprisoned for fraud, indicated that an integrated budget showing true levels of expenditure was needed, but that this would involve strict accounting for depreciation. It had concerned him that the balance sheet recorded assets of around $40,000 when the true amount was, in actuality, far less than this, and that the same probably applied to other components of the programme as well. Consequently, Calkin had suggested that an investigation into the Foundation's accounting system was needed in order to improve it. He emphasised, "I cannot stress too strongly, the importance of this matter, for, without adequate financial data, we lack the tools to effectively manage and plan".[90] Calkin's concerns proved well founded, as by the following year, inadequacies in management were indeed threatening the future of SSF.

The BOT was both a victim of, and a key contributor to, the advent of this administrative crisis at SSF. The efficiency of the BOT in managing SSF was clearly compromised by the lack of information being provided by the Director and staff. As Newbold suggests,

> The problem, as is the case for many of these institutions, was that the Board of Trustees were all amateurs . . . and part-timers, whereas the admin staff were professionals and full-timers, so they could very easily pull the wool over the eyes of the BOT if the BOT isn't well-organised and doesn't have good systems in place.

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[89] SSF Accounting System 1988
[90] Ibid.

Board members were also, however, often becoming too heavily involved in the content of the programme and failing to make decisive administrative resolutions. Turner, therefore, is partially correct when he claims, "It was their (the BOT) responsibility to oversee it and I think they neglected that responsibility whole-heartedly . . . I think it was just easier for them to rubber stamp everything that was being done rather than actually stand up and fight against it".

The management crisis eventually became so untenable that Turner resigned on the 21st of March 1989 and the BOT took over collectively as Director of SSF. While this collective situation proved ineffective for numerous reasons, it did display that for several years the directors and staff at SSF had run a "sophisticated programme in an ad hoc fashion that was essentially unaccountable and subject to abuse".[91] As a result, responsibility and accountability were discussed as being essential to the future management of SSF.

In August 1989, the BOT negotiated for Turner to resume his role as Director. Shortly after his reappointment, however, concerns arose regarding Turner's methodology, spending and bookkeeping practices. Consequently, the firm Horrocks and McNab undertook an investigation at the Foundation's request. Major financial anomalies were discovered and although, in the words of Newbold, "the police, in the way they deal with suspected fraud, didn't want to deal with it . . . we had enough evidence of mismanagement to fire Ken Turner but we gave him the option of resigning". Easthope,

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[91] Twelfth Annual Report 1990-1991: 2

who had promoted Turner's appointment at the outset, opposed the decision to ask Turner to resign. He tried to convince the Board that if Turner had taken any "perks" from the organisation that were not due to him, this was a small matter relative to the good work he was doing. When the Board refused to compromise, Easthope was furious and stormed out of the meeting (Newbold: personal communication). Then a few days later, on the 14th February 1990, Turner once again resigned as Director and was assured that no positions would be available for him in the future. Still incensed about the treatment of Turner, Easthope now resigned from the BOT.

PHASE FOUR: 1990-1995

De-emphasis of Encounter Recreation

SSF's management crisis, combined with Turner's resignation, necessitated that the programme undergo a significant restructuring, both in regards to its administration and content. It was decided that the encounter recreation approach needed to be de-emphasised in favour of a more comprehensive programme. Many believed that encounter recreation had gained too much ascendancy at SSF and some even questioned its reintegrative/rehabilitative ability. Newbold, for example, argues,

> The thing about encounter recreation, the philosophy behind it, was that it would provide self-confidence and incentive for the guys to get out and work and everything but that was bullshit, it was never proven . . . I used to laugh about it and call it holidays for criminals.

The programme at SSF was also not conducive to encounter recreation's graduated course structure. At SSF, residents were constantly entering and leaving the programme. New arrivals were expected to participate in activities with residents who had been

involved with the programme for a lot longer than they had. As a result, many new residents were expected to perform beyond their capabilities and therefore often lacked the skills and confidence to master the activities being offered. This situation was not only physically unsafe, but also subverted the aim of raising self-confidence by increasing feelings of dependency and hopelessness.

Following the decision to de-emphasise encounter recreation, two major changes occurred. First, expensive recreational equipment was sold and involvement in costly activities such as skiing and scuba diving ceased. Second, a greater focus was placed on finding a balance between individual, group and community involvement and understanding. Hence, group sessions recommenced and a community awareness programme was resurrected.

Henry (Skip) Crossen (1990-1991)

Progress towards the administrative restructuring of SSF began in March 1990 with the appointment of Henry (Skip) Crossen as the new Programme Manager/Director. He was employed specifically because of his business background and therefore his ability to introduce the managerial structures that had been lacking at SSF for several years. Crossen worked closely with Greg Newbold, who had been appointed Chairperson of the BOT in 1990, [92] to develop a Policy Manifesto, and a Management and Programme Plan, which clearly established the programme goals and administrative structures crucial to the operation of SSF.

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[92] Robinson resigned as Chairperson of the BOT in 1990 but remained on the Board.

Policy Manifesto 1990/ Management and Programme Plan 1990/91[93]

The Policy Manifesto, developed in 1990, briefly outlined SSF's history and described the present period as a rationalisation phase. The principal components of this period were outlined as:

1. A change in emphasis from encounter recreation to job training and life skills.

2. The establishment of clear lines of authority, communication, and accountability; the institution of formalised objectives with plans of action and regular, independent assessments; and a review of SSF's fiscal administration.

3. A move to case management and the focussing of organisational resources onto meeting the critical needs of each participant.

The development of key administrative documents, such as the Policy Manifesto, and a Management and Programme Plan, were deemed to be essential to this rationalisation process.

Within the Management and Programme Plan, SSF was realigned toward two primary goals. First, was to provide a habilitation programme aimed at reintegrating ex-offenders into the community and second, was to break the recidivism cycle.[94] In order to achieve these goals it was stated that the "programme must be run efficiently and effectively with all components and officials operating in a co-ordinated fashion".[95] It was also

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[93] The Policy Manifesto and Management and Programme Plan were revised in 1992-1993. The main components of the programme remained largely unchanged and the overall framework was maintained until the end of the pre-habilitation centre period.

[94] Although not yet classed as a habilitation centre, SSF was already implemented some of the recommendations made by the Roper Report.

[95] Management and Programme Plan 1990/1991

established, however, that SSF "does not provide a magic cure for crime or criminality. It cannot change people who want changes to be made for them. Salisbury Street can only help those with a firm resolve to help themselves".[96] Therefore, identifying the suitability of potential applicants was crucial to "ensure that the only ex-offenders selected are those who are going to be a success at the Salisbury Street Foundation".[97]

The Management and Programme Plan examined eleven aspects of the programme, extensively detailing goals, objectives and tasks. These components were: (1) pre-assessment; (2) assessment; (3) induction; (4) education; (5) life skills; (6) vocational skills; (7) counselling and therapy; (8) recreation and community skills; (9) post-habilitation support; (10) executive requirements; and (11) the budget. Most of these aspects were also outlined in the Policy Manifesto. In regards to education, the aim was to improve numeracy and literacy skills through providing access to university courses, polytechnic, and programmes such as Adult Education, as well as offering tutors within the Foundation. The objective of life skills training and counselling was deinstitutionalisation and assisting social reintegration and personal growth both by teaching residents basic housekeeping skills, budgeting, communication skills, and health education, and by offering group modules, case management and individual counselling. As well as this, all residents were encouraged to explore vocational training options and a number of courses were available to them either at SSF or in the community. The role of recreation, while less dominant than previously, remained to "enhance candidates' physical, mental and social wellbeing through challenging activities" and to encourage

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[96] Policy Manifesto 1992
[97] Management and Programme Plan 1990/1991

the group dynamic prevalent within the organisation's objectives.[98] Finally, community involvement/work was established as crucial because SSF was funded almost entirely from community grants and donations. Hence it was essential that residents "return something to the society which supports them, while at the same time embellishing the profile of the organisation in the eyes of the public".[99]

Operational and governance issues were also revisited within these two documents. The BOT was reinforced as having the legal authority over, and being ultimately responsible for, SSF. Therefore, it was deemed important that the BOT remain constantly informed of all of the Foundation's affairs through a variety of reports, audits, meetings, and the Management and Programme Plan. The role of the Programme Manager (also known as the Director) was to manage and administer Board policy and finance while overseeing the programme. The overall lines of authority and communication were clearly established as being: the Programme Manager was responsible to the BOT (with communication occurring through the Chair); and employees and participants were responsible to the Programme Manager (with communication between employees/participants and the BOT occurring primarily through the Programme Manager, secondly through the Chair).

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[98] Policy Manifesto 1990
[99] Ibid.

Kimihia Trust

As well as developing the Policy Manifesto, and the Management and Programme Plan,

Crossen established a trust fund known as the Kimihia Trust.[100] The ostensible purpose of

this organisation was to make use of SSF equipment, so that it could contract out

recreation services to SSF and other organisations. It was arranged by Crossen that Paul

McFelin, a resident at SSF, was to head the organisation, with others involved including

Crossen, McFelin's wife Verna, and Kath Jamieson, a student researching SSF who had

recently become personally involved with Crossen. A separate bank account was set up

with Crossen and Jamieson as the only signatories and the Trust was established as an

incorporated society. At the time of its development, concerns were expressed by some

Board members in relation to issues of conflict of interest between Crossen being both a

Kimihia Trust member and Programme Manager of SSF. Crossen was quick dispel these

concerns, however, and the organisation continued.[101]

Crossen's Downfall

SSF was generally well organised and efficient while Crossen was Programme Manager.

Administration of the programme was competent and methodical, and Crossen was

responsible for putting some good structures in place. His approach was also, however,

very rigid and uncompromising. According to Newbold,

> What the Crossen regime gained in organisation, however, it lost in human relations. Although
>
> some residents felt secure in his system, many were antagonised by his ruthlessness and his

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[100] Kimihia Trust Constitution 13/9/1990
[101] BOT Meeting 27/11/1990

arrogance. Skip Crossen very soon alienated a great many people, and this impaired the long-term feasibility of his method.[102]

Crossen liked to maintain a tight control over the programme and his staff. This resulted in Strang suspending her involvement as a counsellor at SSF in 1990 due to conflict between her and Crossen. She claims, "I just didn't have the skills to know how to deal with the man. He was incredibly controlling and very spooky, cold".

Crossen's professionalism was first brought into question when he had begun a personal relationship with Kath Jamieson, the student who was researching SSF.[103] He was a married man in his forties; she was a young postgraduate sociology student from the University of Canterbury who had been studying SSF since mid-1989.[104] According to Strang, "She (Kath) was spending a lot of time in Skip's office and he told me . . . he needed to do some intensive therapy with her and then he would disappear for hours. It was just scary". Despite this, Crossen continued as Director largely because he had the full support of Greg Newbold, the Chair of the BOT. In retrospect Newbold concedes,

Skip Crossen was a very slick operator. Very credible, good looking, confident and a little bit of a con man. He certainly sucked me in . . . Once he got control of SSF he became personally involved in it and worked very cleverly to alienate people he disliked or saw as a threat and to massage people, such as myself, who were in a position of power.

Late in March 1991, it was discovered that Crossen was an undischarged bankrupt. Newbold recalls, "He did not disclose to us at the time of his appointment that he was an

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[102] Twelfth Annual Report 1990-1991: 7
[103] He later married and had a child with this woman.
[104] Jamieson was awarded her Master of Arts in 1991, although her thesis was embargoed, meaning that it could not be viewed by anyone without the author's permission for five years.

undisclosed bankrupt and owed, I think, $30,000 to people in Nelson who had invested, through his business ventures which had collapsed". This was of significant concern to the BOT for two reasons. First, he had failed to disclose this information to them when initially interviewed, and second, in his position as Programme Manager, Crossen had had a wide discretion over the use of funds. Although it was believed that Crossen had not misused SSF funds, there was some uncertainty surrounding the actual role of the Kimihia Trust and the funds, including some of Crossen's income, being placed into it. Further investigation found that Crossen may have misinformed the Official Assignee in Nelson about the true level of his income, and had involved the BOT in this matter by requesting that they divert part of his income into the Kimihia account.

After taking legal advice, formal discussions were held with Crossen to discuss the discoveries made by the BOT. These resulted in a unanimous decision by the Board to ask Crossen to stand down from his duties on 11 April 1991. Crossen was very resentful about his dismissal and a month later he wrote to the Minister of Justice expressing concerns about SSF. He alleged that Newbold, as Chairman of the Board, had stated that SSF's BOT was "exploitative, manipulative and into their fantasies" and furthermore that the Foundation was in "an utter mess". In this letter, Crossen continued to recommend that the Department of Justice should conduct a programme and financial audit of SSF and that, in fact, they should probably "take over the operation of this organisation *in toto*".[105]

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[105] Letter from Crossen to Doug Graham, Minister of Justice, 29/5/1991

Core Group (1991)

Following the rigidity of Crossen's leadership, many Board members and residents desired increased "flexibility and openness in house management".[106] As a result, a Core Group concept was developed by senior and past members of SSF. The Core Group concept signified an attempt to revisit the primary premise upon which SSF was based: that reformed inmates were best able to assist and relate to ex-inmates. In a majority vote, it was decided that involving residents in the administration of SSF was preferable to maintaining a highly structured and stratified management hierarchy, which was largely unnecessary in the achievement of Foundation goals. It was also hoped that the Core Group would enable a free flow of communication, where channels were open for all involved in SSF, rather than a centralised few.

On the 30th of April 1991, the Core Group proposal was approved, subject to periodic review, by the BOT. Most Board members were largely supportive of the Core Group concept. For example, Meladie Bras explains,

> It was a healthy exercise. It needed to have that trial . . . [It] gave these guys a chance to see what it's like to run the place, to see what challenges there are for the staff. If we said no to the Core Group concept they would have always kept thinking, oh they just want to maintain control, they don't want to give us a chance, they don't believe in us.

The main opponent to the proposal was Greg Newbold. He believed that it was irresponsible to use public money experimenting with residents, who had no leadership or administration skills, as managers of the programme (Newbold: personal communication). Ken Howat, a Recreation Officer at SSF at the time, confirmed

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[106] Twelfth Annual Report 1990-1991: 4

Newbold's concerns. Newbold recalls Howat saying, "It is going okay now but it won't be long before it starts to unravel" (Newbold: personal communication).

The staff structure of the Core Group consisted of Robinson remaining as a part-time Programme Manager and Riecke Fergusson being hired as a part-time administrative assistant, with the overall running of the organisation being taken over by three former programme participants. In principle, the Core Group and the part-time manager were expected to function in the same way as a full-time programme manager had, as outlined in the Policy Manifesto.

The men employed as the Core Group were Wally Aranui, Barry Joseph and Paul McFelin. Each of these individuals had extensive criminal histories. Aranui was a Mongrel Mob member who had been imprisoned for his involvement in the infamous Ambury Park Rape, which occurred on December 14 1986 in Mangere, Auckland. Joseph was a former Head Hunter who, at age 19, had received a life sentence for committing a gang-related murder in Auckland in 1979. McFelin had been sentenced to 11 years jail following the kidnapping of Gloria Kong on 29 June 1983. These three men had all been through and completed the programme at SSF as residents, and Joseph and McFelin had also subsequently been employed by Foundation: Joseph, as a Recreation Officer, and McFelin as a member of the Kimihia Trust.

Specific duties were developed for each of the Core Group members. Aranui's role was as the live-in house manager, who was responsible for security, maintenance, discipline,

training, education, and as a cultural liaison within SSF. Joseph was placed in charge of recreation co-ordination, programme facilitation, and as a liaison with penal and probation divisions of Justice. McFelin, a carpenter by trade, had authority over work skills and project development, funding, planning, and resource networking.

While promising in theory, the Core Group concept proved disastrous in practice. Aranui, Joseph and McFelin did as well as they were able, but had no experience in administration. Newbold, who had opposed the proposal from the beginning, said,

> It was chaotic. Nothing was being done properly. No records were being kept. There were drugs
> and shit coming out of the place . . . The guys, when they came to meetings, were
> misrepresenting the situation, covering up the fuck-ups that had occurred. Equipment had been
> lost and we weren't being told about it. The place was being ripped off. There were drugs, people
> were going out at night and committing crimes. Bloody hell, the place just ran amuck.

Even those who had initially supported the concept conceded that the Core Group did not work. Brown argues this was because, "They were set up to fail . . . they weren't supported and they weren't trained in specific areas to make it happen". Bras, however, claims they resisted the assistance that was offered to them and this resulted in their decline. She maintains,

> They learned their own limitations in the end . . . We let them go their merry way saying we're
> here if you need some help and they're saying oh god no we don't need your help, we're better
> than that. That was their mistake. They thought they could do it without the help and that is why
> they self-destructed.

As a result of these numerous difficulties, the Core Group was disbanded on 31 October 1991 after a six-month trial period. In the interim, Anni Brown, a former resident and the Board's financial vice-chairperson, assumed the role of Director, backed by the BOT.

Throughout this turbulent period, the programme at SSF continued and resident numbers were maintained. Following the collapse of the Core Group, however, only two existing staff members remained with the programme, namely Riecke Ferguson and Barry Joseph. One of the individuals to depart from SSF at this time was the programme's founder, Dave Robinson. While he resigned voluntarily from the BOT, in hindsight he feels that he was "pushed". Robinson claims, "The whole ethos of the place was changing. So I guess they quite rightly thought well the first thing we've got to do is get rid of Dave. So they got me out . . . which was okay, I actually didn't mind . . . the whole thing is now run along totally different lines".

Barry Joseph Reoffends

The difficulties being experienced by SSF following the collapse of the Core Group were worsened when Joseph was arrested in mid-December 1991 for aggravated robbery. He was charged with forcefully demanding money from a Christchurch motel owner and his family, an accusation to which he pled guilty and was subsequently sentenced to three years eleven months imprisonment for. According to the Thirteenth Annual Report (1991-1992), the BOT felt partially responsible for Joseph's behaviour because of the many management upheavals and reductions in staff numbers experienced in 1991 which had positioned him in a "strenuous position which was far beyond his capabilities without adequate supervision". [107] As well as this, the night Joseph reoffended he had been drinking at Ken Howat's 'pre-wedding' stag party, despite having serious alcohol

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[107] Thirteenth Annual Report 1991-1992: 4

problem, a situation that was unknown to many involved with SSF at the time. For Bras, who became Chairperson of the Board in 1992, "That was probably the darkest day for me at Salisbury Street . . . because Barry had it all . . . a wonderful wife and a child . . . and he self-destructed in one night . . . he drank when he knew he was not supposed to".

Jon D'Almeida (1992-1993)

The deficiencies of the Core Group led the BOT to finally agree that a full-time Programme Manager was necessary. Jon D'Almeida was subsequently appointed Director of SSF in January 1992. His background was with Outward Bound and, therefore, during his time as Director, the recreation component of the programme experienced a resurgence in emphasis. Strang recalls, "There was an emphasis on recreation. It was a bit like encounter recreation, where you put people in difficult situations. He came from Outward Bound, so he had that sort of background and mindset". As well as recreation, however, other components of the programme, such as education, vocational and life skills training, counselling and community service, also remained important.

D'Almeida possessed a high standard of managerial skills and experience. Following his appointment, he reshaped SSF's administration through a series of organised and methodical procedures. Before implementing any changes, however, he ensured that he conferred with all staff and Board members in order to assess a proposal's viability. This open communication meant that SSF was "beginning to work as a team instead of an 'us

and them' situation as so often happened in the past".[108] D'Almeida streamlined the administrative procedures which provided clearer guidelines to staff and programme participants. As a result, staff/resident relations were at an all time high, due to both D'Almeida's managerial skills and his personality.

The procedures introduced by D'Almeida were described as being "more rational and realistic" than those implemented previously.[109] These included the introduction of urinalysis for all programme participants and staff. This addressed the fact that over 85 percent of prison population have some drug or alcohol problem and it forced residents to deal with these issues. Having staff urinalysis also increased the accountability of those working at SSF, both to programme participants and the wider public. Along with the introduction of urinalysis, D'Almeida established a position of Night Manager for between 5pm – 8pm. The role of the Night Manager ranged from monitoring disciplinary procedures to organising evening activities. The need for both a Night Manager and regular urinalysis had been expressed previously by Board members but had always been restricted by economics. D'Almeida, however, exhausted all possibilities until he found a solution and the funding to implement these initiatives.

SSF's position in the private and public sectors improved considerably when D'Almeida was Director. This was because he involved himself heavily in public relations. He opened up communication lines with Christchurch Community Corrections by insisting on monthly meetings. He also reintroduced discussion groups to Paparua Prison, which

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[108] Thirteenth Annual Report 1991-1992: 4
[109] Ibid: 6

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increased SSF's profile with inmates and generally improved relations at local prisons. As a result, during 1992 and 1993 SSF was receiving an average of 14 day parolees per month. The effect of the resurrection of prison groups and subsequent increases in day parolees meant that SSF was able to streamline admission and assessment procedures and prepare future programme participants while they were still in prison. Overall, D'Almeida's professionalism and involvement in public relations led to a greater support of SSF from the Justice Department.

D'Almeida left SSF in March 1993, after only just over a year as Director, to take up a position in South Africa working for Outward Bound. Both staff and residents were disappointed to lose D'Almeida. He had been a real asset to the Foundation, an energetic and competent leader, who had stabilised and tightened the programme more than had ever occurred previously. According to Strang,

> That year he was here, the place, he managed it. I felt safe there. You know for the first time I
> felt that if anything went wrong he would handle it. He would manage it. He would protect the
> staff, and he would move on professionally. It was the first time I'd ever experienced that and it
> was a damn good feeling actually.

D'Almeida expressed having enjoyed his time at SSF and felt comfortable that he was leaving the programme in a secure position. He said in his letter of resignation (29 January 1993),

> I have thoroughly enjoyed my working relationship with the Board, staff and residents as well as
> other agencies and the Department of Justice personnel . . . The programme is extremely sound
> and challenging and is based upon workable aims, objectives and principles . . . The Foundation
> has a strong Board of Trustees so in all respects I believe I have represented yourselves, the staff,

the residents and the future of the Salisbury Street Foundation toward a solid, professional and creditable stage.

Following D'Almeida's departure, Strang moved into the position of Interim Director for about nine months. She found the transition from counsellor to Programme Manager difficult, however, and looked forward to the appointment of a new director. She explains,

> It was a very difficult role because we were short-staffed and I had to do the counselling job as well as the Director's job. It's such a conflict of interest and, you know, I'm a head-patter not an arse-kicker. My role is to support and advocate for people . . . I didn't enjoy that time much, and I would never want to move into that job again.

In June 1993, Neil Borlase was appointed Programme Director. After only two weeks, however, he was asked to resign. According to Newbold, "The women on the board got right into him. A former navy man, they didn't like him. I couldn't say why but they just didn't like him. They decided that he was too authoritarian". Kathy Dunstall, one of the Board members who was instrumental in the dismissal of Borlase, insists, "We had to get rid of this man as quickly as possible . . . The director is the key person. They set the tone . . . and if you haven't got a good director you're pretty stuck and the place starts to fall apart pretty smartly".

Hebsalody Committee

Now we leave SSF, to consider the Hebsalody Committee, a composite organisation with representatives from the Hebron Trust (Heb),[110] SSF (Sal), Odyssey House (Ody)[111] and

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[110] The Hebron Trust was Youth Ministry operated by the Catholic Church.
[111] Odyssey House is a drug and alcohol treatment programme situated in Christchurch.

the Kimihia Trust. The Hebsalody Committee initially began in April 1991 when members from each respective group met to discuss the possibility of "introducing challenging recreational alternatives to people at risk".[112] When the Committee commenced it consisted of at least one member from each organisation. This included Brother Bernard McGrath (Hebron), Geoff Soma (Odyssey), Kathy Dunstall and Meladie Bras (SSF) and initially Paul and Verna McFelin (Kimihia Trust). The Hillary Commission funded the Hebsalody Committee and its role was to coordinate and supply recreational services to SSF, Odyssey House and the Hebron Trust. These services ranged from rock climbing to mountain biking, seasonal touch rugby to skiing, and gym training. The overall Hebsalody budget allowed for the employment of both Bob Cullen, a former SSF resident, and Barry Joseph as coordinators of the organisation. Initially it was agreed that Kimihia would provide six-monthly evaluations but a few months later, following advice from IRD regarding tax, the link with Kimihia was deemed to be unnecessary.[113]

Following its introduction, Hebsalody experienced numerous difficulties. Firstly, Crossen, who had initially been the main force behind the establishment of the organisation, was discharged from SSF in April 1991 and so his input ceased, as did the Kimihia Trust. Secondly, the Committee failed to provide sufficient guidelines and direction to the recreational provider, Bob Cullen, who had been a last minute replacement for Joseph. Thirdly, in 1992, allegations began to emerge that the representative from the Hebron Trust, Brother Bernard McGrath, had been sexually abusing young boys. He subsequently pled guilty to 10 charges of indecent assault

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[112] Hebsalody Pamphlet 1991
[113] BOT Meeting 30/4/1991

involving six boys and was sentenced to three years in prison in 1993 (*nzoom.com*, 6/12/2002).[114] Fourthly, Cullen's ongoing negative attitude towards clients and fellow workers, often described as "abusive and insulting", led to him being discharged from his duties in April 1992.[115]

Following his dismissal, Cullen threatened SSF and in particular, Meladie Bras.[116] She recalls,

> I had numerous times gone to the bat for this resident of ours, Bob . . . I went to bat for him to get that position for Hebsalody . . . When he was fired I'd stepped back and let everything happen . . . He'd looked to me for support and I said "Bob, I'm not supporting you on this . . . it was your choice" . . . About two months later, he called me up at home and he abused me . . . and he said "I just want to let you know that I've put you on the top of my list for burglaries now that I'm back doing them because I have no choice.

Cullen's threat caused Bras to review her six years with SSF, including the scepticism she now carried, and as a result she decided it was time to leave the programme. She claims, "I still think it's a great concept . . . [but] I'd got to the point I thought once a thief always a thief and I thought yep I need to get out of this because I'm not going to be doing anybody any help". Approximately a year after Cullen's discharge, SSF withdrew from its Hebsalody contract, discontinuing all involvement with the organisation.[117] The reason for SSF's withdrawal from Hebsalody was largely due to financial difficulties

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[114] In 1997, he plead guilty to six more counts of indecent assault and received another three years to be served concurrently with his prior sentence.
[115] SSF Evaluation of Service Delivery given by Bob Cullen on behalf of Hebsalody 1992
[116] Letter from Bob Cullen to SSF Chairperson 27/5/1992
[117] Letter from Newbold to Sharon Van Gulik, Programme Manager, Hillary Commission, 20 July 1993

being experienced by the organisation at this time. These concerns will be dealt with in later discussion.

Colin Elliott (1993-1994)

Colin Elliott took up the role of SSF's Director in October 1993. He had previously worked primarily as a social worker for a range of organisations, including the Crippled Children's Society and Outward Bound. Elliott claimed to bring with him to SSF "a clear determination to challenge the focus of the programme . . . by inviting residents . . . to take more responsibility for their own behaviour and the way they function within the programme".[118] He wanted to both empower and challenge individuals who were stuck in set roles and patterns, through a mixture of therapy and outdoor recreation (Colin Elliott: personal communication). In actuality, however, Elliott spent the majority of his time dealing with financial issues, such as funding, budgeting and expenditure.

SSF premises under threat

Combined with this lack of funding there was also a threat that SSF might lose its St Albans Street, Merivale premises. The potential loss of the house in St Albans Street initially emerged, prior to Elliott's appointment, in February 1993. That month SSF had received a letter from the Department of Justice giving the Foundation three months notice to vacate its Merivale premises. This proposition placed the programme in serious jeopardy because SSF was unable to pay market price for the property. [119] The only alternative seemed to be to try and re-locate. Subsequent exploration of this possibility,

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[118] Chairman's Report, August 1994
[119] The rent being paid for SSF's Merivale premises was still well below the market rate.

however, indicated its viability was limited. This was due to four key factors. First, funding was always uncertain so SSF could never qualify for a mortgage. Second, the Foundation was operating on a shoestring budget, with a lot of volunteer help, and would not be able to afford market rentals for premises which could accommodate up to 12 residents. Third, Christchurch City Council town planning staff and SSF's legal counsel advised the BOT that gaining permission to operate an organisation of this type anywhere else would be difficult. The application process was lengthy and it was likely that local residents would oppose the introduction of a programme like SSF. The fourth and final limitation of relocating was the expense involved with adapting new premises to suit the needs of the Foundation.

As a result, it was decided that the best option for the continuation of the programme was for it to remain at its current location. The solutions suggested included that the Justice Department sell the property to the Board at a "token" price, enabling Justice to get the property off the books, or for an arrangement to be reached to establish some way of renting the property to the Board at concessionary rates. After a period of uncertainty and ongoing negotiations, politics intervened when the St Albans Street property was placed in the landbank by the State in October 1993 as compensation in the Treaty of Waitangi claim made by Ngai Tahu. SSF subsequently secured a three-year tenancy agreement with the Property Manager of Ngai Tahu, which took effect on 1 September 1995. At this time, however, it was made quite clear that the agreement was unlikely to be renewed after three years, so concerns relating to relocation and the future of the programme continued.

Funding crisis

In combination with concerns over SSF's residence, the organisation was also experiencing a significant funding crisis. Community funding for organisations like SSF had been drastically reduced and redirected into the development of habilitation centres. Consequently, SSF's operating budget for the 1993-1994 year was $26,000 less than the prior year, amounting to $205,000 actual expenditure. This was below the $209,000 which was needed to maintain a quality programme with full staff.[120]

Despite continued efforts to access new sources of funding, the crisis deepened as 1994 progressed with funds being exhausted by the end of July.[121] In a letter to Mel Smith, the Acting Secretary of Justice, Chairman of SSF's Board, Peter Brittenden expressed his concerns. "It is crunch time at the Salisbury Street Foundation. Money runs out at the end of October . . . The future of the Salisbury Street Foundation and the programme it provides is now in grave jeopardy".[122] As a result, SSF received emergency funding from the Ministry of Justice in two installments of $40,000 and $60,000 in July and August 1994. The Justice Department also expressed a desire for the programme to continue and proposed that SSF needed to negotiate a contract with them. It became quickly clear that this contractual arrangement was likely to involve SSF becoming part of a habilitation pilot programme scheme that was being contemplated following an amendment to the Criminal Justice Act in 1993.

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[120] Report on Salisbury Street Foundation: Executive Summary February 1994
[121] BOT Meeting 29/6/1994
[122] Letter to Mel Smith, Acting Secretary of Justice, from Peter Brittenden, 28 July 1994

Elliott resigns

In August 1994, at the same time as the funding crisis was occurring and after less than a year as Director of SSF, Elliott resigned. The uncertainty over funding and associated problems that came with it had exhausted him. Elliott explains,

> It was a very difficult time . . . There wasn't adequate staffing or managing to feel safe that [we]
>
> had cover, like because of funding issues there was one night a week when there was no staff on
>
> . . . [Also] I went to Wellington three times in a year and each time they gave me 20 or 30,000
>
> dollars to continue the programme and the last time I said it's too hard, I'm resigning . . . I was
>
> burnt out by that stage.

Glenn Newman, a former probation officer and colleague of Dave Robinson, who had also assisted Terry Easthope in the development of the encounter recreation programme at SSF in 1986, replaced Elliott as Director of SSF in November 1994. Soon after his appointment, he had the habilitation proposal placed in his lap. It had become clear to many staff and Board members at SSF that the survival of the Foundation was dependent of continued funding from the Department of Justice and, therefore, progress towards SSF being established as a habilitation centre needed to begin.

CHAPTER FIVE

SSF History - The Habilitation Centre Phase and Beyond

Introduction

In April 1996, the Salisbury Street Foundation was established as a pilot habilitation centre. This followed a series of recommendations, initially made by the New Zealand Ministerial Committee of Inquiry into the Prisons System in 1989, then revised by the Habilitation Centre Development Group in 1990, and finally introduced into legislation in the Criminal Justice Amendment Act 1993. The implementation of SSF as New Zealand's first pilot habilitation centre was the result of a lengthy and complex process. It required an in-depth review of the management and structure of SSF and established the Foundation as ultimately accountable to the Ministry of Justice. Along with this, however, it also ensured greater stability for the programme, especially in relation to funding. Consequently, and in conjunction with the appointment of a new Director, David Coom, since 1997 the Foundation has experienced the most stable period of its 23-year history. Recently, in July 2002, SSF's legislative existence as a habilitation centre ceased with the introduction of the Sentencing Act. The programme continues to operate, however, within the terms of the new legislation and as yet has not been significantly altered by the policy change.

As with discussion on SSF's pre-habilitation centre period, this chapter will maintain a focus on five key areas of interest. These are (1) the personality of each programme Director, namely Glenn Newman and then David Coom, and the influence they had on

the running of the programme at SSF; (2) operational philosophies and strategies; (3) the role of the Board of Trustees; (4) the effect of legislative changes; and (5) the impact of critical events and incidents. As mentioned, each of these factors is essential in gaining a comprehensive understanding of SSF and the development its programme. Consideration of these aspects also enables the introduction of issues relating to (re)habilitation and the organisation and management of not-for-profit organisations, which are to be discussed, in relation to SSF, in later chapters.

HABILITATION CENTRES: THE LEGISLATIVE PROCESS

The Roper Report, 1989

The habilitation centre concept was introduced to New Zealand in the 1989 Prison Review carried out by the New Zealand Ministerial Committee of Inquiry into the Prisons System (The Roper Report). This Committee was chaired by The Hon. Sir Clinton Roper, a retired Judge of the High Court, and included six other members who were: (1) Kathy Dunstall, a parent, community worker and former Nursing Tutor; (2) Rev. Robert Biddle, Chairman of Whakatohea Executive and member of their Trust Board, and General Secretary of Ringatu Church; (3) W.D. Garrett, a retired Inspector and Superintendent of Prisons; (4) Dr. Iain McCormick, a Registered Psychologist, Partner and National Director of Human Resources, Touche Ross; (5) T.A.F. Withers, a Justice of the Peace and former Registrar of the High Court; and (6) Margaret Thompson, a Research Officer. Entitled 'Te Ara Hou: The New Way', this report offered habilitation centres as an alternative to the traditional prison system which, it contended, was largely failing to

rehabilitate or deter offenders. The Committee made bald assertions that this was due to an "irreconcilable conflict" between the two fundamental objectives of prison, secure containment and reform, and that although there was "sufficient evidence to suggest that with a more intensive and extensive therapeutic approach, it is possible to reduce the rate of offending of some individuals or turn them from crime altogether", this was unlikely to occur in prison (New Zealand Ministerial Committee of Inquiry 1989: 35).

Habilitation centres were characterised by the Roper Committee as "independent community-based therapeutic programmes" that could "offer inmates realistic opportunities to make permanent change in their lives and put an end to criminal activity" (New Zealand Ministerial Committee of Inquiry 1989: 36). Central to the notion of habilitation was the argument that rehabilitation was often an unrealistic goal within community-based programmes. This was because 'rehabilitation' implied the restoration of former skills and abilities which arguably did not exist in the first place. The philosophy behind habilitation centres, therefore, was to "equip and make fit for life" (New Zealand Ministerial Committee of Inquiry 1989: 35). In the opinion of the Roper Committee, this was a more positive and realistic approach to take in the establishment of effective and workable reintegrative programmes for offenders outside of the traditional prison environment.

The Roper Report listed a range of features that needed to be incorporated into habilitation programmes. (1) They needed to be clear, well structured, organised and documented. (2) Their emphasis should be based on a social-learning model

incorporating a holistic approach that addressed all aspects of behaviour/personality and focused on the attainment of new skills. (3) Habilitation centres were not a soft option and they would provide an intensive and sometimes confrontational environment. (4) Habilitation programmes needed to be conducted within the inmate's community whenever possible. (5) High quality and committed staff.[123] (5) It was deemed important that an adequate post-release follow up was developed. Also habilitation councils were recommended as a way of overseeing the movement of inmates from prison to habilitation centres and then into the community.

According to the Roper Committee, there were numerous programmes already in existence in New Zealand that could be established as habilitation centres. Five centres recommended as appropriate for the transformation to a habilitation centre were: Beck House in Napier, Downie Stewart Foundation in Dunedin, Montgomery House in Hamilton, SSF in Christchurch and Te Moana Marae in Wellington. As well as these programmes, there was also room for the development of new specialised habilitation centres. The Roper Report described seven types of programmes as being compatible with the habilitation centre concept. These were:

1. Secure treatment centres for high risk offenders including those convicted of sex crimes, such as Kia Marama, the child sex offenders unit at Rolleston Prison.

2. Therapeutic, community-based programmes, founded on the Delancey Street model and making use of long-term confrontational therapy, for example, SSF.

3. Community-based programmes for violent offenders, such as Montgomery House, an organisation run by PARS in conjunction with Psychological Services.

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[123] It was suggested that staff should include ex-inmates with appropriate skills for the job.

4. Programmes specialising in Maori offenders which were based on a marae and involved cultural, educational, vocational and therapeutic programmes.

5. Drug and alcohol treatment programmes such as Odyssey House.

6. Programmes that provided opportunities for education, trade and/or other employment training.

7. Programmes which focused on social skills, budgeting, job search skills and constructive recreational skills.

The Habilitation Centre Development Group

The ideas and suggestions put forward by the Roper Report were assessed, refined and/or further developed by the Habilitation Centre Development Group in 1990 (Department of Justice Habilitation Centre Development Group 1990).[124] While having some misgivings about certain aspects of the Roper Report, in general the group claimed, "We support the proposal for habilitation centres as an attempt to give a strongly positive dimension to imprisonment" (Department of Justice Habilitation Centre Development Group 1990: 34). For the Development Group, habilitation centres were viewed as a "natural and positive extension to the case management system". This system had concentrated on "the planned co-ordination of all programmes and services to meet the individual needs of the inmates in prison and to prepare them for their successful reintegration into the community" and it was believed that habilitation centres would continue to foster this goal (Department of Justice Habilitation Centre Development Group 1990: 36-37).

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[124] Research into habilitation centres continued through the 1990s. For example, see Dyer (1994).

The Habilitation Centre Development Group reviewed and reiterated the key guidelines for the establishment of habilitation centres. The Group focused on the reduction of reoffending through altering social, behavioural or vocational functioning. Other crucial elements included: the programme was residential and full-time; that residents were closely supervised; that no alcohol or drugs were consumed; and any non-compliance or breaches of conditions were to be immediately reported and resolved. Within the remaining guidelines there were varying degrees of flexibility. For instance, habilitation centres could be either non-profit or profit organisations, there was no one set prescribed length, and transfer was based on perceived need not automatic admission.

The Habilitation Centre Development Group had three main concerns regarding the Roper Report and the implementation of habilitation centres. The first was that the role of the sentence of imprisonment should not be undermined because most of the general populace in New Zealand still viewed the deprivation of liberty and removal from the community associated with incarceration as necessary elements of justice. Therefore, it was suggested that the inmate should be required to serve a minimum period in prison (one third of the sentence was deemed appropriate) prior to any transfer to a habilitation centre. The second area of concern related to the development of an appropriate system for the provision of habilitation centres and the supervision of inmates. For the Development Group the preferred solution was to ensure specific authority existed regarding the release of inmates into residential habilitation programmes and their return to prison under certain conditions. Third, the Development Group emphasised that the introduction of habilitation centres must be accompanied by careful evaluation, including

comparative assessments with prison programmes (Department of Justice Habilitation Centre Development Group 1990: 49). In the opinion of the Group this was a core function of the State, which could not be delegated.

The Criminal Justice Amendment Act, 1993

The recommendations of the Roper Report and the Habilitation Centre Development Group were enacted into law under the Criminal Justice Amendment Act 1993. Section two of this Act established habilitation centres as approved residential centres. The Habilitation Centres Pilot Programme was established with four key objectives: (1) to provide residential programmes which identify and address the causes and/or factors, which contribute to offending behaviour; (2) to contribute to the successful reintegration of offenders into the community; (3) to reduce reoffending; and (4) to foster community involvement in the provision of programmes to offenders.[125] Offenders were able apply to reside at a habilitation centre or alternately they could be sentenced to a centre by the District Court or High Court as an additional condition of a sentence of supervision or community programme. The actual time spent at a habilitation centre was to be determined by the Parole Board or District Prisons Board, although initially it generally extended for a maximum of 12 months, so long as this did not continue beyond an offender's sentence expiry date.

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[125] Department of Corrections: Media Release, 27 July 1995

Under the 1993 Act, probation officers were designated as habilitation coordinators. This role was defined as having five key areas of responsibility. The first was to investigate and evaluate the suitability of inmates for release to a habilitation centre. Second, habilitation coordinators were expected to monitor the conduct and participation of residents including their compliance with the conditions of release. Third, they were responsible for providing advice to habilitation centre staff regarding the placement of offenders. The fourth area necessitated the involvement of habilitation coordinators in programme development, and operational and security matters. Fifth, they were expected to report to the district manager of Community Corrections on matters relating to the centre (Criminal Justice Amendment Act 1993, s. 44).

Release to a habilitation centre was based on the same standard conditions involved when determining release on parole. These included the likelihood of reoffence, the welfare of the offender and any attitudinal changes experienced during his/her sentence, and the nature of the offence (Criminal Justice Amendment Act 1993, s.104). Of primary importance within the Criminal Justice Amendment Act 1993 was that all persons eligible for early release from prison, whether on parole or remission, were subject to revocable conditions. Therefore, it was considered essential when deciding upon the release of an offender to a habilitation centre, that no offender was to be deemed eligible unless the Parole Board or District Prisons Board was satisfied that the offender was suitable for release to the facility, likely to benefit from participation in the programme, and understood all conditions of release to an habilitation centre (Criminal Justice Amendment Act 1993, s.102 (3)).

Eligibility to attend a habilitation centre varied according to the sentence being served. Most residents were able to apply to a habilitation centre when they became eligible for release on parole under section 89 of the Criminal Justice Amendment Act 1993, or when they were to be released under section 90 at their final release date[126] (Criminal Justice Amendment Act 1993, s.102).[127] According to the 1993 Act, discretionary release on parole was available for those serving determinate sentences of more than 12 months for a non-violent offence, following the completion of a third of their sentence (Criminal Justice Amendment Act 1993, s.89 (3)). For those serving indeterminate sentences, or sentences of more than 15 years for a serious violent offence, eligibility was after the expiry of ten years of that sentence (Criminal Justice Amendment Act 1993, s.89 (1) (4)).[128]

A number of conditions had to be agreed to, and written consent given, prior to the release of an offender to a habilitation centre. For instance, offenders were required to reside at the centre unless authorised by the manager to be released on leave for a maximum of three days. They were also expected to co-operate with their assigned probation officer/habilitation centre coordinator and comply with all rules and lawful orders given by programme personnel. If any of these conditions or consents were breached, including if the resident committed an offence or jeopardised the safety of any

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[126] Final Release was available after one-half sentence for those sentenced to prison for 12 months or less, two-thirds sentence for those serving more than 12 months for a non-violent offence or a violent offence with no minimum period of imprisonment, and the period imposed for violent offence sentenced to a minimum non-parole period (Criminal Justice Amendment Act 1993, s. 90).
[127] This did not include those serving less than 12 months imprisonment or a sentence of corrective training.
[128] The non-parole period for lifers and preventive detainees had been increased from seven to ten years under section 93 of the Criminal Justice Amendment Act 1987.

person at the centre or the security of the organisation, then in accordance with this act they could be recalled to prison to serve the remainder of their sentence (The Criminal Justice Amendment Act 1993, part VI, s 107 1(6)(a) to (e)).

SSF: NEW ZEALANDS FIRST PILOT HABILITATION CENTRE

Preparation: Glenn Newman

Glenn Newman was appointed Director of SSF in November 1994. He had initially applied for the position in 1993 but Colin Elliot had been offered the job ahead of him. Newman's informal involvement with SSF dated back to the programme's introduction. As a probation officer, Newman knew Dave Robinson and had spoken with him about the possibility of opening up some kind of post-release facility in 1979. He recalls,

> That debate was very current amongst probation officers at that time, you know finding alternatives to imprisonment. Actually part of our job was to look at community-based alternatives, so yeah I was involved in a low-key kind of way. I knew what was going on and I contributed ideas.

After its establishment, Newman maintained links to SSF. For example, in 1986 because he had previous outdoor experience, he assisted Terry Easthope in the development of the encounter recreation programme at SSF (Newman: personal communication). When Newman became Director of SSF, therefore, he had the advantage of knowing the general history and development of the programme.

Being aware of SSF's history, including prior problems and difficulties, meant that Newman had a clear idea about what he wanted to change. He stated, "I didn't want to

continue with Salisbury Street as it had been in the past. I was very clear about that".

Firstly, Newman recognised that the resident-run, Delancey Street model had not worked

at SSF and had instead led to "unprofessional management" and "inefficient

organisation" especially in terms of money. He believed a greater professionalism was

needed within the organisation and that SSF would be more viable and successful if it

increased its connections to Corrections and the prison system. Secondly, Newman aimed

to end "the old idea of a charismatic leader of the place", which historically had seen the

organisation totally reinvent itself when a new director took over. Alternatively, Newman

wanted to develop a comprehensive set format for the programme so that when he left,

SSF could continue to operate without "depending on my personality to make it happen".

As discussed in chapter four, the possibility of becoming a pilot habilitation centre had

been suggested by Corrections prior to Newman being employed as Director. Once

Newman was appointed, however, the development of a proposal began relatively

quickly. This was due both to financial necessity and because Newman supported the

shift towards a greater connection between SSF and Corrections. In fact, he would have

preferred an even deeper involvement. According to Newman, "What I would have liked

was to have merged Salisbury Street into something to do with Corrections so we became

almost like a Corrections structure, the administration being completely handled by

Corrections". He was of the opinion that SSF had never really been a community

organisation. It had been set up and largely run by professionals not criminals and would,

therefore, function more productively as an "outpost" of corrections, where funding was

certain and administrative expectations clear (Newman: personal communication).

Not everyone involved with SSF agreed that the Foundation should become a habilitation centre. For instance, Kathy Dunstall, who had been a member of the Roper Committee, believed the original philosophy upon which the habilitation centre had been based was being undermined by the Department of Corrections (Dunstall: personal communication). She argued,

> Corrections, or the Department of Justice, claimed ownership. That was the big conflict, I think. The Roper recommendation was that community-based organisations maintained their autonomy . . . I stood down from the Board at that period because of the operating specifications which came out of Corrections . . . I think they went over the top with the requirements of community-based organisations.[129]

Anni Brown also discontinued her involvement with SSF at this time. She believed the programme had drifted from the ideals upon which it was founded and that becoming a habilitation centre would simply undermine these principles further. For example, the value of the BOT would lose all credibility. Brown contended, "What's the point in having a Board of Trustees if we're going to be a habilitation centre . . . they're too tied down by Corrections policy anyway. The policies are set by Corrections, not by Salisbury Street". Despite these concerns, enough support existed within SSF for the progression towards becoming a pilot habilitation centre to continue.

The process of setting SSF up as a pilot habilitation centre was complex and involved a lot of work, including writing up an application and developing a contract with the Department of Corrections. According to Newman, "It was just a mammoth amount of work . . . The contract document was gigantic and we had to start right from scratch to

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[129] While Kathy Dunstall stood down at this stage she later rejoined the BOT and was involved with SSF until her resignation in 2001.

write it out. There was no format for that. There was simply the outline of what Corrections would pay for and so we had to build a contract in connection with that". Along with Newman, members of the BOT and in particular Janice Patterson (Chairperson of the BOT) and Greg Newbold were involved in the development of the pilot habilitation centre documentation. Subsequently, and following a series of drafts, the initial proposal to establish SSF as a pilot habilitation centre was completed in March 1995 and followed by the development of a detailed policy and procedures manual in February 1996.

Pilot Habilitation Centre Proposal, March 1995 / Policy and Procedures Manual, 1996

Developing a proposal to establish SSF as a pilot habilitation centre necessitated a general review of the current programme. The Department of Corrections required a detailed account of all operational and structural aspects of the organisation. Based on the submission subsequently made to Corrections, the overall programme at SSF was to retain the majority of its prior objectives, structures and procedures. The most significant aspect of the transition to a habilitation centre was that SSF was going to become both more accountable to, and fully funded by, the Department of Corrections. Along with the 1995 proposal, a comprehensive policy and procedures manual was developed in February 1996. Within this document, the objectives and key components of the programme were reiterated, as were the rules, assessment procedures, proposed operating costs, and job descriptions of all SSF staff.

The proposal and Policy and Procedures Manual established the overriding aim of SSF. According to the mission statement this was, "To provide a professional, caring residential habilitation programme for men who have been involved in criminal offending, to prevent further offending and to facilitate their safe integration into the community".[130] This was to be achieved through the use a wide range of effective interventions including group therapy, relapse prevention, social skills/education/life skills programmes, encounter recreation, prison discussion and assessment groups, assessment of offender needs both within institutions and the community, and the presentation of reports to National and District Prisons Boards and Probation staff.

The cost of operating the habilitation programme at SSF was set at $320,605 for the first year, increasing to $327,000 in the second year and $333,500 in the third year. In retrospect, however, Newman concedes that,

> I had to keep saying but we can't do that. That's not what Corrections will pay for . . . The big
> mistake I made was I did not make enough room for staff . . . you need a core four or five staff,
> then you've got to multiple that by three to get 24-hour coverage . . . But it was difficult because
> we were having to compete with other organisations and Corrections . . . were saying you know
> this organisation here are going to provide staffing at half what you've quoted . . . I wish now
> that what I'd done is put down all of the staff. I should've challenged them to turn that down.

The key positions of responsibility within SSF remained largely unchanged. The BOT was to retain overall control of the administration and content of the programme. The Director (Manager) was responsible for the management of the centre, including the areas of supervision, security, safety and participant involvement, and was ultimately

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[130] SSF - Policy and Procedures Manual 1996: 2

accountable to the BOT. Other staff members included the full-time positions of a Programme Manager (now a separate position from the Director), an Office Administrator, and an Evening Programme Manager, and on a part-time basis a Counsellor, Weekend Managers and a Community Worker. All of these staff members were primarily answerable to the Director who then reported to the Board.[131]

A set of criteria was developed regarding who would be eligible to attend SSF once it became a habilitation centre. It was decided the programme would concentrate on males, generally over 20 years of age, with a substantial background of offending and institutionalisation. Priority was to be given to those in prison over those awaiting sentencing from the courts, and all potential applicants were expected to display a willingness to make substantial life changes. Although not written into official policy, some Board and staff members also deemed certain offenders as inappropriate for SSF. These included those whose central problem was addiction to drugs or alcohol, those with a history of sexual offences against children, and individuals with a recognised psychiatric illness.

Eligibility for the programme was to be determined through a clearly set assessment procedure. As had previously occurred, this was to begin with an initial interview at the prison with a group of inmates, and then a subsequent check of any potential client's institution files and discussion with appropriate prison staff. A second interview was to provide an opportunity to discuss material discovered in the institution file or from the input of prison staff, and subsequent to this, a series of day paroles would ultimately

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[131] See SSF - Policy and Procedures Manual 1996

decide the acceptability of an offender. An independent assessment was also to be carried out by the Habilitation Centre Coordinator, although the Director of SSF was to retain the right over the final decision

The rules remained largely unaltered from those that had been developed in the 1980s, and they continued through the early 1990s. These were listed as: (1) all participants must agree to co-operate with staff and other residents to the best of their ability, and maintain a positive attitude; (2) no criminal offending; (3) no physical violence; (4) no alcohol; (5) no drugs; (6) no sexual relations; (7) all finances of residents under the control of the Foundation (although it was stated that this rule was to be reviewed); (8) all residents who had attended the programme for under two weeks had a 11pm curfew and were only to leave the property with a staff member; (9) no overnight leave for initial one month and then no overnight leave between Monday and Thursday; (10) all excursions were to be negotiated with the Director and Night Manager and all participants were expected to be in by 11pm on weeknights with all visitors also gone by this time.

Along with these rules, a curfew and leave system was developed at SSF. This system consisted of three stages: Red, Orange and Green. The Red stage was imposed during the first two weeks of a resident's stay. During this time, residents were placed on full curfew and were only able to leave the property with a staff member. From the third week, residents entered an Orange stage which allowed them evening leave until curfew time (as stated above) and day leave during the weekend with a resident who is on Green status or a designated support person. After eight weeks, residents progressed to the

Green stage which enabled them to leave the property alone if staff approval was given and also provided the opportunity for weekend leave if deemed appropriate.

SSF becomes a Habilitation Centre

SSF became New Zealand's first pilot habilitation centre in April 1996 following the successful negotiation of a three-year contract with the Department of Corrections.[132] This was a historic event in SSF's history. For over seventeen years, a major focus for programme administrators had been on attaining the funding necessary for the future survival of the organisation, a situation which had been becoming increasingly difficult in recent years. The contract with Corrections, establishing SSF as a pilot habilitation centre, provided the programme with a greater degree of security, both financially and professionally, as well as higher standards of service delivery.

Along with increased support came greater expectations and levels of accountability. Frequent visits were made to SSF by Corrections staff and a variety of guidelines were established for the accreditation of pilot habilitation centres. These detailed a wide range of areas including physical environment, accommodation, organisation and management, financial management, personnel, medical care and health, health and hygiene, safety/security, intake, records, evaluation, monitoring/support/liaising, and programme content.[133] SSF was expected to adhere to all of these protocols and procedures, and to be able to measure them in a "reliable and transparent way".[134] The prime concern for SSF,

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[132] The other habilitation centres which were established at this time will be discussed in chapter seven.
[133] Draft Guidelines for the Accreditation of Pilot Habilitation Centres 1996
[134] Report to Patterson and SSF BOT from Anne McCormack, October 1996

however, with funding assured, was to maintain eight to ten residents in the programme, a standard they failed to meet throughout much of 1996.

Resident Numbers

During the twelve-months that the contract with Corrections was being prepared resident numbers were lower than usual at SSF. This was put down to the amount of time Newman was spending on the habilitation centre contract. Following the signing of the contract, however, numbers remained low. This was partly because the prison was not providing SSF with referrals and Newman was not pursuing the issue. Also conflicting opinions existed between SSF and Corrections regarding who was responsible for providing SSF with clients. SSF Board members argued it was the Department of Correction's job, while the Department argued SSF should be finding their own residents. Eventually, Corrections conceded they were responsible for providing SSF with potential clients but they also reiterated to SSF that, according to the contract specifications, an average of eight residents was required over a six-moth period and that the current standard of two to three residents was unacceptable.

A major reason for the lack of residents at SSF during this time was deemed to be due to the "energyless environment" that existed amongst the Director and staff regardless of the time or day of the week.[135] Hence, strategies for increasing numbers in the programme were not being developed. Staff members were aware of the low energy level present at SSF and determined it to be because, "We worked so hard getting the contract accepted

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[135] Report to Patterson and SSF BOT from Anne McCormack, October 1996

and then we haven't really moved since".[136] It seemed that so much effort had gone into the preparation of the contract that little was left over to put it into action. This was especially true for SSF's Director, Glenn Newman, with exhaustion and a lack of motivation ultimately calling his leadership into question.

Resignation of Glenn Newman

On 10 December 1996, concern was expressed by members of the Board that Newman was increasingly "extremely stressed and agitated".[137] He was constantly failing to do what was asked of him. The BOT had also become aware that appointments were being changed without prior notice and that Newman was not ringing weekend staff before they started their shift to update them on the week's activities and developments. As a result, a letter was sent to Newman informing him of the BOT's concerns but suggesting that he should remain as Director because he was good with residents and could be monitored by the BOT. Newman, however, who had never intended to remain involved with SSF for a long period of time, was ready to leave. He explains, "I never had any intention of staying there too long . . . I had in mind two or three years to try and make up a programme that could be run so that I could leave and someone else could come and pick it up and just keep going along the same format".

According to Newman, the huge amount of work required for the establishment of SSF as a pilot habilitation centre had drained him of energy to continue as Director. He was also

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[136] Report to Patterson and SSF BOT from Anne McCormack, October 1996
[137] BOT Meeting 10/12/1996

finding it increasingly difficult to deal with, and incorporate into SSF's programme, the often conflicting agendas of the BOT. He recalls,

> [SSF] was driven by this group of trustees from the community and they all brought in amazing agendas . . . This person had one view, this person had another view, and so on. And it was very, very difficult to marry all those things together . . . It's certainly something I underestimated when I took the job . . . I didn't think it was going to happen and when it did I was taken aback by it. I would deal with it differently now.

Newman was even beginning to question the motives of some Board members. He states, "In some ways, during my bad moments, I was quite clear that some of them were using this as a way to bask in their own professional careers". Consequently, soon after the commencement of the New Year, Newman resigned as Director of SSF.

Appointment of David Coom

Following the resignation of Newman, David Coom was welcomed as the new Director of SSF in April 1997. Coom had worked as a social worker for over a decade and arrived from Methodist Child and Family where he had been employed as a manager since 1993. For Coom, working for SSF seemed like "an ideal opportunity for me to pull together a lot of things that professionally I was really interested in; management, clinical work, group work and working with male offenders".

Coom's appointment has been largely beneficial for the stability of SSF. He remained the Director of SSF for nearly six years, up until February 2003 when he offered his resignation. According to Newbold (1999: 3), during Coom's reign as Director, SSF experienced "a period of tranquility, the most uneventful in the foundation's history".

Therefore, rather than continuously worrying about issues such as poor management, inadequate record keeping, and/or insufficient funding, administrators have been able to focus on revising and reworking policies and procedures, undertaking research on SSF, and working towards meeting Department of Corrections requirements. Consideration needs to be given to some of this documentation which has emerged since 1997 as well as the occurrence of events significant to the running of SSF.

Habilitation Centres: Quarterly Reports

Along with guaranteed funding, the most significant impact for SSF of the transition to a habilitation centre was the increased level of accountability to the Department of Corrections. A key aspect of this was the provision of quarterly service performance reports. Every three months, reports were expected from each of the pilot habilitation centres. Along with SSF, the other initial pilot habilitation centres were Higher Ground Drug Rehabilitation Trust in Auckland, Aspell House in Plimmerton (run by the National Society on Alcoholism and Drug Dependence), Te Ihi Tu of Roopu Tane Taranaki in New Plymouth, and Te Whanau O Waipareira Trust in West Auckland. Reports from each of these organisations were subsequently used as a means of comparing and evaluating the programmes in regards to programme delivery, standards of care and management, serious incidents, programme completion, and financial results. The specific findings of these reports, in relation to all of the initial pilot habilitation programmes, will be considered in chapters six and seven, which assess the success of SSF in relation to the areas of organisation, management, and rehabilitation. In general,

however, SSF was the only pilot habilitation centre to consistently meet the majority of the objectives set out by the Department of Corrections.[138]

Department of Corrections: Interim Evaluation Report, 1997

Along with the quarterly reports, an assessment of SSF was carried out in 1997 by Dr David Yeboah, a Senior Research Advisor at the Department of Corrections. The main aim of his evaluation was "to provide information and policy advice to the Minister to enable him to make an informed decision on whether or not the habilitation centres concept should be continued, modified or abolished" (Yeboah 1997: 11). The research detailed the successes and failures of SSF over its first year as a pilot habilitation centre. The specifics of his findings, especially in relation to the areas of programme completion and recidivism, will be considered in greater depth in chapter six. In general, while Yeboah concluded that SSF had "successfully completed the set up phase and the pilot has been well established" (Yeboah 1997: 4), he also made a series of recommendations and suggestions for the improvement of the programme at SSF.

Yeboah offered a range of suggestions and recommendations as a means of overcoming inadequacies within, and surrounding, the programme at SSF. These incorporated: (1) the clarification of roles within the organisation especially in regards to the habilitation coordinator and prison officers; (2) adopting a more robust approach to the marketing of the programme; (3) offering a programme which was more specifically tailored to the needs of each individual resident including, for example, a core course on anger and violence and a Maori component of the programme; and (4) ensuring more effective

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[138] See Habilitation Centre: Quarterly Reports/Service Performance Reports 1996-2001

supervision particularly at night and during the weekends in order to reduce and minimise breaches of programmes rules and regulations (Yeboah 1997). A number of these recommendations were subsequently discussed at SSF and further considered by Coom through the completion of some research of his own.

Research Project: Coom

In addition to the research carried out by Yeboah, in 1997 Coom undertook a project examining the programme at SSF. He aimed to evaluate SSF based on McLaren's (1996) research on criminogenic needs and the provision of skills needed to reduce reoffending.[139] McLaren established the problems and skills deficits which are predictive of reoffending as relating to the areas of violence, education, substance abuse, cognitive skills, self-management, driving offences, vocational development, pre-release activities, and recreation and leisure skills. Coom's research found that SSF went a long way to addressing these skills deficits and that clients were generally happy with programme.

Despite the generally positive outcome of Coom's research, there were also areas established as requiring further attention. These incorporated the development of more specific skills training, such as a violence programme, education on drug and alcohol issues, work skills, and an increase in cognitive skills training specifically around problem solving and self-motivation. A greater level of formality in the application and checking of programme delivery, including the graduation of residents, was also deemed

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[139] McLaren's research and the findings of Coom's research are dealt with in greater depth in chapter six.

necessary. As a result, Coom offered eleven recommendations for the further enhancement of programme delivery at SSF. These were:

1. Adopting the National Stopping Violence programme as a way of focussing the programme at SSF and making it more challenging of men's behaviour.

2. Ensuring staff model non-violent and respectful behaviour.

3. Continuing the education programme as it is, with both an individualised programme and group slots on a range of relevant issues.

4. Building into the education syllabus drug/alcohol slots run by outside agencies.

5. Incorporating more specific skills learning. For example a cognitive skills course, aimed at broadening a client's knowledge of problem solving, conflict resolution and motivation techniques.

6. Developing basic life skills for men and checking these are being adhered to.

7. More clearly identifying work skills and ensuring they are taught at SSF.

8. Further developing and formalising plans to leave the programme and incorporating these into the new case management system.

9. Adding to the recreation/leisure component of the programme so that individual clients and/or their families, especially those on benefits, can experience a range of affordable activities.

10. Differentiating between outdoor adventure, which is structured to facilitate clients facing challenges, and normal recreation/leisure interests that can be pursued following the completion of the programme.

11. Setting up a formal process of internal monitoring for all programme content to ensure accountability around programme delivery.

Rape by a SSF Resident

While the continual revision and development of aspects programme content and delivery are important, they can not always prevent recidivist acts when dealing with such a high-risk group. A serious incident occurred at the Foundation on the weekend of the $13^{th}/14^{th}$ of February 1999. A resident, 'Richard',[140] who had been admitted to the programme a month earlier, had allegations of rape made against him. This situation was aggravated by the fact that the woman, 'Lisa',[141] who laid the charges, had been in the process of becoming Richard's support person.

At SSF, once a resident had been in the programme for more than two weeks and was placed on 'Orange Curfew', they were able to leave the premises accompanied by staff, another resident or a support person. There was some concern about Lisa becoming Richard's support person, however, as she was only 19 years of age. As a result, a lengthy meeting had occurred between SSF staff, Richard and Lisa in order to assess whether Lisa might be vulnerable or unsafe in any way and to discuss Richard's offending history, which most recently consisted of a life sentence for murder. While Lisa was aware of this murder conviction, she did not know that the murder had been committed against a woman. Coom felt it was important that Lisa was informed of this situation and so approached Richard offering him the opportunity to tell her rather than it coming from SSF staff. Subsequent to being challenged about telling Lisa about his murder victim, Richard told SSF staff members that he wanted Lisa's position as a support person to be put on hold until after he had completed the programme. Staff

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[140] This is a pseudonym
[141] This is a pseudonym

members at SSF and Richard's Probation Officer all agreed that Richard should stop using Lisa as his support person for the time being. It was also decided that he should only to see her at SSF or in a public place and not at her home.[142]

On 12 February, following a meeting with SSF staff, Neil,[143] was approved as Richard's new support person. The next day a form was filled out and signed by both Richard and Neil stating they were going out for the day on Saturday. As it transpired, however, Richard went to Lisa's house where another friend of his lived and spent most of Saturday consuming 'pills'. Coom was called at 10.15pm and informed that Richard had just been returned to SSF and that Lisa alleged he had raped her. The police were informed and Richard was subsequently taken into custody at 4.30am on the 14 February.[144]

The aftermath of this event could have been a lot more difficult for SSF than it actually was. Staff dealt with the incident professionally and were supported by the existing policies and procedures, which administratively had now been implemented. Detailed records had been kept of all discussions with Richard and clear systems for handling the incident were in place. Seven specific measures had also been implemented, which if adhered to, would have prevented the occurrence of the offence. These were: (1) Richard had been tested weekly for drugs/alcohol and had been clean. (2) He had completed a

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[142] Confidential – Report on the Alleged Rape by a Salisbury Street Foundation resident on the Weekend of the 13th/14th February 1999: David Coom.
[143] This is a pseudonym
[144] The outcome of these allegations is not detailed within the archival material. It had little impact on the reviews which subsequently occurred at SSF and were focussed on preventing the reoccurrence of such breaches of policy.

Safety Plan in-group and had participated in all parts of the programme. (3) He had been openly challenged about not associating with Lisa and would have received a written warning on the 15 February had he not been taken into custody. (4) He had been counselled by the Director on further safety issues around domestic violence and the need to be very careful in any future relationships because if allegations were made against him it would be difficult to defend them given his prior record. (5) Detailed records were kept of the meeting with Lisa and concerns dealt with which ultimately led to Richard finding a new support person. (6) On 12 February, Richard had been told he was to have nothing more to do with Lisa. (7) When he was taken into custody on 14 February, he was formally discharged from SSF for breaking our rules on association, and for drug/alcohol use.

Following the incident, policies were reviewed and some were changed in order to minimise the risk of recurrence and to ensure the existence of clear procedures. SSF counsellor, Genevieve Strang claims, "It was great. Suddenly we'd have a crisis, like one of our residents raped a support person, and we had a whole lot of policy develop around the issue". The principles adopted as a consequence of this incident were: (1) support people must be over 25 years of age; (2) there has to be some context to a support person such as a sponsor from a Church or support group; (3) a support person must be fully informed of the resident's offending history; and (4) if an individual has offended in the previous two years they would not qualify as a support person. The Red, Orange, Green curfew system was reviewed so that as well as a set time enabling a resident to progress they were also required to complete certain tasks to earn the movement to the next stage.

These tasks included providing clean urine samples, beginning victim impact work, and establishing a positive attitude towards the programme and an appropriate support network.[145]

The advent of a serious incident, such as this alleged rape, reinforces the importance of maintaining good public relations and strong community networks. The 1999 alleged rape never appeared in the media which Coom claims was "a mixture of luck and also I believe good management that we've got good relationships with the press but more importantly we're really clear about who talks to the media". The maintenance of good public relations also ensures that if the press does report on a serious incident, which has occurred at SSF, stakeholder support is maintained because they have been well informed. Coom explains,

> It's about if something happens keeping all of your stakeholders incredibly informed and that
> way they have trust that you're dealing with it professionally and have good processes. So that's
> the main thing, so even if it does hit the headlines, you know they're still batting for you because
> they're satisfied that you've handled it properly.

Purchase of Merivale Premises/Second Premises: Manchester Street Flats

A more positive event occurred on the 13th of August 1999 when SSF succeeded in raising a mortgage and purchased its premises in St Albans Street, Merivale from Ngai Tahu, a South Island Maori tribe, for $320,000. As discussed in chapter four, SSF had begun renting the house from Ngai Tahu in 1995 after the Justice Department had put it

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[145] Confidential – Report on the Alleged Rape by a Salisbury Street Foundation Resident on the Weekend of the 13th/14th February 1999: David Coom.

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into the landbank. The possibility of buying the property had initially emerged at this time when, according to Patterson, "we ceased paying peppercorn rent and were forced to negotiate market rent".[146] Subsequently intermittent discussion occurred between SSF administrators and Ngai Tahu regarding the purchase of the Merivale house. It was not until late 1998, however, that this prospect emerged as a serious option. The BOT then put a considerable amount of time and energy into ensuring the property acquisition happened. Financially, the purchase of the St Albans Street property was made possible through the provision of monetary support from The Community Trust and the approval of a home loan from The National Bank of New Zealand.[147]

Three years after buying the St Albans Street house, SSF took possession of a second property located in the central city in Manchester Street. This followed the acquisition of a $150,000 grant from The Community Trust to provide the Foundation with sufficient equity to purchase a second residence.[148] Subsequently, in April 2002, these premises, consisting of three two bed-roomed flats and able to accommodate up to six men, were purchased for residents in the final third of their time with SSF or for suitable graduates. The purpose of these flats has been to provide ongoing support and somewhere to live for SSF residents/graduates while they "ease back into the realities of community life".[149] Jeff Cooper, a former resident and current programme supervisor at SSF, acts as

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[146] AGM September 1999: Chairpersons Report
[147] AGM September 1999: Directors Report
[148] The Community Trust grant was supplemented by an offer of mortgage finance from The National Bank.
[149] SSF Newsletter March 2002: 2

the live-in supervisor at the flats. He believes the purchase of the Manchester Street flats was a positive and progressive step for SSF. As Cooper explains,

> The flats are a great idea . . . we've got the [ongoing] support of this place and Genevieve has always been open to ex-residents coming back and talking to her . . . even if you fall over they say come back to us and talk about it . . . There's a guy down there [at the flats] at the moment that needs that and might need it for the rest of his life . . . So it was a good idea, the board coming up with [the flats].

Integrated Offender Management

In July 2000, a new methodology for working with offenders, namely Integrated Offender Management (IOM), became fully operational across three Corrections services: the Public Prisons Service, the Community Probation Service and the Psychological Service. Due to SSF's connection to the Department of Corrections, the Foundation has been expected to incorporate IOM within their programme. Theoretically, this approach maintains many of the same basic principles of previous methods, including public safety and the reduction of reoffending. IOM works to achieve these objectives through taking "a best practice approach – ensuring the Department's work is targeted, consistent, cost-effective and proven to reduce reoffending" (Law Guide 2002).

Under IOM, offenders are assessed according to their risk of reoffending, the causes and influences behind their behaviour, and their willingness to change. The outcome of this evaluation establishes both the sentence duration and an individualised plan, according to a 'Criminogenic Needs Inventory' (CNI), for each offender dependent on what is most likely to break the cycle of reoffending (Department of Corrections 2002). The three

basic areas covered in the sentence plan include secure confinement/imprisonment, rehabilitation programmes dealing with factors such as alcohol and drug abuse, basic numeracy and literacy skills and vocational training, and reintegrative courses focused on living skills such as budgeting, parenting and seeking employment. SSF fits largely into the third category, which is responsible for the readjustment and reintegration to community life following a period of incarceration.

The success of IOM in the reduction of reoffending is yet to be proven. Preliminary results indicate that IOM has no effect (Newbold and Eskridge, forthcoming 2003: 26), although the CEO of the Department of Corrections, Mark Byers, remains optimistic that reoffending will be reduced. Those being primarily targeted include Maori prisoners and individuals identified as at the highest risk of reoffending, such as the group dealt with by SSF, because Corrections expects they will be the most responsive to IOM. According to the Department of Corrections, the overriding goal of IOM is to cut reimprisonment rates by 10-15 percent for those exposed to the intervention.

Redraft of SSF Constitution and Rules

Following the introduction of IOM, the constitution and rules for the Salisbury Street Foundation Trust were once again reviewed and redrafted in September 2000. In general, this document continued to reflect many of the objectives, principles and policies upon which the organisation had been based for many years. For instance, the main objectives remained: providing a rehabilitation scheme for prison inmates; establishing a series of self-help collectives so that prison inmates could realise their potential in the community;

assisting in the reorientation and redevelopment of prison inmates; and carrying out services beneficial to participating individuals and the community by reducing reoffending and promoting positive lifestyles.[150] Other issues regarding funding and finance, rules and regulations, and a range of other areas were also updated but in general continued to reiterate past principles.

One area which was altered by the new constitution related to the powers of the BOT and its respective members. In the past SSF's BOT had been elected at an AGM from members of the general public. This meant that any person could become a member of the BOT at the AGM and that ultimately the whole BOT could be taken over by a lobby group at any time. This was an issue which had plagued the BOT throughout much of SSF's history and, as seen particularly in chapter four, had often resulted in SSF's BOT being unstable and ineffective. The new constitution aimed to overcome these prior difficulties by restricting who was able to be appointed onto SSF's Board. Now, members are co-opted by those already on the Board. In general, Board members are professionals who have been selected specifically because of the qualities they are able to offer SSF. Also the BOT now has the ultimate ability to vote individuals off if they prove unsuitable or cause disruption and/or dysfunction amongst Board members.[151]

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[150] SSF Trust: Constitution and Rules 2000
[151] Ibid.

BEYOND HABILITATION CENTRES

The Sentencing Act/The Parole Act, 2002

The Sentencing Act and the Parole Act came into force on 1 July 2002. These two Acts replaced a large section of the Criminal Justice Act 1985 and both made many notable changes of direct significance to SSF. Under the Parole Act, automatic release on remission at two-thirds of a sentence was abolished and now only exists for those serving less than two years, who are released at half sentence. Parole was made available at one-third of a sentence or ten years, whichever is shortest, to those serving finite sentences of more than two years, including those convicted of serious violent offences whom had been ineligible for parole since 1987 (The Parole Act s. 84). All persons released on parole have also been made subject to release conditions until the expiry of their sentence or for at least 6 months, even if this was longer than the remaining term of their sentence (The Parole Act s.18; s. 29; s. 32). It is under these new conditions, and in accordance with the definitional changes made under the Sentencing Act, that offenders are now sentenced to SSF.

The amendments made in the Sentencing Act included the replacement of periodic detention and community service with a sentence called community work and, more importantly, the abolition of community programmes and the modification of supervision to incorporate the 'care' aspect of the community programme sentence. The aim of reworking community-based sentences into these two clearly defined entities, community work and supervision, was to give a "clearer focus with an emphasis on responding to the

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nature of the offence and the character and further offending risks of the offender" (Ministry of Justice 2002).

Within this new legislation, the provision for habilitation centres was repealed. Consequently, there is no longer any specific reference to these organisations in current law. Instead, former habilitation centres are now officially referred to as residential community centres. The deletion of habilitation centres was largely due to the overall failure of these facilities in New Zealand, often as a result of issues of mismanagement and/or recidivism (to be discussed in chapter seven). In spite of this, however, some facilities including SSF, continue to be used by the Department of Corrections under the official title of residential community centres. Although now, rather than functioning under the specifications of 'community programme', they operate in accordance with the terms and provisions of supervision.

According to the Sentencing Act 2002, supervision is available for a period no less than six months and no more than two years, for offenders who are convicted of an offence punishable by imprisonment or a prescribed community-based sentence (Sentencing Act 2002, part 2, s. 41 (1)(2)). As well as the standard conditions of supervision,[152] special conditions make provisions for a variety of community-based programmes. SSF falls into the category of facilities which offer "attendance at any medical, psychological, social, therapeutic, cultural, educational, employment-related, rehabilitative, or reintegrative programme" (Sentencing Act 2002, part 2, s. 47 (b)). A 'programme' may be imposed if

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[152] Under the standard conditions of supervision, the offender is released into the community but must report to a probation officer as required (by the probation officer).

the court is satisfied that there is a significant risk of further offending by the offender and that standard conditions alone would not adequately reduce that risk (Sentencing Act 2002, part 2, s. 46 (1a-c)).

In general, the effect of the Sentencing Act on SSF has, so far, been minimal. The structure of the programme is largely continuing along the same lines as previously, although in a slightly more vulnerable position than when it was a habilitation centre because it is now no longer incorporated into legislation or guaranteed funding. Overall, however, it is too early to conclusively assess whether the Sentencing Act will have a significant impact on the programme at SSF.

The Future of SSF

In spite of the Sentencing Act, SSF is still in a period of stability. The Foundation continues to get significant financial support from Corrections, which has enabled it to progress and expand many areas of its programme. For instance, while four years ago SSF did not own any property and had about $50,000 in the bank, the organisation now has paper equity of approximately half a million dollars through the purchase of its St Albans Street premises and more recently the Manchester Street Flats (Coom: personal communication).[153] Between these two premises, the Foundation is now able to accommodate up to a maximum of 18 residents at a time,[154] most of whom continue to arrive at SSF as a condition of parole or release from prison, and then stay in the

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[153] These premises are heavily mortgaged.

[154] Provision for 18 residents has been incorporated into SSF's contract with the Department of Corrections.

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programme for between six and twelve months.[155] Along with this, other developments such as the establishment of a joinery workshop and an arts-and-crafts centre with the Department of Corrections are in the planning stages (Coom: personal communication). Overall, it seems appropriate for the future prospects of SSF to be summed up by its most recent Director, David Coom, who states,

> I think the future is very good. I think that over the next five years that we will grow quite considerably around offering different services like a formal aftercare programme for Corrections clients that have finished their terms with the Department of Corrections but need ongoing support. I think you'll see us pick up individual contracts with men who are assessed by Corrections as hugely at risk for reoffending and need individual, one-on-one type programmes because of their high risk type nature. And I think you'll see us, hopefully, within a years time, we'll have this employment workshop and art and crafts centre up and running. So I think the outlook is most probably better than it has ever been.

Conclusion

The transition of SSF to a habilitation centre marked a significant change in the organisation's history. For 17 years, the programme had existed as an entity separate from the government and, although SSF had received some state funding, the Foundation remained largely unaccountable to it. This was not a coincidental situation. Being based on a self-help philosophy, the founders of the programme had ideally wanted the community-based organisation to become fully self-sufficient. The shift to a habilitation

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[155] Ongoing debate occurs within SSF concerning the eligibility of certain individuals and the issue of maintaining public safety. One recent applicant was Barry Ryder, who had previous convictions for indecent assault against young boys and was to be provided with a full-time carer by the Department of Corrections because he was such an extreme recidivist risk. Due to these factors, SSF was reluctant to take Ryder on as a resident. Instead, they rented him one of their flats but his supervision was contracted elsewhere. Only a short time later, on the 17th December 2002, Ryder was rearrested and charged with possession of a knife in a public place, and indecent assaults on three schoolboys under 12 (*The Press* 17/12/2002).

centre, therefore, alienated a number of the individuals who had been involved with the organisation since its early history. Their opinion was that SSF was undermining the principles upon which it had been based by allowing itself to be dictated to by Corrections.

In many respects, the assertions made by those against the transition to a habilitation centre were correct. The shift did mean that SSF became more heavily involved and ultimately accountable to the Department of Corrections. The trade off, however, was that SSF secured a permanent source of funding, relieving the programme of a considerable burden which had plagued the organisation throughout much of its history. This undoubtedly improved the stability of the Foundation, as did the appointment of David Coom, who remained as Director of SSF for almost six years, a period longer than any of the previous directors.[156] Being accountable to Corrections also necessitated more frequent evaluations and extensive record-keeping by the organisation, providing SSF with a clear idea about where the programme is succeeding and what areas need further improvement.

Although habilitation centres ceased to exist under the Sentencing Act 2002, the future of SSF still appears promising. The Foundation is in a good financial position and remains supported, as a residential community centre, by the Department of Corrections. Its assets now include two properties worth approximately half a million dollars and further expansions, including a joinery workshop and an arts-and-crafts centre, are being

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[156] That is, up until his recent resignation in February 2003.

discussed. Therefore, while a greater connection with the Department of Corrections has indeed moved SSF away from the initial ideology upon which it was based, it has also secured the Foundation a more certain future than it has ever experienced previously.

CHAPTER SIX

The Rehabilitation Debate

Introduction

Rehabilitation is an ideal that has influenced correctional development and penal policy for many years. As a philosophy, it focuses on the reduction of reoffending through the provision of treatment services. The history of SSF is reflective of attitudinal changes towards rehabilitation and wider debate in relation to "what works" in the administration of criminal justice. This debate was accentuated by the findings of Robert Martinson in 1974, who claimed that "with few and isolated exceptions, the rehabilitative efforts that have been reported so far have had no appreciable effect on recidivism" or alternately nothing works (Martinson 1974: 25). Substantial investigation occurred following these findings, much of which attempted to disprove Martinson's claim by identifying factors that were successful in the reduction of recidivism. In New Zealand, Kaye McLaren and Julie Leibrich have been key figures in this debate offering a range of principles likely to enhance the effectiveness of correctional interventions.

Due to the focus of rehabilitation on the reduction of reoffending, the key means of assessing rehabilitative programmes has largely been by considering rates of recidivism. There are some fundamental problems, however, with relying solely on recidivism as a means of gauging success or failure. The purpose of this chapter is to consider these issues relating to recidivism, as well as the wider debate surrounding rehabilitation, prior to undertaking any statistical assessment of SSF.

What is Rehabilitation/Habilitation?

For over 200 years, rehabilitation has been a correctional goal which has influenced the development of penal policy. The rehabilitative approach alleges that, in general, external societal factors cause an individual to commit crime. Central to rehabilitation, therefore, is determining how best to intervene and prevent the influence of these aspects in order to reduce the risk of involvement in further criminal activity. It is assumed that given the right kind of treatment, "criminal offenders can be reformed and taught to live socially productive, crime-free lives" (Haas and Alpert 1986: 295). Consequently, rehabilitative programmes aim to reduce offenders' motivation and/or desire to commit future crimes by addressing their needs for education, vocational training, counselling, and other related services (Champion 1996).

During the 1980s and 1990s, the rehabilitative ideal was progressively replaced with the notion of 'habilitation' throughout much of the Western World. Central to the argument for habilitation was that rehabilitation was a misconception when applied to criminals because it implied the restoration of former skills and attributes, which arguably the offender never had (New Zealand Ministerial Committee of Inquiry 1989). In the words of Dyer (1994: 15), "Habilitation means to equip and make fit for life. Rehabilitation on the other hand, means the restoration of former capacities. In dealing with offenders, there is invariably a need for habilitation rather than rehabilitation". Habilitation, therefore, meant changing the way an offender thinks rather than altering his/her existing social conditions (Dunstall 1992). In practice, the role of habilitative facilities was not to dictate decisions but alternatively to help offenders change their thinking processes so

that they could function responsibly. In a sense, habilitation was claimed as "enabling offenders to reclaim their humanity" (Dyer 1994: 9). The ascendancy of the notion of habilitation, however, was largely semantic and therefore short-lived. The habilitation ideal has been largely abandoned in the United States and Britain, and in New Zealand, as discussed in chapter five, the habilitation concept, which was implemented with the legislative introduction of habilitation centres in 1993, was abandoned in 2002.

Whatever the term preferred, whether 'rehabilitation' or 'habilitation', the ultimate goal of these principles remains the same: to reduce reoffending. That is, to divert offenders away from a life of crime by reforming their attitudes and behaviours and giving them the skills necessary to reintegrate back into open society. According to McLaren (1992: 21), this "is an important social issue" within all criminal justice systems. Historically, the search for successful ways to rehabilitate and reintegrate offenders has certainly been a key ambition of penal reformers since the 18th century.

The Search for Rehabilitation

Cesare Beccaria (1963) initiated the rehabilitative era in corrections in his 1764 essay *On Crimes and Punishments*. He suggested that criminal justice should be based around notions of deterrence and social sanitation, as well as punishment, with the overall aim of creating a better society. Beccaria's belief in the ability to reform criminals fuelled the desire of other English liberals such as John Howard and Jeremy Bentham who worked to create a more humane and effective system. This culminated in Bentham's development of the panopticon in 1791, a model prison that aimed to replicate the conditions of a

perfect society and reform criminals by bringing out their inherent "goodness" (Newbold 2002). In America, the rehabilitative themes from England were also undertaken. Here the Quaker state of Pennsylvania was at the forefront of penal reform. Quaker philosophy at the time was considered very humanitarian; they were against violence and believed that people were basically good. They established the first prison reform society in 1787 and then, three years later, in Philadelphia created America's first penitentiary, known as Walnut Street Jail, which they believed would end criminality (Inciardi 1999).

Although initially the principle of rehabilitation was interconnected with the development of the prison, as seen in chapter two the incompatibility of the two was quickly realised. As a result, while imprisonment continued to be frequently utilised, a search for more effective alternatives that were consistent with the ideal of rehabilitation commenced. This began with the privilege and liberty systems developed in the 1840s by Captain Alexander Maconochie on Norfolk Island and the 1860s by Sir Walter Crofton in Ireland, which incorporated the application of indeterminate sentencing in prisons, where release was reliant on inmate conduct (Newbold 2002). These principles also led to the establishment of other community-based facilities including the Elmira Reformatory in New York in 1876, British borstals from the 1840s, and a variety of halfway houses throughout the Western World (see chapter three).

The focus of corrections on the principle of rehabilitation was largely responsible for the increased popularity of community-based alternatives to custody during the 20th century. Rehabilitation, as a correctional philosophy, was at its strongest in the mid-1900s. In fact,

DiIulio (1990) dubbed the period between 1945-1975 as the "everything works" wave, where the common belief was that every offender could be successfully treated through intervention. The dominance of the rehabilitative ideal, however suffered a significant decline from the early 1970s. Internationally, concern existed that crime and recidivism rates were increasing and that rehabilitation programmes were simply not working. As a result in 1974, led by the findings of sociologist Robert Martinson, a substantial debate commenced regarding the plausibility of the rehabilitative ideal and what works in the reformation of criminal offenders.

Rehabilitation Debate – "What Works?"

During the 1970s, the implementation of community-based initiatives in many Western countries slowed. This was partially the result of an international downturn in economic conditions. Recession appeared to be approaching as inflation rates increased and unemployment grew. These worsening conditions restricted the financial base that had been available for the development of community corrections following the war. Limitations on public spending meant that there was increased scrutiny of social programmes requiring monetary backing. There was also a conservative shift within the general social and political attitudes of many countries. Perceptions of crime, criminals and punishment veered in this direction (Rhine 2000). It was realised that despite the introduction of community corrections, prison populations throughout the world were growing, conditions within the prison were worsening, and crime rates were rising (Rawlings 1999). Scepticism surrounding the effectiveness of rehabilitation programmes

was dramatically accentuated by Robert Martinson's article, 'What Works? Questions and Answers about Prison Reform', published in 1974.

Robert Martinson was originally hired by the New York State Governor's Special Committee in 1966 to undertake a comprehensive investigation of the most effective methods of rehabilitation (Martinson 1974). The premise of the committee was that prison could rehabilitate as long as the correct formula was found. Martinson and his colleagues, Doug Lipton and Judith Wilks, assessed 231 programmes worldwide undertaking a search of literature available on rehabilitative attempts made in America and other countries between 1945 and 1967 (Martinson 1974). The measures of offender improvement they used included recidivism, adjustment to prison life, vocational success, educational achievement, personality and attitude change, and general adjustment to the outside community. The overall outcome of Lipton, Martinson and Wilks's research was that generally rehabilitative schemes had been unsuccessful in diverting offenders from a life of crime.

Initially the U.S. Government failed to publish the results of Lipton, Martinson and Wilks and refused to allow Martinson to publish them on his own. Permission was eventually given by the state, however, after an attorney subpoenaed the document for use as evidence in a case before the Bronx Supreme Court. As a result, in 1974 and without the specific consent of Lipton and Wilks, Martinson published his now infamous 'What Works?' article. The "bald summary" made by Martinson was that "With few and isolated exceptions, the rehabilitative efforts that have been reported so far have had no

appreciable effect on recidivism" (Martinson 1974: 25). Moreover, "our present strategies . . . cannot overcome, or even appreciably reduce, the powerful tendencies of offenders to continue in criminal behavior" (Martinson 1974: 49). Or alternatively, nothing works. Martinson's article had an immense impact inciting spirited international debate. In fact, according to one article recently published by *The Observer*, "Rarely, if ever, has a piece of social science research influenced policy so swiftly" (Rose 2002). It certainly had a much greater impact than the final 1975 report by Lipton, Martinson and Wilks, which reached the far more guarded conclusion that "the field of corrections has not yet found satisfactory ways to reduce recidivism by significant amounts" (Lipton et al. 1975: 627), and hence left the door open for further rehabilitative optimism.

Many endorsed the extreme perspectives of Martinson and treated them a fact (Sarre 1999). Based on what could be gathered from editorials, political speeches and legislative changes the general public appeared to believe that Martinson was right (Wilson 1986, Gendreau and Ross 1986). Academically, support came from Paul Lerman who published a book-length evaluation of the Community Treatment Program (CTP) of the California Youth Authority in 1975.[157] This programme had been endorsed by President Lyndon Johnson who had claimed that it had reduced recidivism from 52 percent among incarcerated youth to 28 percent among those given intensive counselling in the community (Wilson 1986). Lerman's findings disputed this. He concluded that, "the CTP did not have an impact on youth behaviour that differed significantly from the impact of the control program" (Wilson 1986: 329). He also alleged that the 'community'

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[157] See chapter two for discussion on the Community Treatment Project

focus was exaggerated with more of the experimental youth being sent to detention centres than those from the control group. Other studies that essentially came to the same conclusion as Martinson included David F. Greenberg's 1977 review of more recent programmes than those considered by Martinson (Greenberg 1998) and S.R. Brody's survey in England on the institutional treatment of juvenile offenders (Wilson 1986).

In 1977, America's National Research Council created a Panel on Research on Rehabilitative Techniques to review existing rehabilitative efforts. Lipton, Martinson and Wilks 1975 book, *The Effectiveness of Correctional Treatment: A Survey of Treatment Evaluation Studies*, was a major focus of their research (Lipton et al. 1975). The conclusion they reached was that Martinson and his colleagues were largely right, or more exactly "The Panel concludes that Lipton, Martinson and Wilks were reasonably accurate and fair in their appraisal of rehabilitation literature" (Wilson 1986: 330). The panel did concede, however, that there is always a chance that one of the rehabilitative methods currently in use but not yet tested may in fact prove to be efficacious (Wilson 1986).

Martinson's assertions also ignited enthusiastic rebuttal and significant controversy. Opponents emphatically rejected the validity of his claim that correctional treatment programmes were ineffective. Paul Gendreau and Robert R. Ross (1986), for example, fiercely disagreed with Martinson's findings. They argued that the most significant effect of Martinson's claim that "nothing works" was the sense of hopelessness it created amongst correctional workers who felt their efforts were of no benefit. They alleged that

Martinson was wrong and that there was mounting evidence to prove that some programmes "do work and work well" (Gendreau and Ross 1986: 316). The focus of the debate on correctional effectiveness, therefore, should,

> no longer focus on *whether* treatment programs are effective. That should now be viewed as an overly simplistic question. A more meaningful question . . . is *which* programs work. Equally important, questions should be asked about *why* some programs work and some do not (Gendreau and Ross 1986: 316).

A subsequent review of the key features of effective and unsuccessful programmes established that a multi-faceted approach existed within all successful programmes. Effective methods also generally utilised community resources and focussed on creating an environment of open communication and trust where rules were clearly established and anti-criminal modelling and assistance in coping with personal and social difficulties was provided (Gendreau and Ross 1986).

James Q. Wilson (1986), a long time critic of rehabilitation, alleged that there was little new about Martinson's 1974 article. He stated that scepticism of rehabilitative efforts went back many years. For example, as discussed in chapter two, the Cambridge-Sommerville Youth Study (completed between 1935-1945) had conceded at its conclusion that juveniles were as likely to reoffend whether or not they had received intensive counselling (Wilson 1986). Also R.G. Hood in 1967 had argued that whatever the treatment the results tended to be "similar, and not very encouraging", and Walter C. Bailey who a year prior to the publication of Martinson's article came to the conclusion that "evidence supporting the efficacy of correctional treatment is slight, inconsistent, and of questionable reliability" (Wilson 1986: 328). What Martinson was responsible for,

Wilson argued, was "bringing out into the open the long-standing scholarly scepticism about most rehabilitation programs" and this subsequently led to a revival in the "deterrent, incapacitative, and retributive purposes of the criminal justice system" (Wilson 1986: 328).

Wilson (1986) amended his ideas surrounding rehabilitation to concede that one of the unresolved issues relating to correctional treatment was whether certain types of offenders were more amenable to rehabilitation. This comment reflected the views of Daniel Glaser who, writing in 1973, had suggested that individuals who could communicate with ease and who had not found their prior criminal career to be rewarding, were more likely to be rehabilitated (Wilson 1986). If this was indeed the case, then offenders who were intractable would mask any reductions in criminality amongst those who were responsive to treatment, subsequently creating a misleading result of "no change" (Wilson 1986: 331). This is exactly what Ted Palmer claimed to have found in his study of CTP data.

Ted Palmer claimed that Martinson had overlooked or downplayed a number of successful rehabilitation programmes (Wilson 1986). In particular, he argued that CTP had been misrepresented. In his 1975 rebuttal to Martinson, Palmer contended that while many offences in CTP had been overlooked by counsellors this was largely because they were minor or technical infringements. He also insinuated that if Martinson had continued his review until 1973 the differences between experimental and control groups would have been clearer and that these results suggested that certain offenders were more

amenable to treatment. Palmer's findings were criticised by the National Academy of Sciences Panel on Research on Rehabilitative Techniques who asserted that,

> Palmer's optimistic view cannot be supported, in large part because his assessment accepts at
> face value the claim of the original authors about the effects they detected, and in too many
> circumstances those claims were wrong or were over-interpretations of data (Wilson 1986: 331).

The most significant criticism posed by Palmer, however, was that the synthesis of Martinson's findings was not valid because no one broadly categorised method of treatment was guaranteed to work all of the time and that examples of several group counselling programmes which successfully reduced recidivism existed (Palmer 1986).

Charles A. Murray and Louis A. Cox, Jr added an alternative dimension to the continuing debate over rehabilitation. They studied chronic delinquency in Chicago but instead of using the traditional measure of "failure" based solely on whether an individual reoffends, they considered the frequency of recidivism. Using the conventional recidivist measure the results were typically discouraging with 82 percent being rearrested (Wilson 1986). Considering the frequency of rearrest, however, the arrest per month per 100 boys fell dramatically by about two-thirds during the follow up period (Wilson 1986). Earlier in 1972 LaMar T. Empey and Maynard L. Erickson had reported similar results based on their study of the Provo Experiment in Utah (see chapter two). It is difficult to be certain, however, whether this is a fair representation or if it is simply the result of delinquents becoming better at avoiding apprehension. Murray and Cox also found that *"the more restrictive the degree of supervision practiced by UDIS [Unified Delinquency Intervention Services], the greater the reduction in arrest rates"* (Wilson 1986: 336 emphasis in original). Provided this was accurate it *"implies that how strictly the youth*

were supervised, rather than what therapeutic programs were available, had the greatest effect on the recidivism rate" (Wilson 1986: 336). Wilson (1986: 339) claimed that this was significant because, *"the study of deterrence and the study of rehabilitation must be merged – that, at least for a given individual, they are the same thing".*

The strong reaction against Martinson's article led him later to modify his opinion to admit that some programmes do work, sometimes (Martinson 1979). Despite this concession, however, the international popularity of community corrections was negatively impacted by the revelations of Martinson and sustained by the international economic and political climate of the 1970s. The general shift back to conservatism resulted in community-based alternatives often being labelled as a 'soft option'. It was argued that they were "Holiday Inns" which "coddle criminals" (Giari 1986: 386) and demands were made for tougher sentences and tighter control of offenders (Rhine 2000). Community programmes, therefore, often failed to gain public support especially when attempting to locate themselves in local communities and neighbourhoods. For example, the development of the pre-release hostel movement in New Zealand (see chapter two) was constrained by public resistance (Webb 1982). To many it appeared obvious that community corrections had not lived up to their goals of providing an alternative to imprisonment, which would be more conducive to the rehabilitation of criminals. Community alternatives were not succeeding in reducing crime, imprisonment or recidivism and it was argued that they were "well-intentioned; but misguided" (Haas and Alpert 1986: 295).

Although the international development of community corrections was impeded in the 1970s, alternatives to custody did not disappear. The introduction of SSF in Christchurch, New Zealand in 1979 is an example of a programme that emerged despite the worldwide decline in support for community-based alternatives to custody. Supporters of community sanctions, while initially unable to transform society's views, continued their investigations into community-based facilities and introduced non-custodial programmes in spite of public opposition and often with little formal government backing (Jamieson 1991). Many of these attempts focussed on disproving Martinson's findings by identifying factors that were successful in the reduction of recidivism. Subsequently, since 1985, it has been suggested that most of the developed world has entered a "something works" phase in correctional philosophy and policy (DiIulio 1990). DiIulio claimed, "only since 1985 has a critical mass of empirical studies accumulated to challenge the 'nothing works' school" (DiIulio 1990: 57). In New Zealand, two key contributors to the "What Works?" or "something works" debate have been Kaye McLaren and Julie Leibrich.

"What Works?" in New Zealand

In 1992, Kaye McLaren, an advisor to the Department of Justice, published a review of research undertaken into effective correctional interventions. She listed sixteen basic principles of effectiveness which were most likely to reduce reoffending. They were:

1.   Using a <u>social learning model</u>, which treats criminal attitudes/behaviours as learned habits that can be changed by teaching and reinforcing new, anti-criminal attitudes.

2. Having "firm but fair" authority structures that include clear rules and sanctions without interpersonal domination/abuse.

3. Modelling and reinforcing positive alternatives to criminal attitudes/behaviours.

4. Problem solving training enabling offenders to better cope with personal difficulties.

5. Maintaining positive community links and making use of community resources.

6. Creating effective staff/offender relationships characterised by open communication and trust.

7. Ensuring high levels of advocacy and referral of offenders to appropriate interventions.

8. Having staff who are "warm, flexible and enthusiastic" to offenders and supportive of anti-criminal behaviours and attitudes.

9. Including ex-addict and ex-offender staff because they "serve as credible models of successful lifestyle change".

10. Involving offenders in intervention planning rather than imposing it on them.

11. Strengthening positive behaviours rather than focusing on anti-social attitudes.

12. Controlling offender peer groups in order to reduce the opportunity for the reinforcement of criminal and anti-social behaviours.

13. Maintaining therapeutic integrity through the provision of proper resources and access to therapeutic knowledge, well-trained staff and adequate hours of intervention.

14. Using a combination of intervention tools including vocational and academic training, group counselling, role-playing etc.

15. Teaching relapse prevention and self-efficacy so that offenders are able to recognise and cope with high-risk situations through gradual exposure and training.

16. Matching offenders with interventions in order to ensure optimum suitability for each individual or particular offender type (McLaren 1992).

Along with these sixteen factors, three other principles were established as being associated with intervention effectiveness. These were risk, need and responsivity. Risk referred to the probability of reoffending by a given individual and the factors, both static and dynamic,[158] likely to induce recidivist behaviour. In regards to risk, it was determined that higher risk offenders required more intensive interventions and supervision. The 'need' of higher risk offenders indicated they responded better to certain types of interventions. These included substance abuse programmes, problem solving, and anti-criminal modelling. The principle of responsivity once again reinforced the need to match interventions to individual offenders and their differing abilities and learning style .

In 1995, McLaren revised the basic principles of effectiveness and added a further eight overarching factors, which extended and further reinforced the previous sixteen aspects. She presented her findings on criminogenic needs and the provision of skills needed to reduce reoffending at a criminology conference, held at Victoria University of Wellington, in 1996. In her contribution, McLaren (1996) discussed the problems and skills deficits which are predictive of reoffending. These were established as relating to

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[158] Static risk factors were described as including having family members with a criminal record, low family income and accumulated personal convictions. Dynamic risk factors are those which can be changed such as substance abuse, limited education and poor cognitive skills. These are the factors targeted by intervention programmes.

the areas of violence, education, substance abuse, cognitive skills, self-management, driving offences, vocational development, pre-release activities, and recreation and leisure skills. According to McLaren, the interventions most likely to work were those that addressed these issues. She claimed,

> The major characteristic(s) of programmes that work . . . focus on teaching new skills and they set up environments that encourage the use of these skills rather than focussing on punishing old behaviours. Effective programmes foster positive relationships between staff and offenders, and have clear rules and fair punishments. But the additional characteristic of effective programmes is that they actively teach new skills in areas that are strongly associated with reoffending (McLaren 1996: 8).

McLaren's findings influenced the programme at SSF following its inception as a pilot habilitation centre. Both of the Foundation's Directors, Glenn Newman and David Coom, used McLaren's effectiveness principles as a means of running and evaluating the organisation. According to Newman,

> We were running the programme based on McLaren's research . . . [and] making distinctions was very important because only a select group of people were really going to benefit from our kind of programme. And McLaren states it's useless wasting types of facilities [like SSF] on people that are not recidivists.

As discussed in chapter five, David Coom based his 1997 research on SSF on McLaren's (1996) conference proceedings relating to criminogenic needs and the provision of skills required to reduce reoffending.[159] Coom found that while, in general, SSF went a long way to addressing skills deficits, there were some areas that required further attention. These incorporated the development of more specific skills training, including education

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[159] See previous discussion on criminogenic needs inventory for a list of predictors.

on drug and alcohol issues, cognitive skills training, work skills development, problem-solving/self-motivation training, and the provision of a better stopping violence programme. Coom also concluded that a greater level of formality was required in the application and checking of programme delivery, including the graduation of residents. Using McLaren's findings, Coom offered the 11 recommendations discussed in chapter five which, once implemented, could further enhance programme delivery at SSF.

Another contributor to the rehabilitative debate in New Zealand surrounding "What Works?" is Julie Leibrich, a former Research Fellow for the Probation service. In 1991, Leibrich completed a study into the Probation service's understanding of its role in the reduction of reoffending. She concluded from this research that rehabilitation was still perceived as a crucial, and to some degree achievable, focus of corrections and, more specifically, the Probation Division. According to Leibrich (1991: 83),

> In the Probation Division the most commonly held theory of why people stop offending is the rehabilitative theory. Most . . . who took part in the interview groups believe that the likelihood of reoffending is reduced when the problems which contribute to reoffending are identified and resolved.

Leibrich followed up her 1991 study on the Probation Division, with a book, *Straight to the Point: Angles on Giving Up Crime* (1993). In this book, Leibrich investigated why, and how, offenders give up a life of crime. She did this by interviewing 48 New Zealand men and women who had prior convictions but had lived crime-free lives for approximately three years. Leibrich (1993) found that "going straight" was a gradual process that required ongoing reinforcement and support. She added that a reduction in

reoffending was more likely if an individual had "a sense of purpose and belonging", which, in her study, was often stated to come from strong links with the community (Leibrich 1993: 123). Other common ingredients found to enhance the likelihood of an offender "going straight" included the development of a new set of values and a life management strategy which was based on a new found sense of purpose and power and a greater value for life. Overall, however, Leibrich (1993: 237) claimed there was "no clear recipe for change" because definitions of "going straight" were individual. This comment is indicative of the numerous difficulties which exist when measuring rehabilitative success or failure, especially when recidivist rates are used as the primary indicator.

Problems with Assessing Rehabilitation

Rehabilitation is an ideal which can not be easily assessed. The key measure generally used to evaluate rehabilitative programmes is a reduction in reoffending. Numerous difficulties exist, however, with focusing primarily on recidivist rates as an indicator of success or failure. The majority of these stem from the complexities involved with defining recidivism.

No consensus exists about the meaning of recidivism (Champion 1996). According to Maltz (cited in Champion 1996), at least 14 different measures of recidivism exist. Therefore, "While most agree that recidivism should be a primary performance measure, there is no agreement on its definition nor on the indicators to be used for its measurement" (Latessa and Allen 1997: 376). Areas of disparity include: does recidivism simply mean re-arrest or does it mean reconviction? And what if an offender is released

without any charges being filed? Recidivist rates also generally only take into account official law violations. Therefore, an offender has to be caught before being considered to have reoffended.

The four most common ways of measuring recidivism are rearrest, reconviction, revocations of parole/probation, and reincarceration (Champion 1994). While it is difficult to assess what definition of recidivism is comparatively better than other alternatives, Champion (1996) claims reconviction is probably the most reliable indicator of recidivism. This is because it verifies that an offender has committed at least one new crime since their release and that a court has determined them guilty "beyond a reasonable doubt" (Champion 1996). As a measure of recidivism, however, reconviction is not free from difficulties and can not serve as a conclusive guarantee that reoffending has or has not occurred.

The most frequently-used indicator of recidivism is rearrest. According to Champion (1994), however, this method needs be approached with caution because rearrest rates are often misleading. Prior to conviction, there is uncertainty as to whether an offender has actually committed a new crime and hence not everyone who is rearrested is subsequently prosecuted for those crimes. Also by focusing solely on rearrest other factors including the proportion of rearrests which result in new convictions, the frequency of rearrest or the type/seriousness of the new offence as compared to prior convictions are not considered.

Using the revocation of parole/probation and/or reincarceration as measures of recidivism are also questionable. In regards to reincarceration, not all acts of recidivism necessarily result in imprisonment and other types of incarceration are generally not specified (Champion 1996). Also while an offender may not be reincarcerated the level of supervision assigned to them may increase. The revocation of parole/probation is problematic because it can incorporate a wide variety of violations from relatively harmless technical transgressions, like breaking curfew, through to more serious infractions, such as committing and/or being convicted of a criminal offence (Champion 1994). Decisions relating to revocation of parole/probation are also influenced by a range of situational factors such as the state of overcrowding in prisons, recommendations made by probation officers, and, if the offender is attending a community-based programme, the requirements of the facility. Finally, the revocation of parole/probation does not necessarily lead to rearrest, reconviction, and/or reincarceration.

In addition to these difficulties, policymakers and state legislators are continuously reworking policy and legislation in accordance with developments in philosophical and ideological perspectives. As a result, policy shifts often have the ability to alter how recidivism is used or defined (Champion 1996). For instance, as seen in chapter five, Integrated Offender Management (IOM) has recently replaced prior rehabilitative methods in New Zealand. Under IOM, offenders are now assessed according to a newly established 'Criminogenic Needs Inventory' (CNI). Each time approaches to intervention are altered, as is the case with IOM, patterns of recidivism are open to change because offenders are being dealt with according to slightly different principles than previously.

The complex nature of measuring levels of recidivism often makes it difficult conclusively to assess reductions in criminal behaviour. For instance, establishing control groups that are similar in nature to those being evaluated is difficult, and if variations exist, results may be influenced especially in regards to factors acknowledged as increasing the likelihood of reoffending. These difficulties become obvious once studies assessing recidivism are compared. As seen in prior discussion on the CTP, studies of the same programme can come to significantly different conclusions (see Palmer 1986, Wilson 1986). Also as methods of gauging recidivist rates vary greatly, it is often problematic to compare studies because it is "like comparing apples with oranges" (Champion 1996: 568). Significant variation exists, not only in regards to definition, but also as to how long recidivist rates are considered. For example, while some studies measure recidivism for six months after the completion of a programme, others continue their evaluations for two years or even five years.

When considering the usefulness of recidivist statistics, a key question that needs to be asked is: does recidivism necessarily indicate programme failure? This is an important area of consideration because recidivism rates are influenced by a number of factors, many of which exist irrespective of the programme and what it offers. Alternately, they depend on the individual characteristics and personal histories of those being dealt with and are, therefore, difficult to account for. Some of these key predictors of reoffending include age,[160] accumulated personal convictions, poverty/low family income, dysfunctional family backgrounds, and having family members with a criminal record

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[160] Age has been established as the most accurate predictor of reoffending, with younger offenders more likely to offend than older criminals (Newbold 2002).

(see McLaren 1992, Zamble and Quinsey 1997, Newbold 2002). All of these factors have the ability to impact negatively on a programme, while not necessarily signifying that the programme itself does not have the ability to rehabilitate certain offenders. As McLaren's (1992) risk-needs-responsivity model establishes, it is essential that rehabilitation is individualised and carefully targeted if it is to work. This is a continual problem as it is often difficult to match the right programme to the right clientele (Champion 1996). Therefore, if an offender is placed in a programme that is not conducive to his/her needs, it is difficult to know whether recidivism is indicative of individual or programme failures.

The ability of a programme to rehabilitate can also be impeded by poor organisation and management. This is an area which will be considered in-depth, in relation to SSF, in chapter seven. At this point, however, it is important to realise that while a programme may have the potential to 'succeed' for certain individuals, if it is poorly organised and administered, its ability to operate competently is severely restricted. As we shall see, there have been many occasions throughout SSF's history when poor management structures have impeded the ability of the organisation to function productively.

Another problem with focusing on recidivism is that other measures of success/failure are neglected. In the words of Latessa and Allen (1997: 376), "Perhaps the most limiting aspect of effectiveness studies has been the neglect given to other performance measures. By simply comparing recidivism rates, researchers have ignored some of the main effects that community correctional programs are designed to achieve". These other factors

include cost-benefit/cost-effectiveness analysis, degree of humaneness, impact on prison population and the reduction of overcrowding in jails, vocational development and/or psychological adjustment (see McLaren 1992, Champion 1994, Latessa and Allen 1997).

Conclusion

Reaching definitive conclusions regarding the success of rehabilitative programmes, such as SSF, is extremely difficult. This is because the issues surrounding rehabilitation and recidivism are so complex. Certainly, debate concerning how to most effectively rehabilitate criminals has existed since 1764, when Beccaria argued that offenders could be reformed. Optimism surrounding the ability of rehabilitative programmes, however, suffered a significant blow when, in 1974, Martinson claimed that "nothing works". Although, since 1985, support for Martinson's claim has diminished, still no consensus exists on one treatment programme that is guaranteed to prevent reoffending.

Accompanying ongoing scepticism concerning rehabilitative programmes is that rehabilitation is not a principle that can be easily assessed. The primary measure of rehabilitation, namely recidivism, is surrounded by numerous difficulties. Most significantly, different studies define recidivism in a variety of ways. Recidivism also tends to dominate evaluations of rehabilitative programmes, rather than being used in combination with other measures of success/failure. Consequently, it is important to be aware of all of these issues as they certainly complicate the reliability of any data gathered and the ability for any findings on community-based programmes like SSF to be compared.

CHAPTER SEVEN

Rehabilitation at SSF

Introduction

When considering the statistical results available for SSF it is important to remain aware of the issues surrounding rehabilitation and recidivism as a primary measure of rehabilitative success. As discussed in chapter six, the 'effectiveness' debate is complex and thus it is difficult to reach definitive conclusions in relation to SSF.[161] A detailed account of the Foundation's recidivist figures cannot be compiled, particularly during SSF's early period, due to a lack of comprehensive records. To do so, access would also have to be gained to Department of Corrections databases, since long-term recidivist information is not kept at SSF.

The purpose of this chapter is to provide an indication of recidivist figures for each of SSF's five phases of development, based on the information that is available from archival material and studies completed on the Foundation. Along with this statistical review, the opinions of those involved with SSF throughout its history will also be considered. Speaking with 13 individuals who had been associated with SSF at different times provided a range of assessments as to the role and relative success of the organisation. It is important to include these opinions because the personalities and

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[161]Recidivism is also not the only valid criterion for assessing rehabilitative programmes For this reason, chapter eight will consider the importance of organisational and management factors which are arguably more significant to the longevity of a programme like SSF than its ability to reform every offender whom attends.

charisma of those involved with SSF has frequently had a huge impact on the style of programme offered.

Recidivism in New Zealand

Until recently, information about recidivism in New Zealand has been very limited. Listed below are a few of the studies completed up until 1993 (Newbold 1993).[162]

1. In 1962, at the Kohitere boys' training centre it was found that 37 percent reoffended within six months; 61 percent within a year; 74 percent within two years; 85 percent within three years; 90 percent within four years; and 91 percent within five years.

2. At Wi Tako in 1965, a reconviction rate of 20-25 percent was detected amid the first time adult offenders, although no follow-up data was given.

3. In 1965, a study on borstal training found that 71 percent were reconvicted within three years. This was followed up in 1967, when it was discovered that 70 percent reoffended within five years; 50 percent seriously.

4. In 1966, detention centres were established as having a reconviction rate of 51 percent within a year of release. This figure had increased to 60 percent in 1971.

5. For periodic detention, it was discovered in 1968, that 33.5 percent were imprisoned within two years.

6. In 1983, it was found that corrective training had a reconviction rate of 71 percent within one year.

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[162] The difficulties established in chapter six with relying on recidivist figures must be remembered when considering this information and as a result all findings need to be approached with caution.

7. The reconviction rates of those convicted of rape and child sex offences was found, in 1991, to sit at 3.6 and 6.7 percent respectively (although no follow-up data was provided).

8. In 1993, reconviction rates were considered for all national board parolees released from prison between 1985 and 1993.[163] It was found that 20 percent were reconvicted within a year; 38.2 percent within two years; and 49.4 percent within seven years (Newbold 1993).

Recently, Bakker and Riley (1999) completed one of the most comprehensive analyses of New Zealand recidivist rates. Between 1990 and 1996, they considered two large groups of criminal offenders. The first consisted of 31,985 individuals convicted of an imprisonable offence in 1990, and the second of 4,785 released from prison in 1990. The second group provides the most useful and reliable, information, however, because these offenders had all been released from prison in 1990 while many of those in the first group remained incarcerated in 1996, at the end of the research period.

In their study, Bakker and Riley (1999) followed these two groups until May 1996, defining all that had recorded a criminal reconviction before May 1996 as recidivists.[164] They found recidivist rates of 72 percent for those convicted in 1990 and, more significantly, 84 percent for those discharged from prison in the same year. It was also discovered that 53 percent of those released from custody in 1990 had returned to prison

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[163] It needs to be remembered that offenders were released at different times during the study period and hence the interval in which some offenders could be reconvicted was greater than for others.
[164] This excluded those convicted of traffic and minor offences.

by May 1996. Bakker and Riley found that age was the most accurate predictor of reoffending, with 95 percent of those under 20 years old who had been released from prison in 1990 reoffending before 1996. This was compared with 53 percent of those aged 40 and over. Another predictor was previous convictions because while only 20 percent of first time offenders released from prison in 1990 reoffended, this figure increased sharply with each subsequent conviction, and then levelled out at 70 percent after five previous convictions (Bakker and Riley 1999).

In 2002, another study was undertaken which considered both reconviction and reimprisonment rates for offenders released from prison between 1995 and 1998. Spier (2002) investigated the prior and post conviction histories of the 22,340 inmates who had been released during this period. He found that 37 percent of inmates were reconvicted within six months of their release from prison; 58 percent within a year; 73 percent within two years; and 86 percent within five years. In relation to reimprisonment, Spier discovered that 13 percent of inmates were reimprisoned within six months of release; 25 percent within a year; 37 percent within two years; and 51 percent within five years.

Spier (2002) contended that there were two variables most strongly associated with the likelihood or reconviction and reimprisonment. These were: (1) age, including age at first conviction;[165] and (2) the number of previous convictions.[166] Other factors also deemed

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[165] Younger inmates were more likely to be both reconvicted and reimprisoned than older inmates were.
[166] The more often an individual had been convicted and imprisoned previously the more likely they were to be reconvicted and reimprisoned following their release from prison Seventy percent of the inmates had more than 10 convictions prior to being imprisoned. Only five percent had no prior convictions. Sixty-two percent of the inmates had been imprisoned previously, 16 percent on more than five previous occasions (Spier 2002).

to have an influence were that male offenders were more likely to be reconvicted and reimprisoned than females, and Maori were more likely than non-Maori. Spier (2002) also found that only a small proportion of all released inmates were reconvicted for a very serious offence.

Overall, while different studies produce varying results, they indicate high levels of recidivism among released prisoners in New Zealand. In fact, figures from Corrections indicate that New Zealand has a reconviction rate of up to 80 percent, higher than Australia, Canada, England or Scotland (Govt.nz). When compared with American statistics provided by the Bureau of Justice Statistics (BJS), however, it can be seen that New Zealand figures are very similar to those in the U.S. These BJS findings indicate that over 70 percent of American prisoners are rearrested within six years of release and almost half are subsequently reincarcerated (cited in Newbold 2002). It is important to be mindful of these findings, especially the generally high incidence of recidivism in New Zealand, when assessing the relative success or failure of SSF.

Results of SSF

A variety of measures will be used when considered SSF's rehabilitative ability. This is because, while ideally recidivism would be based solely on reconviction and/or reimprisonment rates, this information is not necessarily provided and/or available. Therefore, at times alternative means of assessment including reoffending/return to prison figures, programme completion/discontinuation rates, and occupancy levels will also be considered. It is important to be aware of these shifts because they do impact on the

overall consistency of the information being given and the ability to make definitive evaluations regarding the overall "success" of SSF throughout its 23-year existence.

Pre-1986

It is very difficult to make any assessment of recidivist levels at SSF prior to 1986. Before the introduction of the Criminal Justice Act 1985, residents attended SSF on a voluntary basis and, hence, came and went as they pleased. Few records were kept so in general only fragmentary information was available regarding who attended the programme, how long they were there, and whether they 'reoffended'. At this time, those responsible for running SSF aspired for the programme to become like DSF, a self-sufficient organisation that was unaccountable to formal correctional authorities. For the founders of DSF, the appeal of self-sufficiency was being able to avoid the restrictions accompanying a primary focus on recidivism as a measure of programme success (Silbert 1997). According to Silbert (1997: 2), "You don't have to gather phony statistics (claiming) 98.2 percent success every year". With SSF being based on these same principles, it is unsurprising that the data available on residents before 1986 is limited.

Prior to 1986, most of the information and opinions available regarding rates of recidivism at SSF are, therefore, speculative. There are no figures or statistics available to prove or disprove these claims. For instance, it was stated in the Fourth Annual Report (1982 – 1983) that of the 29 individuals who had been through the programme between February 1982 and February 1983, 74 percent had not returned to prison and were staying

away from a life of crime.[167] A year later, in 1984, an information brochure claimed that "The 'return to prison' rate of our ex-residents is very low (less than 25%)". These bald statements are meaningless, however, because no detailed figures are provided to back them up.

In regards to programme attendance, it was asserted in a letter to the Secretary for Justice, Mr Ray Bell, in December 1985 that SSF has "helped resettle some 150 ex-inmates over the past five years".[168] While the meaning of this claim is unclear, archival material refers to a range of programme graduates. Between November 1982 and November 1984, four key graduates are mentioned as having completed the two-year programme. These were Graham McFelin, Trevor Atkins, Judi Peterson and Kevin Butson, all of whom were mentioned during interviews as early "successes" of the programme at SSF.

Kath Jamieson's Findings: 1 January 1986 – 9 March 1990

During his time as Director, Ken Turner often claimed that since 1985 SSF had achieved a 60 percent 'success' rate.[169] Again, the significance of this statement is unclear and, in fact, little consideration was given to recidivist/reconviction figures within annual reports (1986-1989).[170] Turner now admits that he had no definitive material to base this assertion on (Turner: personal communication). In fact, in his interview with me, Turner seriously questioned SSF's ability to have any rehabilitative effect. He said,

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[167] Fourth Annual Report 1982-1983: 3
[168] Letter to the Secretary for Justice (Mr Ray Bell) from K. Butson and D. Robinson, December 1985.
[169] Letter to Sheryn Elborn from Denise Crowe 10/4/1989
[170] It was only prior to Turner's appointment, while Terry Easthope was Director of SSF, that it was stated that between December 1986 and November 1987 thirty-one individuals had been through the programme and only two had returned to prison since leaving SSF (Eighth Annual Report 1986-1987: 2)

It's a very idealistic thing to think that everybody who's in jail can be rehabilitated or habilitated

. . . I don't think places like SSF have the skills or the ability to habilitate people . . . [There were

people] who would be considered successful from that programme . . . but in reality, if you look

back now, they all reoffended. I think you'd be very lucky to find any that haven't reoffended so,

therefore, if you said that the assessment of success is not reoffending, you'd have to say it is

totally unsuccessful and is still unsuccessful today.

In 1991, Kath Jamieson completed the most comprehensive statistical analysis of recidivist figures between 1986 and 1990 as part of her research on SSF. While personally Jamieson was unable to negotiate direct access to criminal histories held in the Wanganui Computer Centre, she arranged Philip Spier, a research officer in the Department of Justice Policy and Research Division, to collect data on those who had been through SSF between 1 January 1986 and 9 March 1990. The total number of individuals involved with SSF during this time was 91, consisting of 84 males and seven females. Most were repeat offenders with lengthy criminal histories which often incorporated violent crimes and other serious offences (Jamieson 1991).

According to the figures compiled by Spier, 70.3 percent were not apprehended for any criminal offence while in the programme at SSF. Of the 29.7 percent who did reoffend, the majority (16%) committed property offences including theft and burglary, while other significant convictions were for drug offences (6.1%) and crimes of violence (3.7%). Jamieson (1991), however, argued that these statistics were not a fair representation of the actual level of criminal involvement by residents living at SSF. She claimed,

From my observations of informal life at [SSF] during 1989, I am of the opinion that the above

figures are not an accurate representation of offending by clients while at the Foundation. In

many respects, the above statistics say more about the degree of tolerance toward violations at [SSF]. Many more residents actually offended while in the programme than is indicated by the data, the majority having committed drug related crimes . . . Many of these incidents were handled by the staff at the organisation, who simply dealt with the offending through internal sanctioning or by expelling the resident from the programme, citing 'inability to live within rules' as the reason for dismissal. Usually, the only offenders who were referred back to Probation Officers or to the courts were those actually discovered and arrested by the police (Jamieson 1991: 241).

According to Jamieson (1991), recidivism rates escalated upon departure from SSF.[171] Of the 66 ex-clients who had been through SSF between 1986-1990, and for whom data was available, it was found that only 15 (22.7%) had not reoffended by 9 March 1990.[172] Of the 51 individuals (77.3%) that had reoffended, the most serious reconviction for 12 (23.5) was violence. A further 48 were convicted for committing non-violent crimes including property offences (25 convictions), drug offences (five convictions), and other offences (9 convictions).[173] Many ex-clients received multiple reconvictions. Twenty-two ex-residents were convicted of between one and five new crimes, 18 received between 11 and 50 new convictions, and one ex-client was convicted of between 51 and 100 new offences (Jamieson 1991: 243).

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[171] According to Jamieson (1991), 'departure' did not necessarily equate to programme completion. This is problematic because, as will be seen in future discussion, those who complete the programme are a lot less likely to reoffend than those who are dismissed or leave prematurely.
[172] This number excluded 15 residents still in the programme.
[173] These figures, which are quoted directly from Jamieson (1991), are somewhat problematic because they do not appear to add up.

At the end of her research, Jamieson (1991) came to the conclusion that, in absolute terms, SSF had not managed to break the recidivism cycle. She conceded, however, that due to the unreliability of official statistics, this summation was a tentative one. According to Jamieson (1991: 247),

> Arrest and conviction rates seldom indicate the true rate of offending and often mask factors such as offender self-concept, family background and the reasons behind their offending. In the case of [SSF] residents, this may include length of exposure to the Foundation programme, prior motivation, exposure to the programme versus active participation in it and so on. The clear distinctions between these issues are often obscured by official recidivism statistics. Given these difficulties and the fact that there was no real control group, very little can actually be said at this stage about the Foundation's effectiveness.

1990 – 1995

From 1990, more comprehensive records of resident statistics were kept than previously. Each year in the Foundation's annual report, details were given regarding how many individuals had been through both the residential (R) and day (D) programmes. This information included those who were still attending SSF, those who had completed the programme and been subsequently employed/unemployed, and those who had reoffended or been returned to prison. Table 1 provides a summary of the statistics provided in the annual reports from 1991 to 1995. It is important to note, however, that these figures are incomplete because information was not always given for all residents. They also do not clearly differentiate between those who reoffended (1) while on the programme and were returned to prison; (2) after leaving the programme early; and (3) subsequent to completing the programme.

Table 1: Status of Residents 1991 to 1995

Year ending:	Aug 91'		Aug '92		Aug '93		Feb '94	Aug '95
	R	D	R	D	R	D	R	R
No. entering SSF	27	15	26	6	16	7	15	21
Still in programme	9	9	8	1	4	2	7	3
Returned to prison	5	2	6	1	0	1	1#	-
Reoffended	-	-	-	-	-	-	2	6
Working	7	1	1	1	5	1	-	4
Unemployed	4	0	6	3	3	3	-	-
Transfer *	1	2	1	0	1	0	-	-
Status Unknown	0	1	3	0	1	0	-	1
Other	1	0	1	0	1	0	-	7

*To other programme/scheme

#For a previous offence

In the twelve months to August 1991, a total of seven out of 42 SSF clients (17%), both residential and day programme participants, were returned to prison while at SSF. Of the 27 who attended the residential programme, four offended while at SSF or soon after leaving and one voluntarily returned to prison because he found the programme too difficult. According to the Twelfth Annual Report (1990-1991), none of the recidivist offenders had completed the programme at SSF or got fully involved with it during their stay. The average amount of time spent in the programme for those who reoffended was three months compared with nearly ten months for those who did not reoffend and close to a year for those who were subsequently gainfully employed.[174]

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[174] Twelfth Annual Report 1990-1991: 2

Between August 1991 and July 1992, seven out of 32 SSF residents were returned to prison while attending SSF (22%). Excluding the one day-programme participant, five out of six of those who reoffended from the residential programme had remained in the programme for less than four months, while the other attended SSF for seven months. While not definitively stated, these figures suggest that recidivists were not completing the minimum six-month attendance required at the programme at SSF. Additionally, it was once again commented that "All recidivists displayed a lack of commitment to anything outside of their own personal desires".[175]

According to the Fourteenth Annual Report (1992-1993), in the twelve months leading up to August 1993, only one member of the day programme reoffended. This would indicate a recidivist rate of just four percent. As with all statistics provided in this analysis, however, it is difficult to tell whether this figure is accurate. For instance, in another report on SSF (1994) very different recidivist figures were quoted for the 1992 to 1993 than those given in the Fourteenth Annual Report.[176]

According to the executive summary in the 1994 report, during the 1992-1993 financial year,[177] 22 individuals attended the residential programme and recidivist details were given for 21 of these 22 residents. Of these 21, nine completed the programme, five were dismissed, three chose to leave, two were returned to prison for previous offences and two reoffended while on the programme.[178] These figures indicate a recidivist rate of 19

[175] Meladie Bras, Thirteenth Annual Report 1991-1992: 2
[176] Report on SSF February 1994
[177] It was not stated in which months this financial year began and ended.
[178] Report on SSF February 1994 – Executive Summary: 4

percent (n=4), rather than the four percent offered by the Fourteenth Annual Report. Conflicting figures like these are a continual problem throughout SSF's archival material. This is largely because the Director and Chair, who created the reports, were generally not experienced academics and had little mathematical expertise or statistical competence. The figures offered in the annual reports are, therefore, often vague, confusing, ambiguous, incomplete, and unfortunately sometimes just plain wrong.

The provision of client statistics was altered in 1994 and 1995. Only those involved in the residential programme were considered and reoffending, rather than reimprisonment rates were given. Less information was also provided regarding what had happened to those who had completed the programme including whether they were employed/unemployed. According to the Fifteenth Annual Report, 15 individuals were involved in the residential programme between March 1993 and February 1994. In February 1994, seven were still attending SSF, two had reoffended and one had returned to prison for previous offence. This equated to a recidivist rate of 20 percent (n=3). Comparatively, in the twelve months leading up to August 1995,[179] 21 residents attended SSF, six of whom reoffended (29%).

Habilitation Centre Phase: 1996 – 2002

Department of Corrections: Interim Evaluation Report, 1997

As mentioned in chapter five, Dr. David Yeboah, a Senior Research Advisor for the Department of Corrections, carried out an interim evaluation of SSF following the

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[179] The shift in the twelve-month period being considered in 1995, that is September to August rather than March to February, is due to the AGM being held later in the year.

programme's establishment as a habilitation centre. He considered the 20 residents, aged between 21 and 43 years, who had attended SSF from April 1996 to the end of March 1997. Of these 20 residents, 19 were referred to SSF from prison, while only one arrived after completing a community-based sentence.[180] For 40 percent of these residents their most recent conviction, prior to attending SSF, was for a violent offence. Of the remaining clients, 40 percent had most recently served time for dishonesty offences and 10 percent each for sexual and drug/anti-social offences (Yeboah 1997).

Yeboah (1997) found that eight of the 11 residents who left SSF during the evaluation period re-offended and subsequently recorded convictions.[181] This equated to a recidivist rate of 73 percent. Of the eight who were reconvicted, three were returned to prison, three received periodic detention (one while still attending SSF), and two got supervision. While these results were disappointing, Yeboah claimed they needed to be interpreted with care because only a small number of offenders were considered during a short period of operation. In the words of Yeboah (1997: 44), "It is difficult to link the high level of re-offending to the effectiveness or ineffectiveness of the habilitation centre programme because of the short period of operation and the small number of offenders".

The high number of reconvictions correlated with low occupancy and programme completion rates. In December 1996, the occupancy rate was only a daily average of 4.32 residents, 36 percent of the programme's maximum capacity of 12. By March 1997, this figure had improved to 60 percent of capacity, or an average of 7.2 residents, although

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[180] The Habilitation Centre Contract specified that 80% of referrals must be parolees.
[181] Yeboah's study included those who were dismissed from SSF or left the programme early.

this was still significantly below the level specified in the pilot habilitation centre contract.[182] A major reason for the low occupancy levels at SSF was that programme completion rates were poor. In fact, of the 11 individuals who were no longer in the programme at the end of March 1997, seven (63.6%) had not completed the programme in full. This was partly because of the urine-testing requirement of the Department of Corrections and their insistence that any failure be removed from the programme.

Yeboah (1997) argued that improving the overall retention of residents at SSF was a crucial issue for the Foundation because, according to Department of Corrections statistics,[183] *"For those men who do complete the programme, they (sic) have a better than 80% chance of not reoffending"*.[184] He suggested that greater motivation was required from offenders if they were to complete the programme and change their lifestyles. Yeboah conceded, however, that assessing the motivation of potential clients was difficult because many residents were using the habilitation centre as a way of leaving the prison environment.[185]

A large number of dismissals and recalls to prison, resulting from residents breaching the conditions of their release, was thus the primary cause of the Foundation's poor programme completion rates. According to Yeboah (1997), the high level of serious breaches during SSF's first year of operation as a habilitation centre was an issue that

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[182] Contract specifications required an average of eight residents at SSF over a six-month period.
[183] These findings were based on figures which found that of the men who had graduated over the two-year period since the Habilitation Pilot Project started, 80% had not reoffended (see Annual Report for SSF Annual General Meeting – 8 September 1998: 4)
[184] Director's Report for the Annual General Meeting of SSF – 14 September 1999: 3 – emphasis added.
[185] As discussed in chapters four and five, the selection of suitable/motivated residents has been a crucial issue throughout the Foundation's history.

needed to be urgently addressed. He found that most serious breaches were occurring at night and during weekends when the offending residents should be at the Foundation, being supervised by SSF staff. Yeboah (1997: 55) claimed that, "unless adequate steps are taken to improve night and weekend supervision, serious breaches will continue to occur, and participation and programme completion will be adversely affected".

Yeboah's findings were reinforced, and added to, by a Department of Corrections News Release (12/8/1998). This media release stated that between April 1996 and March 1998 a total of 39 residents had attended SSF. It also established that although the reoffending rate had been 727 per 1000 residents during the Foundation's first year of operation as a habilitation centre, this rate had declined to 500 per 1000 by the end of the second year.[186] The figures quoted in this news release were based on the findings of the Habilitation Centre: Quarterly Reports, which were provided by the centres to the Department of Corrections as part of their contract requirements.

Habilitation Centres: Quarterly Reports 1996 – 1997

Under the provisions of the Habilitation Centre contract, quarterly service performance reports were expected from each of the pilot habilitation centres. Initially, these pilot programmes consisted of SSF, Aspell House in Plimmerton, and Te Whanau O Waipareira Trust in West Auckland. Information was gathered from each of the facilities and culminated into a quarterly report, which compared and evaluated the programmes.

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[186] Department of Corrections News Release 12/8/1998

Table 2 reviews three key areas considered in these reports: (1) the average daily number

of residents; (2) occupancy rates; and (3) the average cost per resident per day.

Table 2: Findings of the Habilitation Centre: Quarterly Reports 1996-1997

	Ave. daily residents			Occupancy rate (%)			Cost ($) per resid./day		
	SSF	Asp.	Wai.	SSF	Asp.	Wai.	SSF	Asp.	Wai.
30/6/96	5	4.22	0.40	50	42	4	178	241	2,215
30/9/96	3.2	4.96	6.21	32	49	52	280	203	154
31/12/96	2.55	0.44	6.24	25	4	52	351	2,349	150
31/3/97	6.15	0.09	4.41	61	1	37	156	11,796	223
30/6/97	7.37	1.56	6.37	75	16	54	104	n/a	n/a
30/9/97	8.09	5.66	6.81	83	58	58	98	n/a	n/a

Note: n/a = not available

As discussed in chapter five and further reflected in Yeboah's findings, during 1996,

resident numbers and occupancy rates at SSF were low prior to the resignation of Glenn

Newman and appointment of David Coom as Director. Unfortunately, specific recidivist

information was not provided within either the quarterly reports or SSF's annual report.

According to programme completion figures, however, of the 20 residents who attended

SSF between March 1996 and March 1997, 10 were removed or failed to complete the

programme. The reasons behind these dismissals included four for alcohol/drug use, one

for programme non-compliance, one theft while on programme although no charges were

laid, and three who committed further offences. There was also one resident who

absconded from the programme within 12 hours of admission. Of the remaining

residents, six were still on the programme and four had completed it.

In 1997, resident numbers and occupancy rates at SSF improved dramatically and by September the Foundation was meeting contract specifications. Between July 1997 and June 1998, occupancy rates were above 80 percent for every quarter except the March quarter. [187] Also, while specific figures are not available for client outcomes, it was indicated that of those who attended SSF during this year, 38 percent had graduated, 37 percent were still in the programme, 21 percent had been discharged, and four percent had been deemed unsuitable.[188] These outcomes were markedly different from the other habilitation centres, especially Aspell House, where occupancy rates were not being met and as a result the cost per resident per day increased, sometimes dramatically. As a result of these poor outcomes, and combined with other difficulties, both Aspell House and Te Whanau O Waipareira Trust were subsequently closed and not replaced. The details of these closures will be discussed in chapter eight.

Service Performance Reports: SSF Trust Habilitation Centre 1998 – 2001

At the beginning of 1998, Service Performance Reports replaced Habilitation Centre: Quarterly Reports. While this new documentation continued to assess many of the same contract specifications as previously, its focus was solely on SSF, rather than offering a comparison of all habilitation centres. Table 3 provides a summary of total attendance numbers at SSF, between 1998 and 2001, including completion and discontinuation figures.

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[187] Annual Report for SSF Annual General Meeting – 8 September 1998: 5
[188] Ibid: 6

Table 3: Service Performance Report Findings 1998-2001

	Total number of residents			
	During quarter	End quarter	Completing	Discontinuing
1 Jan – 31 Mar '98	12	8	2	2
1 Apr – 30 Jun '98	10	10	1	2
1 Jul – 30 Sept '98	n/a	n/a	n/a	n/a
1 Oct – 31 Dec '98	12	9	1	3
Total: 1998	**34**		**4**	**7**
1 Jan – 31 Mar '99	14	9	4	3
1 Apr – 30 Jun '99	9	6	2	1
1 Jul – 30 Sept '99	13	10	2	1
1 Oct – 31 Dec '99	9	8	3	3
Total: 1999	**45**		**11**	**8**
1 Jan – 31 Mar '00	9	9	2	1
1 Apr – 30 Jun '00	14	6	1	6
1 Jul – 30 Sept '00	11	6	3	3
1 Oct – 31 Dec '00	10	6	0	4
Total: 2000	**44**		**6**	**14**
1 Jan – 31 Mar '01	12	9	2	1

Note: n/a = not available

The findings of these service performance reports indicated that although some clients were completing the programme, high discontinuation rates remained an ongoing problem for SSF. According to one report (1 April – 30 June 2000), this was largely due to drug use, as well as general non-compliance to Foundation rules, such as breaking curfew. In spite of this, however, resident numbers at SSF were generally good. During 1998 and 1999, the Foundation continued to consistently meet contract specifications, averaging just below nine residents over the two-year period, and while in 2000, this

figure dropped to an average of below seven residents, early indications suggested that in 2001 this situation would improve.

Along with these service performance reports, SSF's annual reports continued to review the outcomes of those who had attended the programme. In the twelve months ending 30 June 1999, eight men graduated from SSF, most of whom subsequently moved into work or full time education, 11 were discharged mainly for cannabis use, and six were still in the programme.[189] These figures remained similar at the end of the following year (30 June 2000), with seven men having graduated, 14 having been discharged again largely due to drug use, and six still in the programme.[190] And, finally, in the twelve months to 30 June 2001,[191] six men graduated all of whom secured employment, and eleven were discharged primarily for drug use.[192]

Success of SSF

Before drawing any conclusions regarding the rehabilitative ability of SSF, the limitations of the available statistics must be reiterated. Assessing a programme with a 23-year history is problematic and, therefore, due to the significant changes that have occurred over this period, a long-term analysis is irrelevant. Even since SSF's establishment as a habilitation centre, gaps exist within the figures provided in the archival material and the areas of analysis often shift (from reoffending/return to prison

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[189] Director's Report for the Annual General Meeting of SSF – 14 September 1999
[190] Director's Report for the Annual Stakeholders Meeting of SSF 1999-2000: 1
[191] Director's Report to the Annual General Meeting of the SSF – 13 November 2001: 1
[192] When comparing these figures with those given in the service performance reports, it is important to remember that in the annual reports the year runs from July to June, rather than January to December. In spite of this, however, there are some variations which is a common difficulty when analysing statistics.

figures to programme completion/discontinuation rates). Therefore, the four points listed below should be treated with care and as general observations rather than definitive conclusions.

1. Due to the unreliability of data, few conclusions can be drawn about SSF prior to 1996.

2. Recidivist and programme completion rates have been affected by numerous factors, which at times have caused these figures to fluctuate dramatically.

3. Leadership and management style appears to have a significant impact on the level of programme completion and reoffending by SSF residents.

4. The likelihood of reoffence decreases the longer an individual remains at SSF, especially if they complete/graduate from the programme. Therefore, the selection of suitable, motivated clients is a crucial to SSF's ability to achieve rehabilitative "success".

While statistics can provide some general indications as to the performance of SSF throughout its history, it is essential that they be approached with caution. Along with the complexities of the rehabilitative debate and the difficulties with measuring recidivism (which have already been discussed), unrealistic expectations are also often placed on rehabilitative organisations. In the words of Glenn Newman it is important to remember, "We were required by contract to work only with recidivists. The most difficult clients you can imagine . . . [Recidivist behaviour] is very, very difficult to change. It's very obsessive behaviour". Therefore, high defection and dismissal rates are always going to

be likely especially considering the strict regulations that SSF has placed on its residents throughout the programme's recent history (see chapters four and five).

In my opinion, a common misconception made about rehabilitative programmes like SSF is that they has the ability to transform any offender. In actuality, there has never been anything inherent about the programme at SSF which has been able to force or convince an offender to change their behaviour. The resident is responsible for altering his own lifestyle and it is only once he makes this decision that the range of resources offered by SSF can be of any help in his transition back into open society. This is why the selection of motivated participants has always been such a crucial issue to the "success" of SSF and why the likelihood of reoffending appears to decrease amongst those who complete and graduate from the programme.

The importance of having motivated residents was reinforced by many of those involved with SSF, at various times throughout the programme's history. For example, according to Geoff Samuels, those most likely to take advantage of the resources provided by SSF were "people who'd done several lags and were getting sick of it". Kevin Butson agreed with Samuels claim. He argued,

> It's just where people are in life. You get it with lots of programmes: Salvation Army, Bridge programmes, if they're desperate enough and at the crossroads of their lives and something like SSF is there . . . then they pick it up with both hands and say 'hey I'm going to go with it' . . . and, yeah, it can be an absolutely wonderful growth period and stepping stone . . . and yet many are reluctant to go there because they don't really want to change their life.

By claiming SSF is not inherently able to rehabilitate, I do not suggest the programme has no purpose within New Zealand's current correctional environment. SSF, like other community-based facilities, continues to play an essential role within the criminal justice system. David Coom explains,

> You'll never be able to offer programmes within the prison that will be able to reintegrate people, because it's an oxymoron. You have to have [community-based facilities] for the people who are heavily institutionalised. You need programmes on the outside that they can slot into. I think that a community-based programme means exactly that, that we are not isolated, we are part of the community. So part of the resident's time with us is learning all of the different ways you can get support or you can support members of the community.

The provision of community connections and resources is simply something that cannot be offered within the confines of a jail. Therefore, although many non-custodial facilities, possibly even including SSF, have not been as successful at reducing recidivism as hoped, they have been able to contribute services that the prison cannot.

As well as providing a link between prison and the community, SSF offers support and training to individuals with long criminal histories who may lack basic living skills. The provision of this range of resources is a necessary part of the transition of highly institutionalised individuals back into the community. In the words of Colin Elliott,

> [While] not everyone needed SSF . . . [and] some would have succeeded anyway . . . The programme definitely had an impact, stopping some from reoffending . . . [providing] access to certain resources . . . [or] a career path . . . I don't think most of them would have necessarily succeeded without that time [at SSF].

Meladie Bras takes this point a step further, arguing that "to take a 'lifer' and just throw them out into the community is inhumane because they will end up offending again . . .

you have to teach them how to do everything because for ten years they've been out of circulation". Jeff Cooper, a former SSF resident and one of the organisation's success stories, said,

I think it is essential that a programme like this exists because it doesn't matter what you learn in prison, while it's all good, when you step out that gate it's a different world than prison . . . You get some guys that come here that have done ten years-plus, and society's changed. Even in five years a society can change heaps. And I think they come to a place like this and they can take those little steps at a time . . . Before I went to prison everything was done for me so I had no skills, even cooking. For me coming here was pretty essential. I needed to learn about banking, how to budget money and stuff like that . . . If I'd gone back straight back out into the community again I would have found things a real struggle.

Conclusion

SSF does not, and can not, work for everyone. It would be unrealistic to expect it could. As a programme, SSF has never had a peerless ability to transform a resident's attitudes and behaviours. Ultimately, the offender has to want to alter his lifestyle before SSF can have a significant impact. For those who have been motivated to change, SSF has offered a range of resources, throughout much of its history, which has provided assistance in an offender's transition from incarceration to life in free society and promoted the discontinuation of reoffending behaviour.

Overall, it is too simplistic and problematic to definitively conclude whether, according to the statistics available, SSF has been either a rehabilitative success or failure. The most accurate conclusion that can be reached is that SSF has worked sometimes, for certain offenders. It is also important to remember that recidivism is not the only valid criterion

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for assessing rehabilitative programmes. In fact, the "success" and longevity of SSF has

had more to do with the administration of the programme, than its ability to reform every

individual whom attends. Therefore, any analysis on the rehabilitative ability of SSF

needs to be accompanied by a subsequent discussion on the Foundation's, past and

present, organisational and management practices.

CHAPTER EIGHT

Organisation and Management of SSF

Introduction

The organisation and management of any not-for-profit facility (NFP)[193] has a major

influence on the overall quality of the programme, whatever its purpose may be. Without

effective management, a NFP is paralysed. It cannot function efficiently. There are

numerous issues commonly faced by NFPs. These range from concerns relating to the

appointment of board members, the role and functions of the board, clarity of

organisational objectives, and conflicting views and agendas of members. For an

organisation to be able to achieve its goals and objectives, it must first be able to

overcome any of these issues by ensuring that clear administrative procedures and

appropriate managerial personnel are in place.

The purpose of this chapter is to consider the effectiveness of SSF's past and present

managerial practices. From such an analysis, it is possible to highlight mistakes made,

and lessons learnt, by SSF in the past as well as considering how the Foundation has

worked to overcome these difficulties in recent times. As suggested in chapter seven, the

longevity of SSF has had more to do with the administration of the programme, than with

its ability to reform every individual who attends. This is essentially because the long-

term "success" of SSF has been due to the ability of staff and board members, throughout

the Foundation's existence, to face various problems and overcome them. By way of

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[193] The terms nonprofit and not-for-profit are used interchangeably.

comparison, SSF will be considered alongside New Zealand's four other habilitation centres, the majority of which have been plagued with organisational difficulties, have largely failed to meet Department of Corrections contract specifications, and have been subsequently forced to close.

What are Nonprofit Organisations?

Throughout its history, SSF has operated in New Zealand as a not-for-profit organisation. Therefore, before considering the results of SSF, it is important to establish what NFPs are and how ideally they should operate. Providing a broad definition of what a NFP is complex and difficult. This is because internationally, as well as within individual countries such as New Zealand, NFPs vary enormously in scope and scale. As Boris (1999: 4) explains, "As a group, nonprofits are heterogeneous. They reflect common aspirations but sharp differences as well. Their impacts can be positive or negative, confrontational or conciliatory, depending on their activities".

NFPs incorporate a diverse range of organisations. These include religious groups, hospitals, universities, environmental groups, museums, youth associations, civil rights groups, community development organisations, social clubs, political groups, and labour unions, to name a few. These organisations are based upon, and driven by, various goals and objectives. While some offer traditional charitable assistance to the needy, others undertake manufacturing and advanced research. Their sources of revenue also follow no clear pattern, with some receiving grants from traditional donative charities, while others are fully government-funded. NFPs range from small community and neighbourhood

organisations, with few assets and no employees, to multibillion-dollar foundations, universities, and healthcare facilities with thousands of employees. Along with this, their modes of governance vary from autocratic rule by a sole trustee to broadly representative boards composed of officials elected by either the general public or members of the organisation (see Boris and Steuerle (eds.) 1999, Herman (ed.) 1994).

While significant diversity exists, locally and internationally, between nonprofit organisations, some common characteristics can be identified. These main areas of similarity will be considered individually and incorporate five main factors. These are that typically NFPs: (1) do not distribute profits; (2) play a prominent societal role including having important links to government; (3) provide mutual support, service delivery, and/or campaigning and research; (4) are self-governing/self-managing; and (5) incorporate some level of voluntary participation.

The primary commonality amongst NFPs is that they usually exist for purposes other than profit making and hence, do not distribute profits to those who lead, control or invest in them. In the event that any profit is produced by an NFP it is conventionally used to enhance the nonprofit facility in terms of its public purpose, rather than benefiting particular individuals involved within it. In general, therefore, a large portion of NFPs operate as charitable organisations which frequently serve sections of the community that are not able to financially contribute to the organisation. Thus, rather than accumulating large amounts of profit, they often rely on grants, donations and other forms of monetary assistance from a range of governmental and non-governmental sources (Boris 1999).

In spite of the fact that nonprofit organisations do not distribute profits, they play a prominent role in the social, economic and political sectors of society. In fact, according to Gorham (1999: xi), "Non-profit organisations have been called the glue that holds civil society together". This is because they exist as service providers, employers and community-based advocates, and thus are often responsible for establishing numerous relationships and networks between a variety of groups and individuals. Amongst those intertwined with the nonprofit sector is government. As well as being influenced by not-for-profit organisations working on policy issues, government departments across the Western world frequently use NFPs as a means of delivering social services. Hence, the "interaction between government and nonprofit organizations in civil society is complex, but it is also dynamic, ebbing and flowing with shifts in policy, political administrations, and social norms" (Boris 1999: 4).

Nonprofit organisations establish networks and societal links by promoting a specified activity or purpose. Although, amid NFPs, a wide range of principles are advocated, overall they tend to focus on serving a need or interest which directly benefits the general public or specific sections of the public (Gorham 1999). These interests are mainly advanced through the provision of mutual support, service delivery, and/or campaigning and research (Handy 1988). NFPs centred on mutual support are responsible for putting people with similar concerns or enthusiasms together, while campaign-based organisations act as a pressure group for a particular interest, and research-focussed institutions work towards advancing knowledge in a specified area. The biggest and most visible groups of NFPs, however, are service delivery facilities, which provide services

and/or resources to those in need. These categories are not distinct and many not-for-profit organisations fit into all of the areas. SSF provides an example of one such organisation which, as discussed in previous chapters, has delivered rehabilitative services to ex-offenders for many years, as well as being actively involved in research/debate surrounding issues relating to crime, criminal justice, and correctional policy in New Zealand.

Another common feature within most not-for-profit organisations is that they incorporate some level of voluntary participation and self-governance/management. Frequently, governance is based upon the existence of a Board of Trustees, consisting of a group of individuals who are involved with a NFP "for no financial payment, and of their own free will" (Jackson and Donovan 1999: xii-xiv). These Boards are responsible for all core governance functions including establishing the goals and strategic direction of an NFP, making certain these objectives are implemented into policy and practice, and ensuring the organisation's overall survival. Along with the predominantly voluntary participation of Board members, some staff/other employees may be paid. For those who do receive payment/benefits, this only takes the form of a reasonable salary/benefit in return for work done as an employee of the organisation. Staff/employees, who are typically responsible for the management of an NFP are accountable to the BOT, in order to ensure the effective and efficient achievement of the goals established by the Board (Jackson and Donovan 1999).

Management and Governance in New Zealand's Nonprofit Sector

In New Zealand, the Institute of Directors, Inc. (2000) sets out the best practice for not-for-profit organisations. According to this document, the most essential components for improving an NFP's performance are professional governance and effective management. In order to achieve these objectives, certain procedures and practices need to be adhered to. The first and most important step for any nonprofit organisation is to decide whether the board is to have only a governance role, or whether some or all of its members will also be involved with management. Generally, a key factor in this decision is whether the NFP has a Chief Executive Officer (CEO) or someone in an equivalent position (such as Director in the case of SSF), or not. If the organisation does, then the board should not undertake a management role. Instead, the board should concentrate solely on governance and monitoring issues, while allowing the CEO to be responsible for the day-to-day running of the organisation. Any paid staff, however, including the CEO, should be directly responsible to the chair of the board in order to ensure clear lines of accountability are kept with those in charge of overseeing the NFP (Institute of Directors in New Zealand, Inc. 2000).

Along with clearly establishing the role of the board, members also need to be aware of the legislation that they are subject to. For the New Zealand nonprofit sector, there are four legislative possibilities: (1) the Companies Act, if the NFP is a registered company; (2) the Charitable Trusts Act; (3) the Incorporated Societies Act; and (4) a specific Act applying to that NFP alone. These Acts establish that board members are required to "exercise reasonable care, diligence and skill" (Institute of Directors in New Zealand, Inc.

2000: 2). In the case of the first two Acts, of which SSF is accountable to the second: the Charitable Trusts Act,[194] board members are prohibited from carrying out the NFP's business in a manner that may create a substantial risk, or serious loss, to its creditors.[195] Apart from these statutes, NFP boards are also subject to a range of other legislation involving such matters as employment, health and safety, and tax (Institute of Directors in New Zealand, Inc. 2000).[196]

Another factor, which is crucial to the effective functioning of NFPs, is the establishment of a clear set of goals and objectives. The board is responsible for developing these strategic aims, as well as detailing how the organisation intends to achieve them. It is essential that all involved in the governance and management of any NFP have a clear understanding of these objectives in order to avoid conflict between members about what the organisation expects to accomplish. Also, by having a clear set of goals which establish the direction of the organisation, it is possible for frequent evaluations and recommendations for improvement to be made. The Institute of Directors in New Zealand suggests that assessments should be carried out on a six-to-twelve-monthly basis by an experienced facilitator, whenever this is possible (Institute of Directors in New Zealand, Inc. 2000).

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[194] Review chapter four for the details, and significance, of this Act.
[195] This incorporates a range of issues, legal and illegal, which can ultimately impede the progress of a NFP. Some examples of these difficulties will be discussed later in this chapter.
[196] It is unnecessary to go into detail regarding these legislative provisions, as they are largely irrelevant to the content of this chapter.

Common issues

Not-for-profit organisations often experience a variety of difficulties. While these vary significantly between organisations, there are some common issues faced by NFPs. The Institute of Directors in New Zealand, Inc. (2000: 2) clearly outlines ten of these:

1. The organisation may be large and "unwieldy", especially if there is a desire to involve all stakeholders.

2. Appointment of board members can lead to factionalism, which can ultimately result in time wasting and/or the organisation being used for "political" or individual gain.

3. The role of the board has not been clearly outlined to its members and, hence, individuals are uncertain of their responsibilities.

4. Board members are unclear about the overall objectives of the organisation, or the NFP lacks a clearly defined strategic direction.

5. The organisation may have difficulty attracting new board members, which is often due to a lack of clarity in the membership skills needed.

6. Nonprofit organisations often have "political", or similar imperatives, which influence their operations.

7. NFPs tend to be closer to their client group than a commercial entity, thus increasing the possibility for board members to become too personally involved in the organisation.

8. The organisation may be driven by the agendas of the staff, rather than the goals and objectives established by the board. This is more likely to occur when the board sets no clear strategic directions.

9. There is frequently philosophical "unhappiness" in NFPs about having a professional manager rather than a volunteer. This can potentially lead to board members wanting to "manage" rather than "govern" the organisation.

10. Conflicting views often exist within NFPs about how the organisation should be run, especially relating to how business-like it should be.

When experienced, these difficulties can lead to a range of problems including unnecessary costs, inadequate direction for management/staff, poor use of individual skills, and, generally, ineffective leadership, all of which are ultimately detrimental to any NFP. The factor, however, of the greatest potential significance is the impact that a poorly functioning board can have. According to the Institute of Directors in New Zealand, Inc. (2000: 2),

> A board that is not working well or does not know what its proper role is, opens the NFP up to a variety of risks. These can include a poor use of resources [staff, plant and funds], loss of confidence by donors and funding agencies, loss of reputation, and personal exposure for board members.

In order to improve the operation of a NFP, which is experiencing some of these difficulties, solutions need to be found.

Possible solutions

Along with the common issues discussed, the Institute of Directors in New Zealand, Inc. (2000: 3-4) offers a range of possible solutions in order to overcome these concerns. These solutions include:

1. Reconsidering the size of the board to ensure a breadth of skills, experience, knowledge and enthusiasm of members.

2. Establishing a clearly defined set of skills/qualifications/knowledge required by the organisation. This will ensure that all prospective board and staff members are able to contribute certain skills that are useful to the NFP.

3. If board members are responsible for the election of new participants, ensuring as many as possible exercise their voting rights in order to ensure the most suitable prospects are appointed.

4. Ensuring the organisation's BOT has an experienced Chairperson.

5. Maintaining the board's "responsibility to ensure that the overall purpose ('mission') and objectives ('strategies') of the organisation are formulated and published . . . statements must be 'owned' by the board if they are to be effective".

6. Ensuring the board establishes short, medium and long-term objectives for the NFP.

7. Maintaining the board as being ultimately responsible for: the allocation of all resources and funding, setting targets to be achieved by the CEO, establishing performance indicators and monitoring procedures, and ensuring appropriate systems are in place.

8. Consideration of strategic policies, which should focus on avoiding, or minimising, risks to the organisation.

9. Ensuring there is agreement about how board meetings are conducted. This includes the setting of agendas, the nature of papers/presentations required, and how minutes are dealt with.

10. If needed, establishing smaller board committees to consider certain issues in greater depth than is possible at a normal board meeting. These committees should

not make decisions on behalf of the board and their power should be limited to making recommendations to the board only.

11. Making certain a clear and unambiguous relationship exists between the board and management team. In general, operational responsibilities should be delegated from the board to the CEO, who has sufficient authority to carry them out.

12. As the relationship between the chair and the CEO is critical to a NFPs success, frequent communication, based on openness, trust and familiarity, needs to occur.

Lessons from SSF's Past

When considering SSF, it is quickly apparent that the Foundation has experienced many of the issues commonly faced by NFPs. In fact, at various times throughout its history, it seems that SSF has deviated from almost every best management principle offered by the Institute of Directors in New Zealand, Inc. At times, these difficulties have threatened the stability and continuation of the programme. Overall, the administration of, and managerial practice at, SSF has been most seriously impeded by inadequacies in four key areas. These are: (1) the role of the director; (2) the role of the BOT; (3) relationships between Board members and/or staff; and (4) a lack of accountability.

Role of the Director

As seen in chapter seven, the programme's director has influenced, both positively and negatively, the level of programme completion and reoffending by SSF residents. This is because the director has been primarily responsible for the day-to-day running of SSF, with his/her role incorporating a range of factors including integrating the programme's

mission, implementing strategy, achieving organisational goals and objectives, and accessing funds (Herman and Heimovics 1994). According to Kath Dunstall,

> The director is the key person. They set the tone. They set up the systems and make sure the
>
> systems and policies and procedures are followed. They are the pivotal person and if you haven't
>
> got a good director, you're pretty stuck, and the place starts to fall apart pretty smartly . . .
>
> Whereas, under strong leadership the place runs perfectly.

Drucker adds to this suggesting that the role of an NFP's leader goes beyond these practical aspects. He claims, "The leader is visible; he stands for the organization . . . Leaders set examples. The leaders have to live up to the expectations regarding their behaviour" (Drucker 1990: 35).

On a number of occasions the appointment of certain types of directors at SSF has proven problematic. For instance, during much of SSF's pre-habilitation centre existence, there was a heavy reliance on charismatic leadership rather than steady management. This was always going to be potentially problematic because, according to Drucker (1990: 3), "What matters is not the leader's charisma. What matters is the leader's mission". At SSF, many of those involved as leaders were described as charismatic. Genevieve Strang, for example, claimed, "This place has had a lot of charismatic people. I mean, I think, Ken Turner was definitely charismatic", and Glenn Newman adds, "Dave Robinson was a very strong, charismatic figure and the whole place was founded on him". This is not to suggest that charismatic figures, such as Robinson and Turner, did not benefit SSF. They each brought numerous qualities to the organisation: Robinson with his boundless enthusiasm and dedication to the programme, and Turner who was very successful at

acquiring funding. The difficulties with relying on charismatic leadership arose, not when the individual was still involved with SSF, but after they left. As Newman explains,

> The old idea of a charismatic leader of the place . . . People were pouring in this huge amount of energy without any clear idea about what the point was. And then just driving the whole place on their own amounts of energy and then falling over and leaving the place and going somewhere else. The whole place just collapsed and then reinvented itself with another person . . . [SSF] shouldn't depend on one personality to make everything happen.

As a result, during SSF's early period, there were many swings and shifts in the focus of the programme and it was not until the 1990s that some specific, long-term policies and procedures began to be put in place.

Although policies and procedures were implemented during the 1990s, the quick succession of directors caused a new set of leadership difficulties for SSF. From 1990 to 1997, the Foundation had seven different directors, not including interim directors, such as Genevieve Strang and Anni Brown, who took on the role for brief periods while a new leader was being found. As seen in chapters four and five, this high turnover of directors created uncertainty and often caused disruption within the organisation. The BOT and staff members were constantly having to re-establish relationships with a new programme director. Debate also existed amid board members regarding what characteristics were needed for the role of director. This lack of clarity culminated in the appointment and subsequent dismissal of Neil Borlase after only two weeks as director. Also, because of the difficult and demanding nature of the position, the BOT often struggled to find individuals with the long-term energy, direction, and commitment required for the role of director. For example, while undoubtedly both Colin Elliott and Glenn Newman arrived

at difficult times during SSF's history and Newman was responsible for the inception of SSF as a habilitation centre, they largely failed to have a stabilising or motivating effect on the organisation. Genevieve Strang explains,

> Colin Elliot was a very nice man but lacked direction and was not a strong manager . . . Then came Glenn Newman, who's also a really nice man, but had even less drive than Colin . . . For a long time, it was like we were just sitting there, no going backwards actually, rather than moving forwards down a path that had any sort of theoretical background, or commitment to the bigger programme. In these situations, when we had a directionless director, I withdrew a bit and just didn't have the same commitment to the programme.

Another significant leadership issue at SSF concerned the role of ex-residents within the programme.[197] While McLaren (1992) accurately suggested that it is important to include ex-offender staff within rehabilitative programmes as credible models of how to make a successful lifestyle change, at SSF having them as the directors of the organisation frequently caused difficulties. Being director of SSF involved a range of responsibilities crucial to the efficient operation of the organisation, and former residents, such as Kevin Butson,[198] Ken Turner, and the members of the Core Group experiment, simply lacked the administrative skills and managerial experience necessary to run the organisation. Along with this lack of training, the transition to director also meant that former residents had to become authority figures over their peers. Jeff Cooper, an ex-resident who is

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[197] The rationale behind employing ex-residents as directors relates back to earlier discussion regarding the desire of SSF administrators for the programme to become self-sufficient like DSF.
[198] Kevin Butson would probably be considered the most successful of all ex-resident directors. In many regards, this was due to the voluntary nature of the programme and the immense amount of support he received from Dave Robinson and programme administrator, Murray Cree.

currently a programme supervisor at SSF, describes the difficulties with his transition from resident to staff member. He contends,

> [It's] difficult sometimes because I've got a bit of authority. You know, sometimes I need to say something, like ask them to do something and that does feel strange because . . . I've known some of these guys since prison. That can be difficult and I'm not sure how the guys take it . . . some guys are different. I mean you get some guys that out in prison are ranked [high] up here . . . . When you get someone like that in the house and you've got to challenge them on their behaviour, they can get quite nasty. I mean I've never had any violence but you can see that they're angry with you.

As a result of a culmination of these factors, it seems unsurprising that difficulties including poor record keeping, high levels of offending, and misinformation to the BOT were experienced when ex-residents, such as Turner and the Core Group, were responsible for the day-to-day running of SSF.

Role of the BOT

Along with the Programme Director, the BOT has played a critical role in the leadership of SSF. An ongoing conflict for SSF's Board has related to its role in the governance, versus the management, of the Foundation. According to Jackson and Donovan (1999: 19), "Board involvement in the day-to-day functions is probably one of the most common dysfunctions and one that not only causes severe friction but can be extremely time-consuming, thus creating inefficiencies in the delivery of services".

Initially at SSF, a small group of people assumed responsibility for both the governance and management of the Foundation. Individuals such as Dave Robinson, Murray Cree and Geoff Samuels, all undertook multiple roles within the organisation. They were board

members, employees, programme administrators, as well as being responsible for the day-to-day running before 1983 when no director existed. At times, this situation proved contentious. For example, as discussed in chapter four, when Cree took on the "super manager" role as both programme administrator and Chair of the BOT, while it was deemed necessary at first, the dual role was quickly reviewed and ended. This was because these two roles, one focussed on managerial concerns and the other on governance, caused conflicts of interest in regards to what role should receive the greatest attention. At this stage, however, especially prior to the appointment of a director and while the programme was working to establish itself, SSF simply did not have the resources to cater for a variety of positions and therefore the undertaking of multiple roles by a small few had to occur.

The impact of the overlap in management versus governance responsibilities was most significantly felt at the end of the 1980s. At this time, SSF's administration was experiencing a crisis because board members were becoming too involved with management. As discussed in chapter four, board members were frequently taking managerial duties, such as the development of the programme's content, rather than focusing on crucial governance issues. As a result, important decisions relating to issues such as discipline, budgeting and liaison with government heads were being compromised. As well as this, throughout much of the mid-to-late 1980s, comprehensive financial and participant records were not kept. This meant that large amounts of SSF's

resources were unaccounted for and that it was unknown how well the Foundation was performing in terms of recidivism and programme completion rates.[199]

Although the conflict between governance and management reached a climax at the end of the 1980s, it remained an ongoing difficulty into the 1990s. Glenn Newman recollects he was constantly struggling with members of the BOT in regards to their differential roles. He asserts,

> The Board has got to run the management side of things, in terms of funding and appointing staff. It is the same with schools . . . [the Board] has clear roles but they don't deal with curriculum, the don't tell the teachers what they have to teach . . . My feeling was that they'd employed me to say how the programme worked and that I should have some overall impact as to how the programme functioned.

The continual involvement of Board members in the day-to-day running of SSF, was partially related to the composition of the BOT and, hence, the appointment of board members. As established in chapter five, the acquisition of board members had been an ongoing issue for SSF and one which had affected the efficiency of the BOT throughout much of the Foundation's history. Prior to 2000,[200] board members were elected at an AGM from members of the general public. This effectively meant that any person could be voted onto SSF's Board and that ultimately the whole BOT could be taken over by a lobby group at any time. According to Glenn Newman, "[This made things] tough because you never knew who your Board of Trustees was going to be". It also generally meant that there were a wide variety of individuals on the BOT, all with very diverse

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[199] SSF Special Meeting 10/4/1989
[200] Changes made in 2000 will be discussed later when considering the reasons for SSF's success.

reasons for being there and wanting different levels of involvement with the organisation. As Greg Newbold explains,

> A lot of crises were caused by the BOT . . . You had two types of people on the Board. You had professionals, who wanted to get the business done and weren't interested in a hands on relationship with SSF. Those who wanted a role of governance only and to let the administrators do their thing. Then you also had 'meddling women' . . . although it was not a question of men versus women but rather employed versus unemployed . . . those who were on the Board because they had nothing better to do. They wanted to have a hands-on approach, so came in and then some started having affairs with residents, which only added to the chaos.

The appointment of unsuitable board members often led to difficulties relating to a lack of professionalism amid those involved with the organisation. For example, many of those interviewed for this project referred to personal relationships and affairs between board members, residents and/or staff, particularly during the 1980s. Then the BOT, itself constrained by its own inadequacies, often lacked the administrative procedures needed to competently deal with these sorts of issues. When Newbold first began his involvement with the Foundation in 1989, he claims,

> Board meetings were messy affairs. Really disorganised, no agenda, no real minutes – people would just note down resolutions, no reading of the minutes. Really people would just take notes, they were more like notes than proceedings, and meetings were very informal.

Along with this, during the 1980s, it was not uncommon for staff also to be involved as members of the BOT. Genevieve Strang recalls,

> At one stage I went on the Board. That's how badly dysfunctional the place was, three staff members were on the Board. It just seemed like they were the only people interested at the time and it had to happen. It was a conflict of interest but everyone did it and I didn't know it wasn't right.

According to Jackson and Donovan (1999), while it is appropriate, especially in small organisations, for staff to be involved in making recommendations to the Board, having them participating on the BOT is problematic because it can lead to staff dominance over the organisation's governing body. They assert, "Staff dominance can be a danger where there are insufficient Board members with expertise related to the service delivery, or with available time to give to Board activities" (Jackson and Donovan 1999: 20).

Relationships between staff and board members

The complexity of the relationship between staff and board members is an issue, which has created confusion and caused disruption at numerous times throughout SSF's history. According to Jackson and Donovan (1999: 21, emphasis in original),

> The relationship of staff to the Board is a key factor (if not *the* factor) in the successful functioning of an agency, but difficulties in this area are often 'swept under the carpet' . . . The one area that is hardly ever mentioned by Boards, or treated as a side issue, is that of the relationship between Board and staff. In addition, there is often a wide divergence between the perceptions of Board and staff.

At SSF, these differing perceptions largely resulted from unclear organisational objectives and the conflicting opinions and agendas which existed both within the BOT, and between Board members and staff.

The conflicting agendas of staff and/or board members have caused difficulties at SSF since the programme's inception. As Glenn Newman explains,

> There were real swings in the focus of the programme and it was made worse by the fact that not only was there the personalities of the directors to deal with, there were also the personalities of the trustees to deal with. SSF was driven by this group of trustees from the community and they

all brought in amazing agendas . . . It was very difficult for them to accept that their idea of what

works often varied from everyone else's idea of what works and that there was some research

that we could go to and say this is actually what works – not what you think, or you think, or you

think . . . And I had many battles over those kinds of issues. They were saying you must do this,

when the research was saying this is the stuff which needs to be looked at.

It could be argued that, during the 1980s, this was largely due to the lack of a policy

manifesto/programme and management plan, which clearly established the objectives of,

and roles of those involved with, the Foundation. While this may be partially true, these

problems did not end following the establishment of this documentation in the early

1990s. For instance, Genevieve Strang said that between 1994 and 1996,

We often went back to the mission statement. We tried to do a lot of work around it, to get

everybody going in one direction but it didn't seem to work. And maybe the staff, the men on the

staff, were all perhaps looking for their own cause and looking after their own egos, rather than

looking out for the good of the residents and what we were doing for them. That was my

interpretation of it anyway.

On a number of occasions, the conflicting agendas of board and staff members

contributed to a breakdown in communication between the BOT and the programme

director. Consequently, while the director and other staff members (via the director) were

theoretically accountable to the Board at SSF, at various times during the programme's

past the BOT was not advised or misinformed about what was going on at the

Foundation. This occurred to the greatest extent when Ken Turner, Skip Crossen, and the

Core Group were responsible for the day-to-day running of SSF. For example, as seen in

chapter four, Turner used many informal tactics to control communication channels

within the Foundation and protect his authority over it. This included the establishment of

a prison-style "anti-narking" code at SSF in order to avoid drawing BOT attention to the widespread criminal offending that was occurring by residents.

During these periods of staff dominance, the effectiveness of the BOT in governing SSF was clearly compromised by the lack of information being provided by the programme's director and staff. This problem was made worse by the fact that many of the board's members either had a low level of involvement or lacked the experience and ability to foresee or deal with these difficulties. As Greg Newbold argued in chapter four,

> The problem, as is the case for many of these institutions, was that the Board of Trustees were all
>
> amateurs . . . and part-timers, whereas the admin staff were professionals and full-timers, so they
>
> could very easily pull the wool over the eyes of the BOT if the BOT isn't well-organised and
>
> doesn't have good systems in place.

Lack of accountability

A contributing factor to the lack of organisation at SSF, and the subsequent difficulties it caused, was that the Foundation was not directly accountable to a particular funder or organisation. According the Jackson and Donovan (1999: 224), "Evaluation is now generally recognised as an essential feature of the management of human service organisations, whether they be large or small". Prior to SSF's establishment as a habilitation centre, however, there was a definite lack of accountability within the programme. As established in previous chapters, few records regarding a range of issues from programme completion/reoffending rates to the Foundation's financial position were kept and any assessments of the programme were infrequent at best. Ultimately, this meant that SSF was under no pressure to perform, in terms of either reducing recidivism

or following clear administrative and managerial procedures. In effect, as recognised by

the BOT in 1991, for numerous years SSF had been operating "in an ad hoc fashion that

was essentially unaccountable and subject to abuse".[201]

Reasons for SSF's Success

In many respects, when closely examining the history of SSF, it is surprising that the

programme has survived over two decades. For a large majority of the Foundation's

history, the organisation has seemed to jump from crisis to crisis. This began with its

early closure in 1981, continued through the 1980s with low resident numbers and a

leadership/management crisis, and into the 1990s with instabilities relating to leadership,

funding and the Foundation's premises. What has been crucial to the long-term success of

SSF, therefore, has not been its ability to avert major difficulties regarding the

organisation and management of the programme, but rather its ability to overcome them.

Overall, the majority of the managerial concerns faced by SSF have been effectively dealt

with since the programme's inception as a habilitation centre. Both prior to, and

following, 1996, however, SSF's capacity to surmount these issues has largely relied

upon three key factors. These are: (1) the commitment and professionalism of certain

board and staff members; (2) the constant revision/improvement of objectives, procedures

and roles within the organisation; and (3) the ongoing provision of funding. As Glenn

Newman surmises,

> There has been that charismatic leadership from time to time, not that I think that is a good thing,
>
> but it's provided energy at that crucial moment to keep the place going. And I think you've got

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[201] Twelfth Annual Report 1990-1991: 2

to say that there has been the long-term support of Corrections. Corrections has constantly been onboard . . . They've provided money, they've provided oversight, they literally provided Terry Easthope at a time when that place would have fallen over . . . I think by a mixture of good luck, good management and good people from time to time it actually has made a difference.

Pre-habilitation centre

Prior to its establishment as a habilitation centre, SSF was constantly suffering from managerial inadequacies. In spite of this, however, it continued to operate and progress. A major reason for this was related to the enthusiasm and commitment of certain board and staff members throughout the programme's history. As Geoff Samuels contends, "Salisbury Street's been such a long running programme because it's had people with a general enthusiasm for the place and an aspiration to see it develop". The primary example of this is Dave Robinson, who founded, and was involved with and committed to, the programme for over a decade. Jon D'Almeida, while only involved with SSF for a relatively short amount of time, also came at a crucial time in the Foundation's history and implemented some key policies and procedures (see chapter four). Along with these two, many others, such as Anni Brown, Ken Turner, Greg Newbold, Meladie Bras, Genevieve Strang and Kath Dunstall, have been involved for extensive periods or at crucial times when the programme needed leadership and/or to be reenergised.

As well as a commitment by many of those involved with SSF, the introduction of the Criminal Justice Act in 1985 came at an uncertain time in the programme's history when the organisation may otherwise have been forced to close. As seen in chapter four, the implementation of this Act had a considerable impact on the organisation of SSF. Rather

than admissions occurring on a voluntary basis, under the Act, SSF was able to formally receive both parolees and those who had not served any period of imprisonment. These formal sentencing provisions saw resident numbers increase, with the programme consistently operating at its maximum capacity of 12, as well as ensuring a certain level of funding from the Department of Justice.

While at times financial instability has been a key concern for SSF, during other periods it has been the ongoing provision of funding which has enabled the organisation to survive even amid managerial chaos. This was especially true during Ken Turner's reign as director where the programme's continuation was based, not on the overall effective management of SSF, but on Ken Turner's ability to attain monetary assistance. As Greg Newbold explains, "The thing was it was like a bottomless pit in terms of money. There were endless amounts of money; money for everything". Therefore, the programme was able to keep operating, in spite of numerous crises, because "the Charitable Trusts kept giving us money because [most of what was happening] wasn't public" (Newbold: personal communication).

From the early to mid 1990s, while SSF did not have the financial stability of the late 1980s, improvements were made to important management documentation surrounding the objectives, procedures and roles at the Foundation. As established in chapter four, Henry (Skip) Crossen was employed as Director of SSF in 1990 specifically because of his business background and ability to introduce the managerial structures that had been lacking at SSF for many years. Crossen was successful at improving these aspects,

working closely with Greg Newbold as Chair of the BOT, to develop a comprehensive Policy Manifesto, and a Management and Programme Plan, which clearly established the programme goals and administrative structures crucial to the operation of SSF.

D'Almeida, who already possessed a high standard of managerial skills and experience, further advanced the work begun by Crossen. Following his appointment, D'Almeida reshaped many of the management structures at SSF. He streamlined administrative procedures in order to provide clearer guidelines to staff and programme participants, introduced urinalysis for all programme participants and staff, and established the position of Night Manager for between 5pm – 8pm. D'Almeida also improved SSF's position in the private and public sectors by opening up communication lines with Christchurch Community Corrections and reintroducing discussion groups to Paparua Prison (see chapter four). While the work done by both Crossen and D'Almeida was important and improved SSF's administrative procedures, it was following the Foundation's establishment as a habilitation centre that the most significant managerial changes were made.

Shift to a habilitation centre

Although a number of those involved with SSF were against the programme's transition to a habilitation centre, I am doubtful that the Foundation would have survived without this shift. The programme was in a very vulnerable position prior to its inception as a habilitation centre and, in regards to the organisation and management of the programme,

SSF's transition to a habilitation facility enabled the Foundation to overcome many of its

prior difficulties and subsequently gain greater overall stability. As David Coom explains,

> Oh well, quite clearly I would think that Salisbury Street would not be around today if there
>
> hadn't been some catalyst for it to get very professional and very structured, very quickly . . .
>
> we'd been offered this solid contract . . . [and] it formed a really good base for us to expand and
>
> grow, which we're in the process of doing now.

Under the specifications of the three-year habilitation centre contract, financial backing

was assured, objectives and roles at SSF were clearly established, and the level of

evaluation of the programme increased. At first, the most critical aspect of the transition

to a habilitation centre was the provision of monetary assistance. As seen in chapters four

and five, this economic security came at a critical time when those involved with the

Foundation were finding it increasingly difficult to acquire funding. In order to maintain

financial stability, however, the Foundation had to meet certain contractual obligations

established by the Department of Corrections. Ultimately, these necessitated that the

programme become more structured and professional than it ever had been before.

The BOT, director, and other members of the staff at SSF have been ultimately

responsible for SSF's professionalism and its constant ability to meet the contract

specifications established by Corrections. As Jeff Cooper sums up,

> Since I've been here, just over a year, you look at the success rate and it hasn't been great. There
>
> have been a lot of guys that have gone back to prison. Maybe [the programme's survived
>
> because of] how it's run. David's an awesome Director and he does an awesome job, and
>
> Genevieve too. And I guess it comes down to the Board as well. They must be doing something

right to be getting all of the funding from Corrections because without the funding from Corrections this place wouldn't have a hope.

The appointment of David Coom in 1997 was an important part of the enhancement of professionalism in the management of SSF. Up until his resignation in February 2003, Coom was SSF's longest serving Director who offered managerial stability to the programme. Professionally, Coom had previous experience as both a manager and a social worker. This provided him with the skills necessary to manage the Foundation efficiently while also being able competently to deal with residents and, at times, their deceptive and/or destructive behaviour. As well as this, Coom has been very effective at public relations and the marketing of SSF to all major stakeholders. He claims, "We have worked really hard at networking and public relations with our key stakeholders". This has been crucial to SSF in recent years because, as Moyer explains (1994: 251), "marketing is a vital life process that links an organisation – corporate and nonprofit – with key elements its environment. Important exchange partners include donors, governments, media, service collaborators, allies in advocacy, and – of special interest – clients".

While David Coom's leadership role has been crucial, no director can manage SSF independently. Other members of staff are also essential to the overall functioning of the organisation. In general, SSF currently has a largely effective mix of staff including ex-offenders, those experienced in dealing with offenders, and clerical personnel who are computer-literate and have the skills required to provide the BOT with clear financial

accounts. According to Sturgeon (1994: 555), getting this mix of staff right is essential. She claims,

> Selecting people for one's organization is probably the most important function any manager has. From the perspective at the top of the organization, it is clear that success depends on melding the energies and talents of many different kinds of people.

In relation to the governance of SSF, in 2000, the section of SSF's constitution relating to the powers of its BOT was amended. As discussed in chapter five, the aim of these revisions was to overcome prior difficulties surrounding board membership by restricting who could be appointed. Now, rather than being elected by the general public, new members are co-opted by those already on the BOT. As a result, Board members are generally professionals, who offer specific qualities to SSF. According to David Coom, "Now when we look for a replacement firstly we look at what skills are missing from the Board and then we go out and find someone who can match those skills". Along with coopting its members as required, the BOT now has the power to vote off any individual who proves unsuitable and/or instigates any conflict amongst Board members.[202] These provisions have improved the efficiency of the Board by creating greater long-term stability in Board membership because individuals are co-opted only when the BOT deems it necessary.

Another factor which has been central to improvements in the organisation and management of SSF, is that following its transition to a habilitation centre it became ultimately accountable to the Department of Corrections. This has resulted in more

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[202] SSF Trust: Constitution and Rules 2000

frequent evaluations of the programme and an expectation that comprehensive records will be kept by the BOT and staff. These two areas, which were previously managerial weaknesses at SSF, are crucial to the successful functioning of any NFP (see Jackson and Donovan 1999: 201-226, Thomas 1994: 342-366). As seen in chapter five, under the habilitation centre contract specifications, SSF is expected to adhere to all protocols and procedures established by the Department of Corrections, and to be able to measure them in a "reliable and transparent way".[203] These constant assessments, such as the provision of quarterly service performance reports, are hugely beneficial to SSF, providing the programme's BOT and administrators with a clear idea about where the programme is flourishing and what areas need further improvement.

Lessons from other Habilitation Centres

Along with SSF, there have been four other programmes established as pilot habilitation centres. These were: (1) Aspell House; (2) Higher Ground Rehabilitation Trust; (3) Te Whanau O Waipareira habilitation centre; and (4) Te Ihi Tu of Roopu Tane Taranaki. Of these five programmes initially established as habilitation centres, only SSF and Te Ihi Tu continue to operate today (renamed in 2002 as "Residential Community Centres") (Ministerial Briefings 2002). The overall ineffectiveness of the other three facilities was one of the reasons that habilitation centres were deleted in the Parole Act and Sentencing Act 2002. Hence, it is interesting to consider why these programmes failed. Unfortunately, as is the case with SSF, there is almost no published material on these

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[203] Report to Patterson and SSF BOT from Anne McCormack, October 1996

organisations and therefore the following discussion is limited to what is little information is available.[204]

Before analysing why three out of five of the pilot habilitation centres failed, it is important to consider each of the other programmes, including their location, resident profile, and overall intentions. Te Ihi Tu of Roopu Tane Taranaki, the only other centre still operating, was established in New Plymouth in 1996, after initially having problems getting resource consent for a suitable site. These early difficulties were due to opposition from local residents, who believed that a habilitation centre in their community would mean lower house prices and lead to more crime. Once set up, Te Ihi Tu provided a 12-week Maori kaupapa programme for up to eight Maori male offenders.[205] The programme was, and remains, based on a combination of interventions including Stop Violence, drug and alcohol counselling, Maori language and culture, and budgeting and life skills. In the Habilitation Centre Quarterly Report (September 1997), it was noted that Te Ihi Tu had shown a good initial programme completion rate with all of the three men who had been involved in the centre's first intake completing the programme.[206]

Aspell House, situated in Plimmerton, near Wellington, and operated by the National Society on Alcoholism and Drug Dependence (NSAD), was established as a treatment programme for female offenders with drug and alcohol problems. The facility ran for six

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[204] Almost no information is available for the Higher Ground Drug Rehabilitation Trust. For this reason, the majority of the discussion will focus on the difficulties faced by Aspell House and Te Whanau O Waipareira.

[205] Te Ihi Tu's maximum resident capacity has since increased to ten.

[206] Although still operating, Te Ihi Tu is currently experiencing some difficulties (Newbold: personal communication). Details of these concerns, however, are largely unavailable.

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months, depending on the individual needs of each resident, and had room for up to 10 women, who arrived either on parole or after being sentenced by the courts to a community-based programme. The programme offered a range of treatment modules including relapse prevention, anger management, parenting skills, stress management, employment preparation, effective communication, budgeting and recreation, all of which focused on addressing the causes of, and preventing further, offending.[207]

The Higher Ground Drug Rehabilitation Trust, situated in Parnell, Auckland, existed as an 18-week residential rehabilitation programme for up to five males and/or females with severe drug or alcohol dependency. The programme was based on a 12-step approach to recovery, which aimed to teach the basic skills necessary to maintain a drug and alcohol-free existence while also involving friends and family in the recovery process. Little information is available on this facility. However, it appears that in August 1998 the Department of Corrections was planning to replace the Higher Ground Rehabilitation Trust with Challenge Trust.[208] According to the Department of Corrections leaflet (1998), Challenge Trust was located in South Auckland and had become a registered Charitable Trust in 1995. It provided residential and community support services to people with psychological and psychiatric needs.[209] From the end of 1998, it was to deliver a 10-week violence prevention programme aimed at male offenders, with a history of violent and/or aggressive behaviour, who were motivated to change their lives. After this point,

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[207] Department of Corrections: News Release 5/3/1997
[208] Department of Corrections: Habilitation Centres – Information Leaflet, August 13 1998
[209] Ibid.

however, Challenge Trust is not mentioned in any of the habilitation centre documentation, so no conclusions or analysis can be drawn regarding this programme.

The history of the Te Whanau O Waipareira Trust dates back to 1953 when it first unofficially began operating as an Urban Maori Authority in West Auckland's Maori community. During the 1970s, the Trust constructed an urban marae as a location for social and cultural performances and other services. In 1984, it became registered as an NFP under the Charitable Trusts Act 1957 (Jones 1993). Throughout its history, Te Whanau O Waipareira Trust offered a wide range of outreach services to Maori living in West Auckland. This included the provision of a habilitation centre, which offered a six-month Maori kaupapa programme for up to 12 male residents. The programme focused on involving the families of Maori offenders in order to reduce reoffending. Individual programmes were developed for each parolee based on their needs and included a range of courses related to drug and alcohol addiction, anger management, counseling, as well as cultural and recreational activities.[210]

Due to the difficulties mentioned with accessing information on the fate of these habilitation centres, the following discussion will be limited to just a brief consideration of Te Whanau O Waipareira and Aspell House.

Following its inception as a habilitation centre in 1996, Te Whanau O Waipareira struggled with various difficulties. For instance, during its first quarter, the programme

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[210] Department of Corrections: Habilitation Centres – Information Leaflet, August 13 1998

had only one resident who did not even remain at the facility until the end of the quarter.[211] While resident numbers subsequently improved,[212] the programme struggled with issues of non-compliance and serious incidents, which resulted in numerous dismissals. In the quarter ending September 1996, for example, eight serious incidents, including threatening and aggressive behaviour, were reported, as were concerns regarding non-attendance at core counselling programmes.[213] These difficulties continued throughout 1997 with high levels of serious incidents, mainly related to drug/alcohol consumption and threatening/criminal behaviour, and subsequent dismissals being reported in most of the habilitation centre quarterly reports. In June 1997, it was suggested that these problems were related to a lack of staff available at crucial times during the evening and the lack of a counsellor/therapist.[214] Even more detrimental than the high rate of serious incidents and discharges, however, was the emergence of financial difficulties at Te Whanau O Waipareira. In December 1996, the programme reported a deficit following a substantial increase in expenses for the previous quarter including repairs, sundry expenses, and accommodation.[215] From this time, the facilities financial stability was uncertain and in late 1997 information on the programme became unavailable within the habilitation centre quarterly reports.[216]

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[211] Habilitation Centre: Quarterly Report 30/6/1996
[212] From September 1996 to September 1997, the occupancy rates hovered at approximately 50 percent. While this was an improvement from its initial quarter, the level was still well below maximum capacity.
[213] Habilitation Centre: Quarterly Report 30/9/1996
[214] Habilitation Centre: Quarterly Report 30/6/1997
[215] Habilitation Centre: Quarterly Report 31/12/1996
[216] I was unable to gain specific information relating to the exact timing of the conclusion of the Te Whanau O Waipareira habilitation centre.

Aspell House encountered many of the same difficulties as those faced by Te Whanau O Waipareira. At best, occupancy rates reached 58 percent,[217] although usually they were considerably below this. In the last quarter of 1996 and the first quarter of 1997, for example, the occupancy rates at Aspell House were four and one percent respectively.[218] As a result of these low resident numbers, the cost per resident per day increased, sometimes dramatically, to an extreme of $11,796 in the quarter ending March 1997.[219] Along with poor occupancy levels, Yeboah (2000) found that completion rates at Aspell House were only 35 percent during the programme's first two and a half years of operation. He also stated that, while no reoffending rates had been officially calculated due to the use of temporary releasees from Arohata Prison, during the period of evaluation many women had been returned to prison even following the completion of the programme because they were unable to obtain parole (Yeboah 2000).

In response to the lack of residents at Aspell House, the NSAD and Department of Corrections, completed a review of the programme between November 1996 and February 1997.[220] During the period of analysis, there were no residents at the centre. Staff were still working, however, towards further developing the programme, its manuals, while also training and working at other NSAD sites.[221] Once completed, the report offered a series of recommendations. It found that not enough referrals were being

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[217] Habilitation Centre: Quarterly Report 30/9/1997
[218] See table 2 in chapter seven.
[219] Habilitation Centre: Quarterly Report 31/3/1997
[220] Department of Corrections, *Operational Audit Report: Aspell House Review*, Friday 7 March 1997
[221] Department of Corrections, 'Aspell House set for new intake of residents', *News Release* 5/3/1997

made by the Department to fill places in the pilot habilitation centre and hence it was necessary to review the role of Corrections in the way that women were referred to Aspell House. Along with this, it was suggested that the content of the programme needed to be revised and a handbook developed around a range of issues including the rules and requirements of the House and the procedures for inmates, NSAD and the Department in addressing grievances.[222] While initially this review improved the conditions at Aspell House, the same difficulties were quick to resurface. Consequently, Aspell House was closed early in 1999 and not replaced. Instead, NSAD, in conjunction with the Department of Corrections, established a Drug Free Unit within Arohata Women's Prison soon after the habilitation centres closure.[223]

Along with the difficulties already described, there is another critical difference between SSF and the other habilitation centres. While the other programmes were new and created specifically as a result of the availability of money for pilot habilitation centres, SSF had been operating for almost 17 years prior to obtaining its 1996 contract. This meant that SSF had been able to iron out many of the managerial difficulties commonly faced by NFPs prior to its establishment as a habilitation centre. The other programmes, however, had not had this opportunity and therefore, once implemented, lacked the organisational and managerial experience/skills needed to operate effectively.

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[222] Department of Corrections, *Operational Audit Report: Aspell House Review*, Friday 7 March 1997
[223] 'Intervention Needed With Youth – Drug Agency', Press Release, Tuesday, 23 November 1999.

Conclusion

Currently, SSF has a comprehensive set of administrative policy and procedures that clearly outline the roles of Board members, the programme director, and other staff. In recent years, crucial changes have been made in each of these three areas, all of which have ultimately improved the overall efficiency of the organisation. First, there is greater long-term stability amongst BOT, which now co-opts its own members, so consists of professionals who have specific knowledge and/or qualities to offer the organisation. Second, up until very recently, David Coom provided SSF with a long-term director who was equipped with the professional, small organisation management skills needed to effectively run the programme. Third, SSF now has a diversely qualified staff group, consisting of ex-residents, those who are experienced in dealing with offenders, and others who are computer-literate and capable of supplying clear financial accounts to the BOT. Along with these three factors, SSF's transition to a habilitation centre and more recently a residential community centre, which is run according to contract provisions established by the Department of Corrections, has assured the Foundation more effective monitoring, auditing, and assessments than ever previously.

Overall, it can be concluded that the primary reason for SSF's success is due to governance, administrative and managerial practices not recidivist statistics. While the Foundation has made many mistakes and wrestled with numerous difficulties in the past in regards to these areas, due to the commitment and professionalism of certain Board members and staff, the review of managerial policies and procedures, and the ongoing support of Corrections, SSF has largely managed to overcome these issues. Therefore,

when concluding whether SSF has been successful, it would have to be said that it has, at least more so than most other similar organisations. After all, how many rehabilitative programmes, initially established in the 1970s, are still operating and expanding in New Zealand today?

CHAPTER NINE

Conclusion

Introduction

This thesis began with two key objectives. This first was to compile a comprehensive history of SSF from its introduction in 1979 through to the present day. The second purpose was to analyse the role and impact of SSF in relation to rehabilitation, and to organisation and management. These goals were pursued through an investigation of archival material and other written documentation, and the completion of 13 unstructured interviews with individuals who had been involved with SSF throughout its history. The information from these two sources allowed the development of a detailed historiographical account of the programme, as well as opening the organisation up for subsequent analysis.

HISTORY OF SSF

The history of SSF has been driven by five key factors: (1) the personalities and influence of the programme's directors; (2) the operational philosophies and strategies responsible for driving the organisation; (3) the role of the BOT; (4) the effect of legislative changes; and (5) the impact of critical events. Due to the overlapping nature of these principles, the following discussion is incorporated under three headings: (1) operational philosophies; (2) role of the director and the BOT; and (3) impact of legislative changes and critical events.

Operational Philosophies

Since its initial inception in 1979, SSF has undergone many developments and changes. Throughout, however, the broad philosophies upon which the programme was based, namely reintegration and (re)habilitation, have remained. These principles have ultimately controlled how the programme has been administered as well as maintaining its overall focus on reducing reoffending and reestablishing offenders in the community.[224]

Regarding its founding philosophies, SSF's most significant development has been its movement away from the Delancey Street model upon which it was based. DSF, a self-help residential facility established in San Francisco in 1971, has maintained its financial independence for over 30 years. Unlike DSF, SSF never managed to become self-sufficient. SSF has always relied heavily on funding, especially from government sources.

In April 1996, SSF's transition to a habilitation centre marked the most substantial shift away from the DSF model. After 17 years of existing as an entity which, for the most part, was separate from formal correctional authorities, SSF became ultimately accountable to the Department of Corrections. This change, while argued by some to have undermined SSF's founding principles by allowing itself to be dictated to by Corrections, undoubtedly improved the stability of the Foundation.

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[224] Along with this, the main components of the programme, namely educational and vocational training, work and life skills, counselling, recreational and community work, have also stayed largely the same (although at times one aspect has received greater attention than the others).

Role of the Director and the BOT

The roles of the director and the BOT have been critical to the development of SSF. In fact, throughout much of the Foundation's history, the philosophies and beliefs of the programme's director and the BOT have directed it. This was especially true prior to SSF's establishment as a habilitation centre, when organisational expectations and objectives lacked clarity. Consequently, during SSF's pre-habilitation phase, as leadership changed so did the feature/s of the programme which received the greatest attention. Thus, its focus shifted from psychotherapy, to encounter recreation, then to the beginnings of a more comprehensive approach.

Since SSF's establishment as a habilitation centre in April 1996, these huge swings in philosophy, caused by changes in leadership, have disappeared. The reasons are twofold. First, SSF now operates according to a clearly defined set of specifications as set out by the contract-provider, the Department of Corrections. These provisions restrict the implementation of any sudden changes to programme content without the approval of Corrections. Second, in recent years there have been a lot fewer changes in leadership than previously. This managerial stability has limited the likelihood of alterations being made to the programme's methodology.

Impact of legislative changes and critical events

Since SSF's inception, three key legislative changes have had a significant impact on it. The first was the Criminal Justice Act 1985, which rescued SSF at a time when resident numbers were so low that it was on the verge of closing. This Act altered the drafting of

residents by enabling them to arrive on a statutory rather than a voluntary basis. While improving numbers, the Act also effectively changed the organisation's praxis. Instead of individuals choosing to become involved for up to two years, the programme was shortened to six-months to one-year and also provided an opportunity for inmates to get out of prison early.

The second statutory provision which dramatically altered the direction of SSF, was the introduction of habilitation centres in the Criminal Justice Amendment Act 1993. Once again, the implementation of this legislation, and the subsequent establishment of the Foundation as a pilot habilitation programme, came at a time when it was experiencing a period of chronic uncertainty. As we have seen, this shift provided SSF with a degree of financial stability. Freed of fundraising obligations, it allowed management to focus on the programme itself. It also made the SSF ultimately accountable to the Department of Corrections, which was beneficial because it forced the organisation to become more professional than it had been in the past.

The most recent legislative change came with the deletion of habilitation centres in the Parole Act 2002 and the Sentencing Act 2002. Since this time, SSF has been renamed a "Residential Community Centre". Although it is too soon to say what impact this will have, it is likely to be less influential than the previous two statutory modifications. The change is only nominal and, thus far, the substance of the programme and the contract with Corrections has been largely unaffected.

Along with these legislative changes, other critical events have also impacted on the evolution of SSF. These incidents have frequently involved two key areas: funding, and offending by residents (and to a lesser extent, staff). During SSF's pre-habilitation centre phase, these were a continual concern to programme administrators and took up much of their time. For example, fundraising obligations were particularly time consuming and often limited the attention given by management to other areas.

In addition to financial difficulties, high levels of resident offending frequently impeded SSF's development during its pre-habilitation centre existence. Breaches of programme regulations commonly led to dismissals and consequent reductions in resident numbers. This restricted the overall effectiveness of the programme because it was often dealing with a small, select number of ex-offenders. Moreover, offending was not restricted to SSF residents. During the late-1980s to the early-1990s, staff dishonesty and/or offending also hindered management and diverted the attention of the BOT away from the programme.

Since April 1996, funding has been less of a concern for SSF because of the financial provisions included under the pilot habilitation centre contract. Reoffending by residents, however, continues to occur. As was seen in the case of the alleged rape by a SSF resident in 1999, though, much better systems are now in place to deal with resident offending.

ANALYSIS OF SSF

It has been apparent that SSF's success and longevity have had more to do with its organisation and management, than with its rehabilitative ability. As seen in chapter eight, nonprofit facilities such as SSF rely upon efficient administrative procedures in order to achieve their goals and objectives. In the case of SSF, it can be seen why these factors are so important because the programme has struggled when management and governance have been weak. The importance of conclusions regarding rehabilitation, therefore, are only secondary to those relating to managerial practices.

Rehabilitation at SSF

Considered in isolation, the recidivist figures available for SSF mean very little. At best, they can provide some vague indications as to the performance of the programme. As we have seen, however, they tend to be incomplete and inconsistent, with recidivist information often shifting from reoffending/return to prison figures, to programme completion/discontinuation rates. While record-keeping improved considerably after SSF's transition to a habilitation centre, gaps still exist and a number of other limiting factors remain.

The unreliability of the recidivist data is only one impediment to an analysis of SSF's rehabilitative success. Unrealistic expectations generally exist regarding the efficacy of rehabilitative programmes such as SSF. It needs to be remembered that reconviction rates for offenders in New Zealand hover at approximately 80 percent. Therefore, high defection/dismissal rates are always going to be likely at SSF, especially given the strict

compliance regulations placed on residents. In addition, there is nothing inherent about the programme at SSF that can force an offender to change his behaviour. The resident is ultimately responsible for making the decision to alter his own lifestyle. It is only then that SSF can offer resources to assist an his transition back into the community. This is why the selection of motivated residents has been such a critical issue to the "success" of SSF and why the likelihood of reoffending decreases so much amongst those who graduate from the programme, relative to those who defect from it.

Management

As noted, those responsible for the organisation and management of SSF have been the most significant contributors to its success. Recidivist rates clearly show that leadership and management style have had a considerable impact on the level of programme completion and reoffending by residents. This is because SSF's ability to achieve its goals and objectives has relied primarily upon effective and professional management, and when this has not been strong the programme has suffered.

When analysing SSF's history, numerous managerial and administrative errors are apparent. In total, there are eight key areas where the Foundation got it wrong:

1. For much of SSF's early period, the programme relied on charismatic leadership rather than a clearly set agenda.

2. A number of ex-residents were appointed as directors, who simply did not have the skills necessary for this task.

3. During the early-to-mid-1990s, the BOT made poor selection choices regarding the appointment of directors and as a result, the programme suffered from a quick succession of leaders. This caused uncertainty and instability because the managerial strategies being employed changed and the BOT, staff and residents were constantly having to re-establish relationships with a new director.

4. Many Board members became too involved in the management of SSF rather than focussing on their governance role.

5. Up until 2000, the appointment of Board members occurred at a public forum where anybody was eligible to join, irrespective of whether they had any specific skills to offer.

6. At times the ability of the programme to achieve its goals was impeded by a breakdown in communication, particularly between the director and the BOT.

7. Conflicting agendas frequently existed between different Board and/or staff members. This was often the result of a lack of clarity regarding the organisation's goals and objectives.

8. Prior to SSF's establishment as a habilitation centre, a lack of accountability existed because there was no requirement for the programme to keep proper records detailing its performance.

While it is clear that SSF has not always been efficiently managed, it has been its ability to survive these tumultuous periods and recover from them which has enabled it to survive in the long-term. As a result of past mistakes, SSF has reviewed and developed many of its policies and procedures. Now, the organisation's objectives and the

roles/expectations of board members, the programme director, and other staff are clearly outlined and some important changes have been made in order to improve overall efficiency.

Of perhaps the greatest significance is that the BOT now co-opts its own members. This has improved the long-term stability of the BOT, as well as ensuring that members are professionals who have specific knowledge and/or qualities to offer. Stability on the BOT has also been complemented by a long-term director, diversely qualified staff group, and effective monitoring, auditing, and assessments. These factors have all been crucial to SSF's recent success as a habilitation centre, especially when compared to the other programmes.

When SSF became a habilitation centre in 1996, it was advantaged by its longevity. Thus, it had already encountered, and overcome, many of the difficulties that the other newly established programmes were coming across. As a result, the administrators and board members currently at SSF have a much clearer understanding of their roles and the future direction of the organisation. In the future, the lessons learnt, and experience gained, from the previous 23-years will continue to benefit and help strengthen SSF.

Concluding Comments

As a community-based organisation, SSF occupies an important space in New Zealand's correctional environment. It provides a link between prison and the community and offers support and training to individuals with long criminal histories who may lack basic living

and social skills. The provision of the resources offered by SSF is a necessary part of the transition of highly institutionalised individuals back into the community.

As a not-for-profit organisation, SSF has succeeded where many others have failed. It has survived for over 23 years, managing to overcome numerous difficulties. At various times these problems, which have ranged from poor leadership, low resident numbers, inadequate record-keeping, insufficient funding, and weaknesses on the BOT, have severely impeded SSF, sometimes threatening its continuation. In overcoming them, SSF provides valuable lessons for other rehabilitative programmes in New Zealand relating to how to deal with difficulties when they arise. In recent times, as a result of its transition to a habilitation centre, SSF has experienced its most sustained period of stability. The management formula currently employed has improved its overall success, with the organisation now being driven by a clear set of expectations and held accountable by frequent evaluations. In this respect, SSF is an instructive example of what works, and what does not, in the management of nonprofit organisations.

Appendix A

Letter of Consent: Historical Information

Salisbury Street Foundation

P.O. Box 36174 • 15 St. Albans St. Christchurch • Telephone 355 9189 • Fax 355 9123
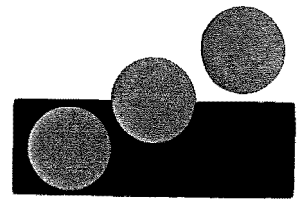
21st December 2001

Head Archivist
McMillan Library
University of Canterbury
CHRISTCHURCH

Attention: Mr Geoff Palmer

Dear Mr Palmer

Re: Re Salisbury Street Foundation Records

Firstly, apologies if I have spelt your name incorrectly - it was given to me over the phone.

I write to give the bearer of this letter, Ms Donna Hough, our permission to use historical records for the Foundation held by the McMillan Library on our behalf. Please can you arrange access for her.

She is using her research for a Masters thesis on the Salisbury Street Foundation.

Please ring me or David Coom if you have any queries with regard to this.

Yours sincerely

Fran Horsley
Administration Executive
Salisbury Street Foundation

Appendix B

Interview Questions

SSF Interview Questions

A   Personal role/involvement

1. When and how did you become involved with SSF?

2. What has your role/roles been within the organisation?

3. What are some of the key principles and/or philosophies that you believe are essential to the successful functioning of an organisation like SSF?

Ex-residents

4. How would you describe your experience as a resident of SSF?

5. What parts of the programme did you find most beneficial?

6. How did you find the transition from resident to staff?

B   Organisation and management

7. Which directors have you worked with? How have their personalities been similar and/or different?

8. How does SSF's existence as a non-profit organisation impact on how the programme is run and maintained?

9. During your involvement, how important has the BOT been in the running of SSF?

C   Programme content/Residents

10. What do you believe are the key aspects of the programme? How do these help in the habilitation of ex-inmates?

11. What are your expectations of the residents? What is their role in the functioning of the organisation? What is required for them to be able to graduate from the programme?

12. Has the resident profile changed during your involvement?

D   Key events and legislative changes

13. What are some of the key events or legislative changes that have occurred during your involvement with SSF?

14. What impact did the Roper Report have on the running of SSF?

15. What was involved in the transition to a habilitation centre? What had to change?

16. What has been the significance of the transition to a habilitation centre? How have things changed?

17. How do you think the Government (and associated departments) perceives SSF? Has this changed?

E   Areas of concern

18. Since your involvement with SSF when has it been at its most vulnerable? What were the reasons for this?

19. Are there any aspects of the organisation and/or its programme content that you would like to see changed?

F Positive aspects

20. What do you see as the most valuable aspects of a community-based organisation such as SSF?

21. What do you think has been key to the longevity of SSF? Why has it remained when a number of similar organisations have collapsed?

G The future of SSF

22. What do you see in the future for SSF?

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