The Persistent Recidivist

A Hong Kong Prisons Department Research Project

58020

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CHAPTER 1

INTRODUCTION

1.1. Rationale for Research

This is the second in a series of studies carried out in Hong Kong on the subject of recidivism - the first being "A Study of the Success and Failure of Ex-Training Centre Inmates"(1).

Recidivism among prisoners was chosen as the topic of this research because a census taken on 15th June, 1977 of all persons serving sentences of imprisonment in the penal establishments operated by the Prisons Department, Hong Kong revealed that out of a total of 4,685 persons serving sentences of imprisonment, 1,325 were serving sentences of 12 months or less. Of these 1,325 persons, 653 had previously served two or more sentences of 12 months or less.

The magnitude of recidivism among short-term prisoners (as exemplified by the afore-mentioned figures) could not be the product of chance factors alone. Rather it appeared beneficial that a research project should be organised to examine the problem closely, to ascertain the causes of recidivism and if practicable and desirable, to design a more effective course of corrective treatment with a view to prevent future recidivism.

1.2. Prisons, Recidivism and Correction

The prison authorities in Hong Kong consider that prisons should be something more than warehouses. In fact, it is commonly agreed that prisons should be actively involved in the task of helping offenders to start a new way of life. One outcome of such an opinion is that whenever discharged prisoners revert to crime, society is often only too ready to absolve its responsibility by placing the blame on prison administrators, forgetting that many of the difficulties faced by discharged prisoners and many of the problems that bring about relapse to crime are found within society over which the prison authorities have no control. But how far it is possible to help offenders to change for the better? For instance, one can speak of 'reforming' lifers, but since under normal circumstances these persons never return to the community, how can one assess truthfully if the 'reformation' is successful or not? With this particular group of prisoners, it is perhaps quite correct to say that a prison is a warehouse. And how indeed should one go about changing the life style of persistent offenders "who are committed to a life of crime and remain ostensibly unaffected by any number of sentences of whatever severity"(2)?

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(1)   A Study of the Success and Failure of Ex-Training Centre Inmates, A Hong Kong Prisons Department Research Project, 1977.

(2)   Hammond, W.H. and Edna Chayen, Persistent Criminals, A Home Office Research Unit Report, Her Majesty's Stationery Office, 1972, p.iii.

The role of the prison administrator is primarily to put into effect sentences ordered by the court and to re-educate offenders to adjust to society as law-abiding citizens. Whether an offender stays within the law or not after he completes his sentence of imprisonment depends not only on how well he retains and puts into use what he has learnt in prison but also on how ready society is to accept him without any obtrusive discrimination against him.

The intention here is not to absolve the prison administrators from the responsibility of helping offenders to change for the better; rather it is to focus on the understanding that the entire criminal justice system, the community as well as the offender himself must each contribute effort to make the process of change a successful one.

With this understanding in mind, when a programme of corrective treatment for offenders is being designed, it is essential to incorporate the positive involvement of the community.

1.3. Literature Survey

Most studies on recidivism tend to look at the problem of persistent offenders with a rather pessimistic view. Uusitalo, for instance, in studying those serving prison sentences of 2 years or less, found that "variance in conditions of imprisonment had no effect on recidivism"(3). His finding was contended by Sandhu who found that the use of therapy did appear to bring about a reduction in subsequent recidivism rates. Sandhu therefore concluded that it was imprisonment (as it was, without therapy) that "either worsened the convicts or kept them at the same level, but brought about no improvement"(4).

For conditions which differentiate between recidivists and non-recidivists, Berntsen and Christiansen discovered that "recidivism was to a large extent dependent on previous criminal conduct, as expressed by the severity of the penalties imposed"(5). In other words, these two criminologists, mindful of the fact that the seriousness of the offences committed has a direct bearing on the sentences awarded, found that the recidivism rate of those with no previous convictions or who were fined was lower than those awarded with longer sentences of imprisonment.

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(3)   Uusitalo, Paavo "Recidivism After Release From Closed and Open Penal Institutions", The British Journal of Criminology, Vol. 12 July, 1972, pp. 211-229.

(4)   Sandhu, Harjit S. "The Impact of Short-term Institutionalisation on Prison Inmates", The British Journal of Criminology, Vol. 4, 1963-64, pp. 461-474.

(5)   Berntsen, K. and K.O. Christiansen, "A Re-socialization Experiment with Short-term Offenders", Scandinavian Studies in Criminology, Vol. 1, 1965, pp. 35-54.

The opinion of Berntsen and Christiansen was reinforced by the findings of Buikhuisen and Hoekstra who found that ten items differentiated significantly between recidivists and non-recidivists. These items were "being married, broken home, negative atmosphere at home, siblings also deliquent, reared in institutions, many times moved, psychiatric report, many previous convictions, long period spent in detention, and T.B.R. (detained at the Queen's pleasure)"(6).

In short, there seems to be agreement that the recidivists exhibit certain characteristics which make them an identifiable group.

1.4. <u>Purpose of Research</u>

This research attempts to establish that the persistent recidivists share certain congenial characteristics, and these characteristics may also be the factors contributing to recidivism.

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(6) Buikhuisen, W. and H.A. Hoekstra, "Factors Related to Recidivism" <u>The British Journal of Criminology</u>, Vol. 14, 1974, p. 65.

CHAPTER 2

RESEARCH DESIGN

2.1.   Definition of Terms

Within the context of this research, short-term prisoners refer to those serving sentences of 12 months or less while long-term prisoners refer to those with sentences of six years or over.

Persistent recidivists in this research refer to the group of short-term prisoners who had previously served two or more sentences of 12 months or less.

2.2.   Present Samples

In order to establish the fact that the persistent recidivists were an identifiable group with its particular characteristics, they were, wherever applicable, compared with a group of long-term prisoners. Those serving sentences from over one year to less than six years were not included in this research because of the ambiguity of where the length of "short-term" sentences should end and "long-term" sentences should begin.

Two samples were randomly chosen - 61 subjects from a total of 617 long-term prisoners and 65 subjects from a total of 653 short-term prisoners.

The randomness of the samples was affirmed by comparing the age group distribution of the selected samples with that of the total prisoner population. There was no significant difference. (see Table 1)

Table 1 : Affirming Randomness of the Sample

	Sample	Prisoner Population
Under 21	11 (8.7%)	356 (7.6%)
21 — 24	19 (15.1%)	1108 (23.6%)
25 — 29	22 (17.5%)	934 (19.9%)
30 — 34	15 (11.9%)	454 (9.7%)
35 — 39	12 (9.5%)	347 (7.4%)
40 — 44	12 (9.5%)	340 (7.2%)
45 — 49	11 (8.7%)	294 (6.3%)
50 — 54	10 (7.9%)	373 (8.0%)
55 — 59	5 (4.0%)	242 (5.2%)
60 & over	9 (7.2%)	237 (5.1%)
Total	126 (100.0%)	4685 (100.0%)

$t = 1.532$

Not significant at $df = 4809$, $P < 0.01$

2.3.   Data Format

Data was collected along 6 pre-set lines.

Line 1   : Personal particulars
              — present age and age at first conviction
              — age first involved with triad/criminal elements
              — educational attainment
              — regular occupation and income
              — religious affiliation
              — place of origin
              — marital status
              — residential district
              — whether addicted to drugs
              — whether physically deformed

Line 2   : Relationship with family
              — visits from family during imprisonment
              — living arrangements at time of first imprisonment
              — living arrangements at time of present imprisonment

Line 3   : Involvement in crime
              — present and previous offences
              — number of previous convictions
              — number of terms of imprisonment
              — time lapse between terms of imprisonment
              — membership in triad society/gang
              — involvement in drug trade

Line 4   : Institutional adjustment
              — breaches of discipline
              — involvement in gang activity in prisons
              — security categorisation
              — presence of psychiatric report in dossier

Line 5   : Concept of criminal justice
              — attitude towards society in general
              — attitude toward crime-committing
              — attitude towards judiciary

Line 6   : Psychological assessment

2.4.   Data Source

Data was obtained from three sources : personal interviews/observations, assessment by psychologist, and official records.

Questions asked during the personal interviews were pre-set (see questionnaire at Appendix). However to ensure that uniformity was maintained when conducting the interviews, a training seminar for selected interviewers was held during which the nature of the research as well as the questionnaire to be used were explained in detail.

The psychological assessment of the subjects was done by a clinical psychologist on the staff of the Prisons Department.

Whenever possible, data collected during personal interviews was cross-checked with official records.

2.5. Data Analysis

Four statistical tests were used to analyse the data collected. These were : the Student's - t test [7], Pearson's product - moment correlation coefficient (r) [8], the F(1, N-2) test [9] and the chi-square test (X^2) [10].

(7)
$$t = \frac{\overline{X}_1 - \overline{X}_2}{\sqrt{\dfrac{N_1 S_1^2 + N_2 S_2^2}{N_1 + N_2 - 2}} \sqrt{\dfrac{N_1 + N_2}{N_1 \, N_2}}}$$

where X_1, N_1, and S_1 are the mean, number of respondents and standard deviation of the first sample, and X_2, N_2 and S_2 are the same aggregates of the second sample.

(8)
$$r = \frac{\sum XY - \dfrac{\sum X \sum Y}{N}}{\sqrt{\left[\sum X^2 - \dfrac{(\sum X)^2}{N}\right]\left[\sum Y^2 - \dfrac{(\sum Y)^2}{N}\right]}}$$

where X represents the score of one variable, Y the score of another variable, and N

(9)
$$F(1, N-2) = \frac{r^2}{1 - r^2} \, (N - 2)$$

where r is the correlation coefficient of 2 variables and N is the number of respondents in the group.

(10)
$$X^2 = \sum \frac{(f_o - f_e)^2}{f_e}$$

where f_o = the observed frequency of occurrence of a particular variable and
f_e = the expected frequency of occurrence of the same variable.

CHAPTER 3

FINDINGS I : PERSONAL AND SOCIO—ECONOMIC ATTRIBUTES

3.1.   Introduction

Although there were noticeable differences in the patterns of crime committed by the persistent recidivists and the long-term prisoners, there should be no significant differences between the two groups in terms of personal and socio-economic attributes. This postulation has been indicated by Sutherland's theory of differential association (11).

3.2.   Present age

The persistent recidivists were substantially older in terms of mean age than the long-term prisoners. This difference was largely caused by the fact that 57.3% of the long-termers were between 16 and 29 years of age (see Figure 1).

Figure 1   Present Age (Bar Chart)
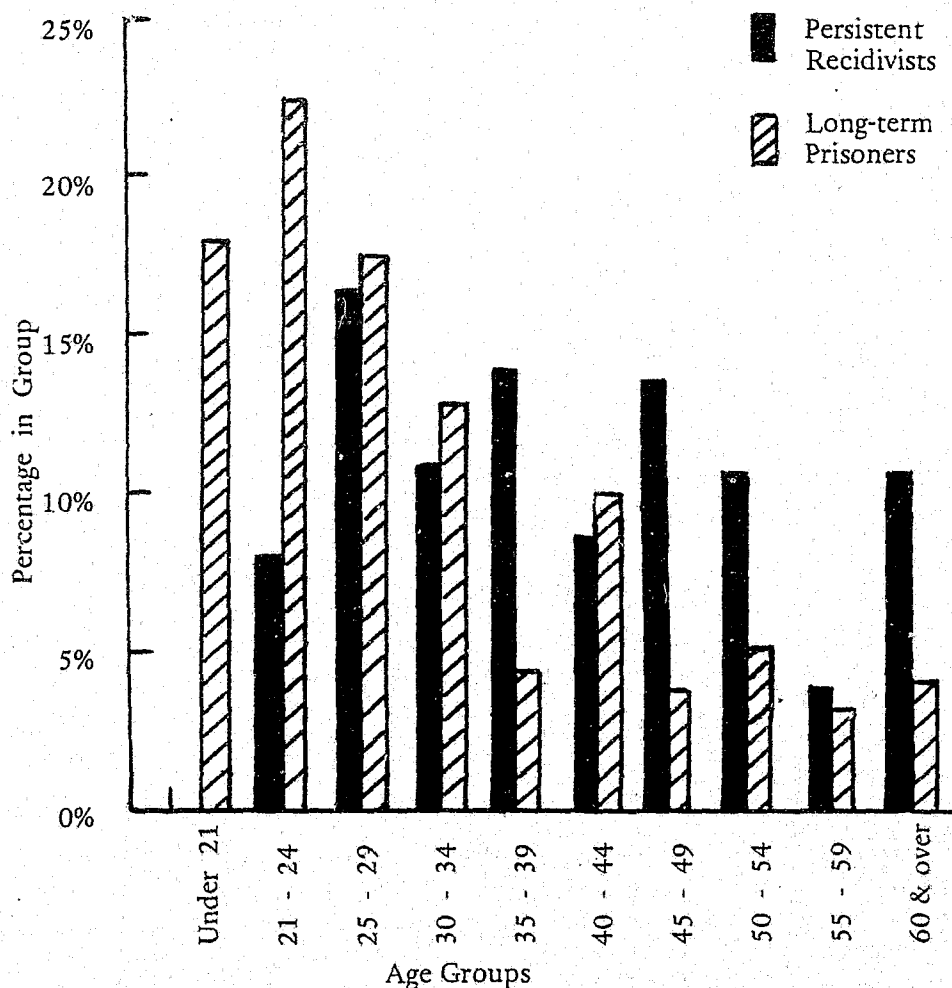
$$\overline{X}_{PR} = 41.1 \quad \overline{X}_{LP} = 31.2 \quad t = 4.216, \quad \text{Significant at df} = 124, \quad P < 0.01$$

(11)   Sutherland, Edwin H. Principles of Criminology, J.B. Lippincott Co., pp. 219 - 223, 1960.

3.3.   Place of Birth

Although there was no significant difference between the two groups, it is worth-
while to point out that 69.8% of the subjects were reported to be born outside of Hong Kong
(see Figure 2).

Figure 2   Place of Birth (Pie Chart)

Persistent   Long-term
Recidivists   Prisoners

 Hong Kong   Outside Hong Kong
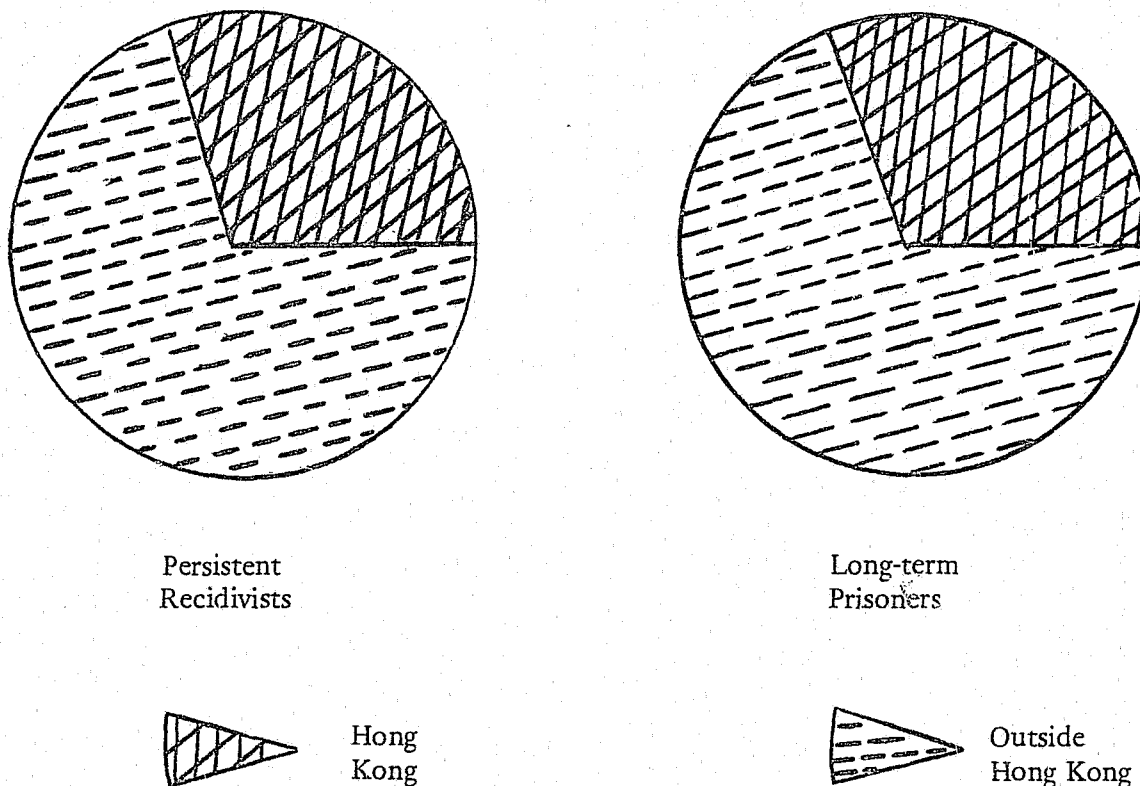
X^2 = 0.054, not significant at df = 1, P < 0.01

This could be an indication that the subjects under study were socially malad-
justed and suffering from a state of anomie (12), (i.e. there was a perceivable discrepancy
between the goals which they aspired to attain, and the availability of socially acceptable
resources to attain these goals) which eventually drove them to crimes as means to achieve
their ends.

(12)   Merton, Robert K. Social Theory and Social Structure, The Free Press, New York,
        pp. 215-248, 1968.

3.4.   Educational Attainment

There was no significant difference between the two groups (see Table 2) which indicated that the subjects under study were from comparable socio-economic background.

Table 2 : Educational Attainment

	Persistent Recidivists		Long-term Prisoners	
	No.	%	No.	%
No Schooling	5	(7.7)	4	(6.6)
Lower Primary	25	(38.4)	16	(26.2)
Upper Primary	23	(35.4)	33	(54.1)
Lower Secondary	7	(10.8)	5	(8.2)
Upper Secondary	4	(6.2)	2	(3.3)
Post Secondary	1	(1.5)	1	(1.6)
Total	65	(100.0)	61	(100.0)

$X^2 = 4.725$

Not significant at df = 5, P < 0.01

3.5.   Occupation

Consistent with the findings on educational attainment, there was no significant difference between the two groups in this respect (see Table 3)

Table 3 : Occupation (Lawful) before Current Imprisonment

	Persistent Recidivists		Long-term Prisoners	
	No.	%	No.	%
Craftsmen, Production Workers and Labourers	39	(60.0)	26	(42.7)
Clerical and Sales Workers	10	(15.4)	16	(26.2)
Services, Sport and Recreation Workers	8	(12.3)	10	(16.4)
Transport and Communication	4	(6.2)	7	(11.5)
Farmers, Fisherfolk and Related Workers	1	(1.5)	1	(1.6)
Unemployed	3	(4.6)	1	(1.6)
Total	65	(100.0)	61	(100.0)

$X^2 = 5.884$

Not significant at df = 5, P < 0.01

3.6.   Income

The long-term prisoners professed that 91.4% of their total income was from lawful sources, while the comparable figure for the persistent recidivists was 81.6%. The difference was significant and revealed the extent to which the persistent recidivists looked upon involvement in crime as an occupation (see Figure 3).

Figure 3   Percentage of Income which is lawful (Cumulative Frequency)
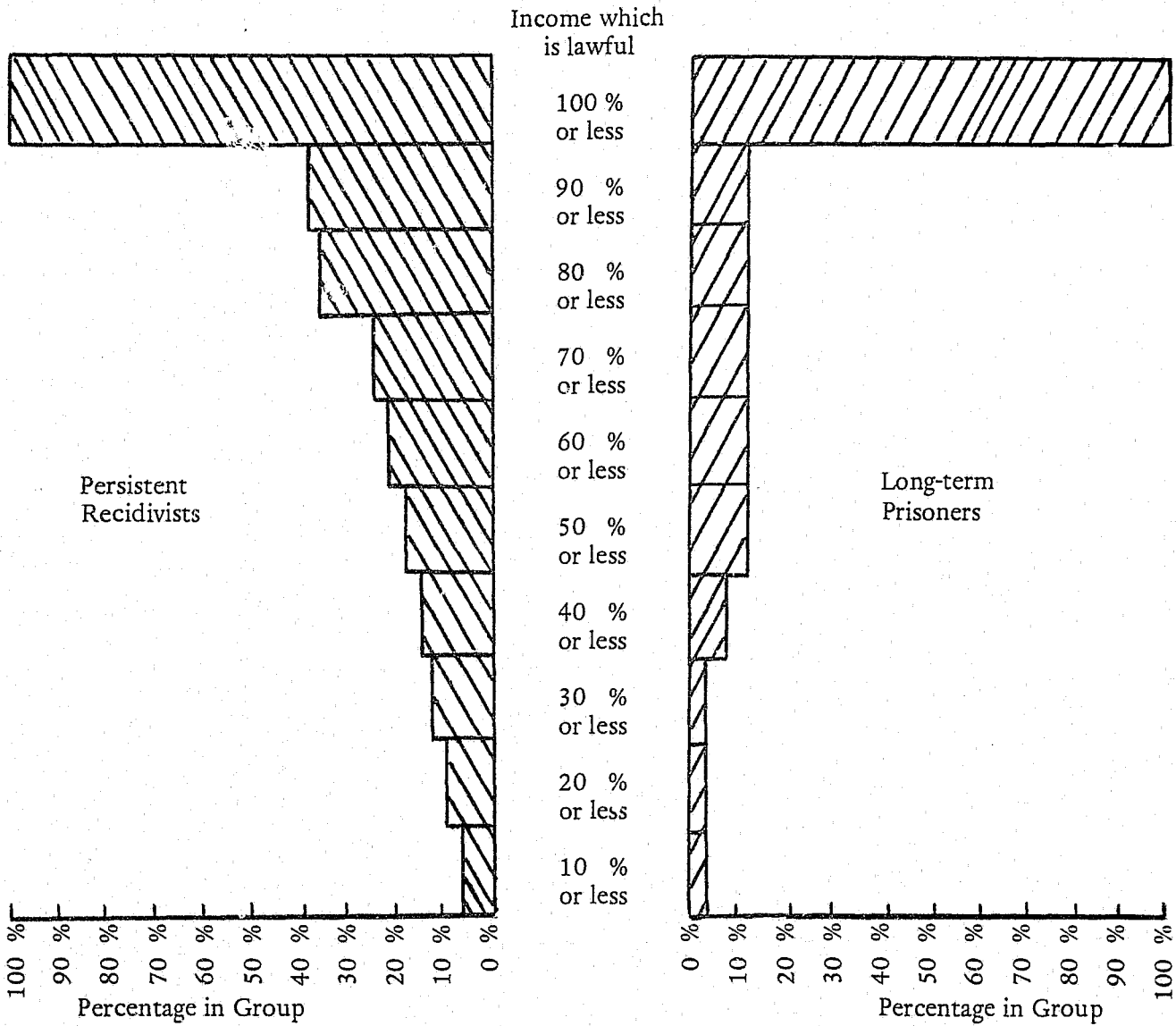
$$\overline{X}_{PR} = 81.6 \qquad \overline{X}_{LP} = 91.4$$

$$t = 2.067, \text{ Significant at df } = 124, \ P < 0.05$$

3.7. Religious Affiliation

As a reflection of current social trends, the majority of both groups claimed to have no religious affiliation whatsoever (see Table 4).

Table 4 : Religious Affiliation

Religion	Persistent Recidivists		Long-term Prisoners	
	No.	%	No.	%
Not Applicable	38	(58.5)	30	(49.2)
Roman Catholic	3	(4.6)	7	(11.5)
Protestant	5	(7.7)	9	(14.7)
Buddhist	7	(10.8)	7	(11.5)
Ancestral Worship	11	(16.9)	6	(9.8)
Other	1	(1.5)	2	(3.3)
Total	65	(100.0)	61	(100.0)

$X^2 = 5.303$

Not significant at df = 5, P < 0.01

3.8. Marital Status

The majority of both groups reported to be single (see Table 5),

Table 5 : Marital Status

Marital Status	Persistent Recidivists		Long-term Prisoners	
	No.	%	No.	%
Single	34	(52.3)	40	(65.6)
Married	10	(15.4)	17	(27.9)
Cohabited/Common Law	6	(9.2)	3	(4.9)
Separated	7	(10.8)	-	(-)
Divorced	5	(7.7)	-	(-)
Widowed	3	(4.6)	1	(1.6)
Total	65	(100.0)	61	(100.0)

$X^2 = 11.834$

Not significant at df = 5. P < 0.01

3.9.   Summary on Chapter

    As postulated in the introductory paragraph, the personal, educational, social and economic attributes of the persistent recidivists were not significantly different from those of the long-term prisoners. This could be indicative of the fact that the background from which these recidivists came was conducive to the breeding of criminal elements.

CHAPTER 4

FINDINGS II : MENTAL STATE

4.1.   Introduction

Banks and Fairhead (13) found that some 59% of the short-term prisoners studied were either disordered or maladjusted. Further examination of case histories established that there was a direct association between certain kinds of mental disorder and crime.

4.2.   Classification of Mental State

The prisoners under study were interviewed by a departmental clinical psychologist who classified their mental state into three broad categories : definitely disordered, maladjusted and apparently normal. The final assessment was based on the prisoners' developmental history and life style in terms of adjustment to their environment prior to their current sentence. The three categories of mental state were operationally defined in the present study as follows.

Prisoners rated as "definitely disordered" were those suffering from a disturbed mental state that grossly incapacitated the individuals' daily responses to the emotional, intellectual and social demands of their environment. The state could be either acute or chronic. Disorders here included psychotic episodes, epilepsy, symptoms of brain damage and psychoneurosis.

The category "maladjusted" included individuals whose life style demonstrated limited adaptive flexibility. Characteristics belonging to this category included :-

(i)   low ability to learn from experience or punishment;

(ii)   seemingly rational but actually self-defeating attempts to gratify needs;

(iii) low ego-strength or poor self-control;

(iv)   poor conscience;

(v)   impaired relationship with people due to distrust, hostility, or hatred;

(vi)   inability to form close and deep relationship with others;

(vii) poor judgement, or failure to develop reasonable autonomy in thought and action;

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(13)   Banks, Charlotte and Suzan Fairhead, The Petty Short-term Prisoners, Barry Rose (Publishers) Ltd., 1976, pp. 15-16.

(viii)   indulgent character failing to comply with reality demands;

 (ix)   childlike persistence to obtain immediate instinctual gratification;

 (x)   low threshold of frustration tolerance;

 (xi)   low threshold of hardship tolerance;

(xii)   no sense of responsibility;

(xiii)   great discrepancy between ideal on one hand, and ability and availability of necessary resources to attain the ideal on the other hand;

(xiv)   low self-esteem inhibiting the individual from making meaningful and effective approaches in his environment; and

 (xv)   rigid personality.

Where characteristics mentioned under the two categories, i.e. "definitely disordered" and "maladjusted" were absent or not apparent, the prisoners were classified as "apparently normal".

4.3.   Actual Classification

86.2% of the persistent recidivists as compared with 37.7% of the long-termers were classified as maladjusted (see Figure 4).

Figure 4   Mental State (Pie Chart)

Persistent   Long-term
Recidivists   Prisoners

Definitely   Maladjusted   Apparently
Disordered   Normal
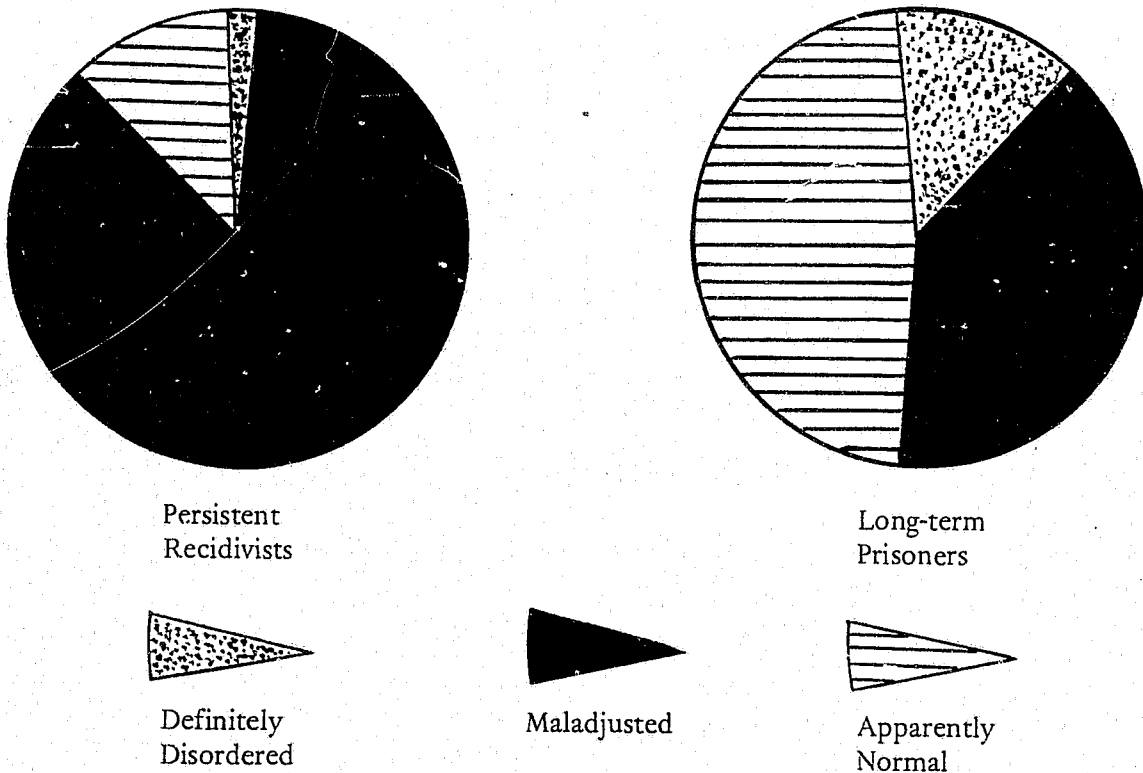
$$X^2 = 31.860, \text{ Significant at df } = 2, \text{ P} < 0.01$$

4.4. Summary on Chapter

The category of "maladjusted" individuals appeared to be characterized by their inability to handle real situations rationally, In other words, their resorting to crime could be indications of inability to resolve conflicts in real life via socially acceptable channels.

CHAPTER 5

FINDINGS III : RELATIONSHIP WITH FAMILY

5.1.   Introduction

In the process of rehabilitation, the family plays a very important role. The previous research conducted on a group of ex-Training Centre inmates (see para. 1.1.) revealed that the failures felt little or no sense of responsibility towards their families, seldom appealed to their families for emotional support and hardly spent any length of their leisure with their families. The postulation in the current research was that one should find similiar trends in the group of persistent recidivists.

5.2.   Visitors during Imprisonment

It was of significance to note that 30.8% of the persistent recidivists did not register to have any visitors during imprisonment as they did not expect anyone to visit them (see Figure 5).

Figure 5   Visitors registered to Visit the Prisoner (Bar Chart)
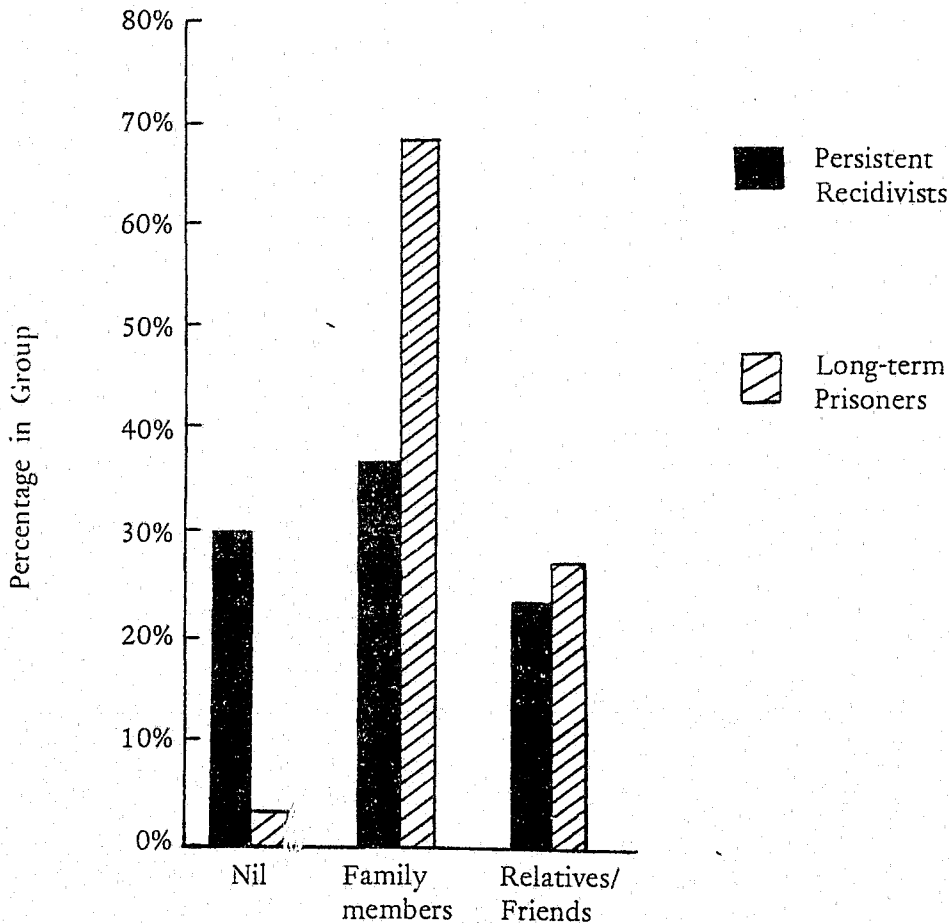
X^2 = 14.469, Significant at df = 2, P< 0.01

5.3.   Living Arrangements

When comparing the persistent recidivists' living arrangement prior to first imprisonment with their living arrangement prior to present imprisonment, significant differences were noted (see Table 6).

Table 6 :   Persistent Recidivists - Living Arrangement Prior to First Imprisonment by Living Arrangement Prior to Present Imprisonment

Prior to Present Imprisonment

	No Fixed Place of abode	Lives Alone	With Friends	With Relatives	With Family Members	Total
No Fixed Place of Abode	7(10.8)	2(3.1)	1(1.5)	-(-)	1(1.5)	11(16.9)
Lives Alone	1(1.5)	5(7.7)	-(-)	-(-)	1(1.5)	7(10.7)
With Friends	-(-)	1(1.5)	4(6.2)	-(-)	3(4.6)	8(12.3)
With Relatives	1(1.5)	2(3.1)	-(-)	5(7.7)	2(3.1)	10(15.4)
With Family Members	2(3.1)	4(6.2)	5(7.7)	-(-)	18(27.7)	29(44.7)
Total	11(16.9)	14(21.6)	10(15.4)	5(7.7)	25(38.4)	65(100.0)

(Prior to First Imprisonment — row label on left axis)

X^2 = 72.023

Significant at df = 16, P < 0.01

Perhaps with the increasing number of offences, family cohesion was somehow broken up. This assumption was further backed up by the finding that 12 out of 45 persistent recidivists with families opted not to return to their families upon discharge after the present imprisonment. (see Figure 6)

Figure 6   Whether Prepared to Return Home after Present Imprisonment   (Bar Chart)
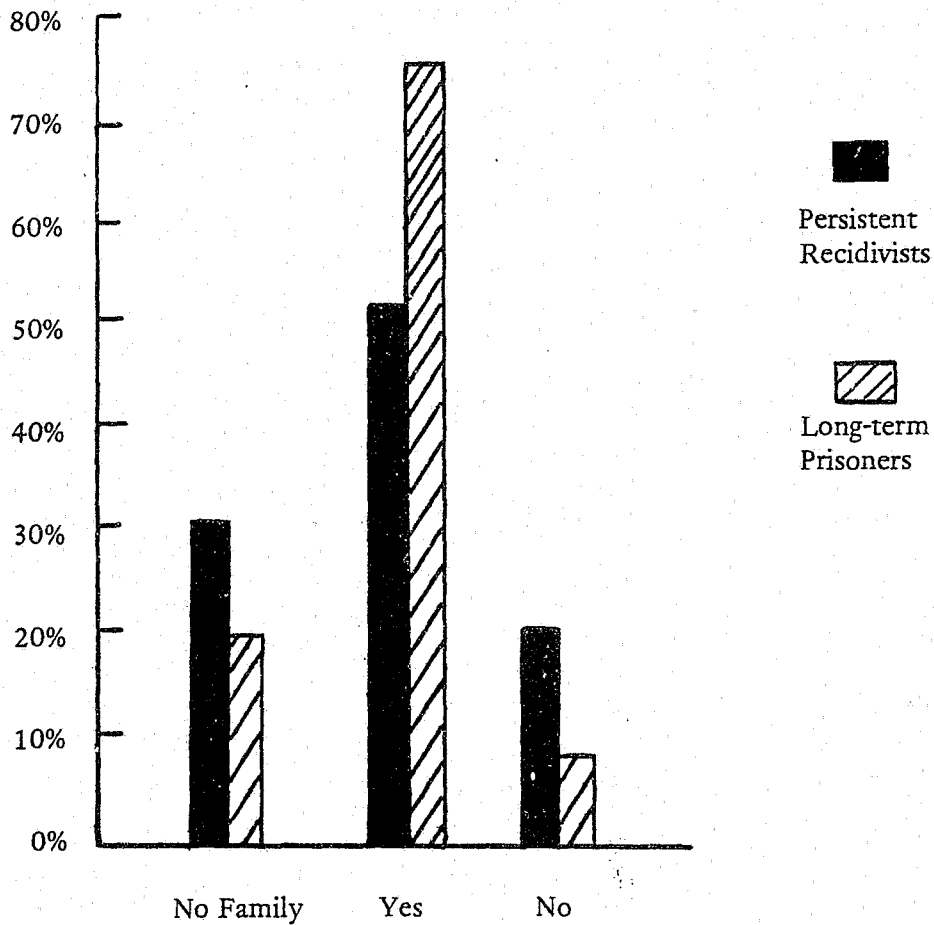
$$X^2 = 5.685, \text{ Significant at df } = 1, \ P \nleqslant 0.05$$

5.4.   Summary on Chapter

From the information gathered about visits and living arrangements, there seemed to be an overriding implication that the family life of the persistent recidivists which had been interrupted by numerous offences existed only in name and not in reality.

This essentially meant that in considering a programme of rehabilitation for persistent recidivists, the re-structuring of the recidivists' relationship with their families should be given a high priority since earlier researches have shown that accepting responsibility towards the family often served as brakes to future recidivism.

CHAPTER 6

FINDINGS IV : INVOLVEMENT IN CRIME

6.1.   Introduction

Since the persistent recidivists were serving much shorter sentences than the long-term prisoners, it is expected that the former's pattern of involvement in crime should be significantly different from that of the latter.

6.2.   Age at First Conviction & Involvement with Triad/Criminal Elements

Although the two groups differed significantly in their present age, they were not very different in age at first conviction (see Table 7).

Table 7 : Age at First Conviction

Age Groups	Persistent Recidivists		Long-term Prisoners	
	No.	%	No.	%
Under 16	4	(6.2)	4	(6.6)
16 - 20	24	(36.9)	14	(22.9)
21 - 24	12	(18.5)	13	(21.3)
25 - 29	5	(7.7)	10	(16.4)
30 - 34	9	(13.8)	7	(11.5)
35 - 39	6	(9.2)	3	(4.9)
40 - 44	4	(6.2)	3	(4.9)
45 - 49	-	(-)	4	(6.6)
50 - 54	1	(1.5)	2	(3.3)
55 - 59	-	(-)	-	(-)
60 & over	-	(-)	1	(1.6)
Total	65	(100.0)	61	(100.0)

$$\overline{X}_{PR} = 25.03 \qquad \overline{X}_{LP} = 27.70$$

$$t = 1.518$$

Not significant at df = 124, $P < 0.01$

A lack of significant difference was again noticeable in age when they first became involved with triad/criminal elements (see Table 8).

Table 8 : Age First Involved with Triad/Criminal Elements

Age Groups	Persistent Recidivists		Long-term Prisoners	
	No.	%	No.	%
Not applicable	4	(6.2)	12	(19.7)
Under 21	33	(50.7)	26	(42.7)
21 - 24	9	(13.8)	7	(11.5)
25 - 29	5	(7.7)	7	(11.5)
30 - 34	5	(7.7)	4	(6.6)
35 - 39	4	(6.2)	1	(1.6)
40 - 44	4	(6.2)	1	(1.6)
45 - 49	-	(-)	1	(1.6)
50 - 54	1	(1.5)	1	(1.6)
55 - 59	-	(-)	-	(-)
60 & over	-	(-)	1	(1.6)
Total	65	(100.0)	61	(100.0)

$$\overline{X}_{PR} = 23.39 \qquad \overline{X}_{LP} = 23.60$$

$$t = 0.120$$

Not significant at df = 124, P < 0.01

Statistical analyses showed that for both groups, age at first conviction and age first involved with triad/criminal elements were highly correlated (see Tables 9 and 9A).

Table 9 : Age First Involved with Triad/Criminal Elements by Age at First Conviction (Persistent Recidivists)

Age at First Conviction

Age First Involved with Triad/Criminal Elements	14 and Under	15-17	18-20	21-24	25-29	30-34	35-39	40-44	45-49	50-54	55-59	60 and Over	Total
14 and under	3(4.9)	3(4.9)	-(-)	-(-)	-(-)	-(-)	-(-)	-(-)	-(-)	-(-)	-(-)	-(-)	6(9.8)
15 - 17	1(1.6)	4(6.6)	3(4.9)	2(3.3)	1(1.6)	-(-)	-(-)	-(-)	-(-)	-(-)	-(-)	-(-)	11(18.0)
18 - 20	-(-)	1(1.6)	12(19.7)	2(3.3)	-(-)	1(1.6)	-(-)	-(-)	-(-)	-(-)	-(-)	-(-)	16(26.2)
21 - 24	-(-)	-(-)	-(-)	8(13.1)	1(1.6)	-(-)	-(-)	-(-)	-(-)	-(-)	-(-)	-(-)	9(14.8)
25 - 29	-(-)	-(-)	1(1.6)	-(-)	-(-)	4(6.6)	-(-)	-(-)	-(-)	-(-)	-(-)	-(-)	5(8.2)
30 - 34	-(-)	-(-)	-(-)	-(-)	1(1.6)	4(6.6)	-(-)	-(-)	-(-)	-(-)	-(-)	-(-)	5(8.2)
35 - 39	-(-)	-(-)	-(-)	-(-)	-(-)	-(-)	4(6.6)	-(-)	-(-)	-(-)	-(-)	-(-)	4(6.6)
40 - 44	-(-)	-(-)	-(-)	-(-)	1(1.6)	-(-)	-(-)	3(4.9)	-(-)	-(-)	-(-)	-(-)	4(6.6)
45 - 49	-(-)	-(-)	-(-)	-(-)	-(-)	-(-)	-(-)	-(-)	-(-)	-(-)	-(-)	-(-)	-(-)
50 - 54	-(-)	-(-)	-(-)	-(-)	-(-)	-(-)	-(-)	-(-)	-(-)	-(-)	-(-)	-(-)	-(-)
55 - 59	-(-)	-(-)	-(-)	-(-)	-(-)	-(-)	-(-)	-(-)	-(-)	-(-)	-(-)	-(-)	-(-)
60 & over	-(-)	-(-)	-(-)	-(-)	-(-)	-(-)	-(-)	-(-)	-(-)	1(1.6)	-(-)	-(-)	1(1.6)
Total	4(6.5)	8(13.1)	16(26.2)	12(19.7)	4(6.5)	9(14.8)	4(6.6)	3(4.9)	-(-)	1(1.6)	-(-)	-(-)	61(100.0)

r = 0.909 $F_{1,59} = 280.471$ Significant at P < 0.01

Table 9A : Age First Involved with Triad/Criminal Elements by Age at First Conviction (Long-term Prisoners)

Age at First Conviction

| Age First Involved with Triad/Criminal Elements	14 and Under	15-17	18-20	21-24	25-29	30-34	35-39	40-44	45-49	50-54	55-59	60 and Over	Total
14 and under	1(2.0)	1(2.0)	-(-)	-(-)	-(-)	1(2.0)	-(-)	-(-)	-(-)	-(-)	-(-)	-(-)	3(6.2)
15 - 17	-(-)	8(16.3)	1(2.0)	2(4.1)	1(2.0)	-(-)	-(-)	-(-)	-(-)	-(-)	-(-)	-(-)	12(24.5)
18 - 20	-(-)	-(-)	6(12.2)	4(8.2)	1(2.0)	-(-)	-(-)	-(-)	-(-)	-(-)	-(-)	-(-)	11(22.5)
21 - 24	-(-)	-(-)	-(-)	6(12.2)	-(-)	1(2.0)	-(-)	-(-)	-(-)	-(-)	-(-)	-(-)	7(14.3)
25 - 29	-(-)	-(-)	-(-)	-(-)	7(14.3)	-(-)	-(-)	-(-)	-(-)	-(-)	-(-)	-(-)	7(14.3)
30 - 34	-(-)	-(-)	-(-)	-(-)	-(-)	4(8.2)	-(-)	-(-)	-(-)	-(-)	-(-)	-(-)	4(8.2)
35 - 39	-(-)	-(-)	-(-)	-(-)	-(-)	-(-)	1(2.0)	-(-)	-(-)	-(-)	-(-)	-(-)	1(2.0)
40 - 44	-(-)	-(-)	-(-)	-(-)	-(-)	-(-)	-(-)	1(2.0)	-(-)	-(-)	-(-)	-(-)	1(2.0)
45 - 49	-(-)	-(-)	-(-)	-(-)	-(-)	-(-)	-(-)	-(-)	1(2.0)	-(-)	-(-)	-(-)	1(2.0)
50 - 54	-(-)	-(-)	-(-)	-(-)	-(-)	-(-)	-(-)	-(-)	-(-)	1(2.0)	-(-)	-(-)	1(2.0)
55 - 59	-(-)	-(-)	-(-)	-(-)	-(-)	-(-)	-(-)	-(-)	-(-)	-(-)	-(-)	-(-)	-(-)
60 & Over	-(-)	-(-)	-(-)	-(-)	-(-)	-(-)	-(-)	-(-)	-(-)	-(-)	-(-)	1(2.0)	1(2.0)
Total	1(2.0)	9(18.4)	7(14.3)	12(24.6)	9(18.4)	6(12.3)	1(2.0)	1(2.0)	1(2.0)	1(2.0)	-(-)	1(2.0)	49(100.0)

r = 0.929 $F_{1,47} = 295.673$ Significant at $P < 0.01$

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The impact which triad membership has on the commission of crime and subsequent recidivism was further affirmed by the significant difference between the number of persistent recidivists and long-termers who professed to be triad members (see Figure 7).

Figure 7   Whether Triad Member (Pie Chart)

Persistent   Long-term
Recidivists   Prisoners

Yes   No
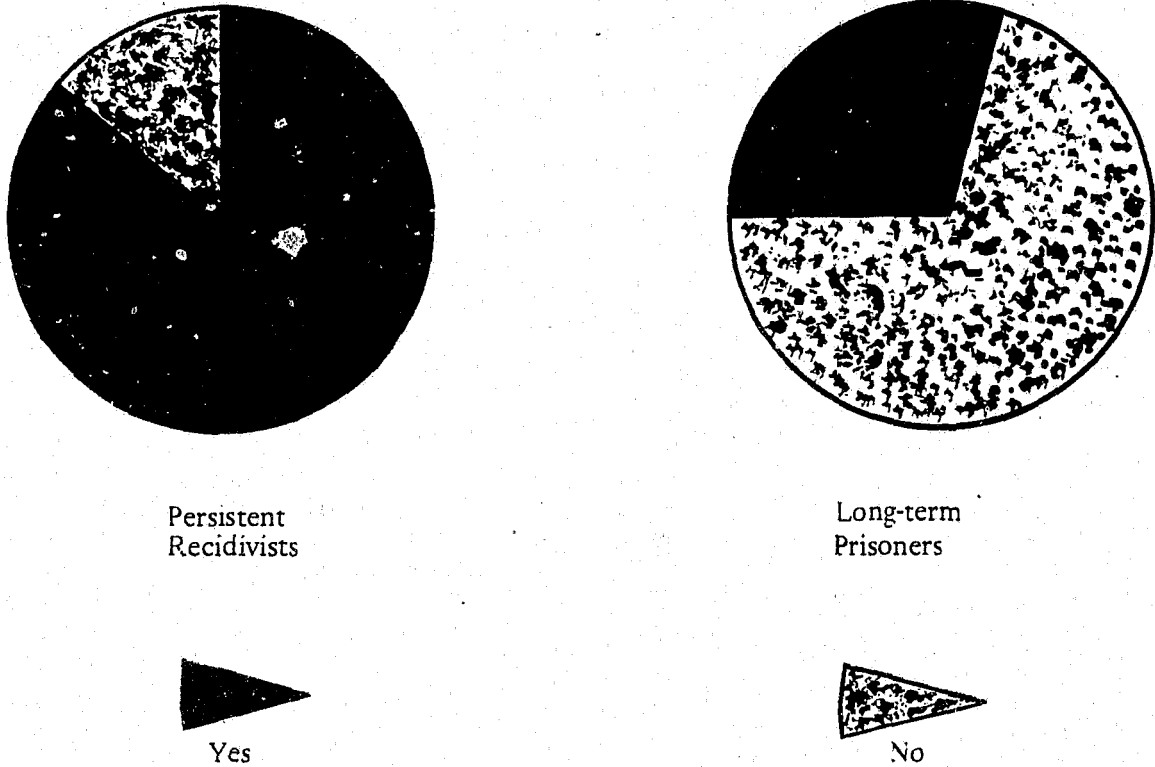
$$X^2 = 41.681. \quad \text{Significant at df} = 1. \quad P < 0.01$$

6.3.   Offences Committed

Needless to say the persistent recidivists differed significantly from the long-term prisoners in terms of the type of offences committed. For offences leading to present sentences, 46.2% of the persistent recidivists were convicted for minor narcotic offences while the majority of the long-termers were convicted for offences against the person (see Figure 8).

Figure 8   Present Offence (Bar Chart)
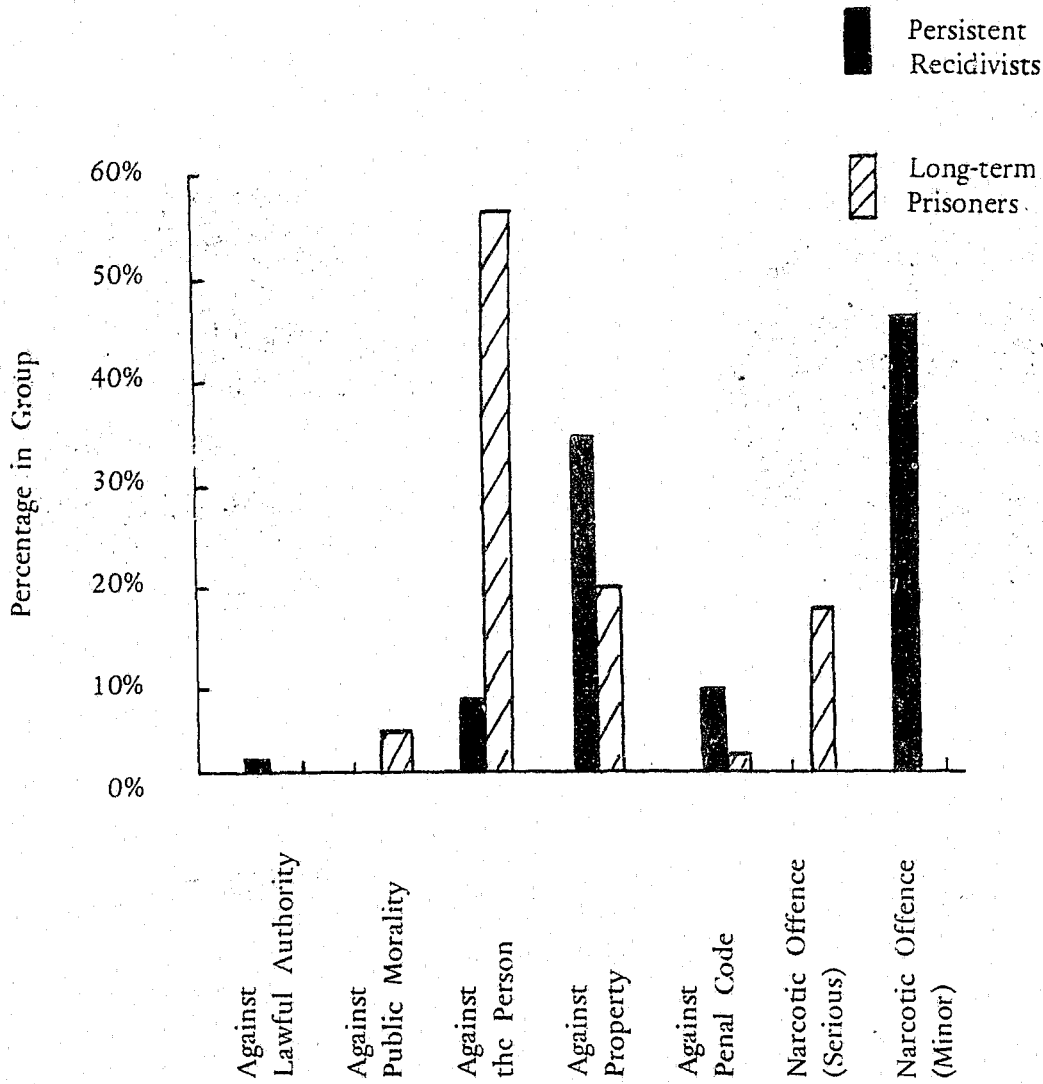
$$X^2 = 69.484, \quad \text{Significant at df} = 6, \quad P < 0.01$$

6.4.   Previous Convictions and Imprisonments

The persistent recidivists had an average of 17.8 previous convictions as compared with the long-termers who had an average of 0.9 previous convictions (see Figure 9). Most of the persistent recidivists' previous convictions were either for property offences or minor narcotic offences.

Figure 9   Total Number of Previous Conviction (Bar Chart)
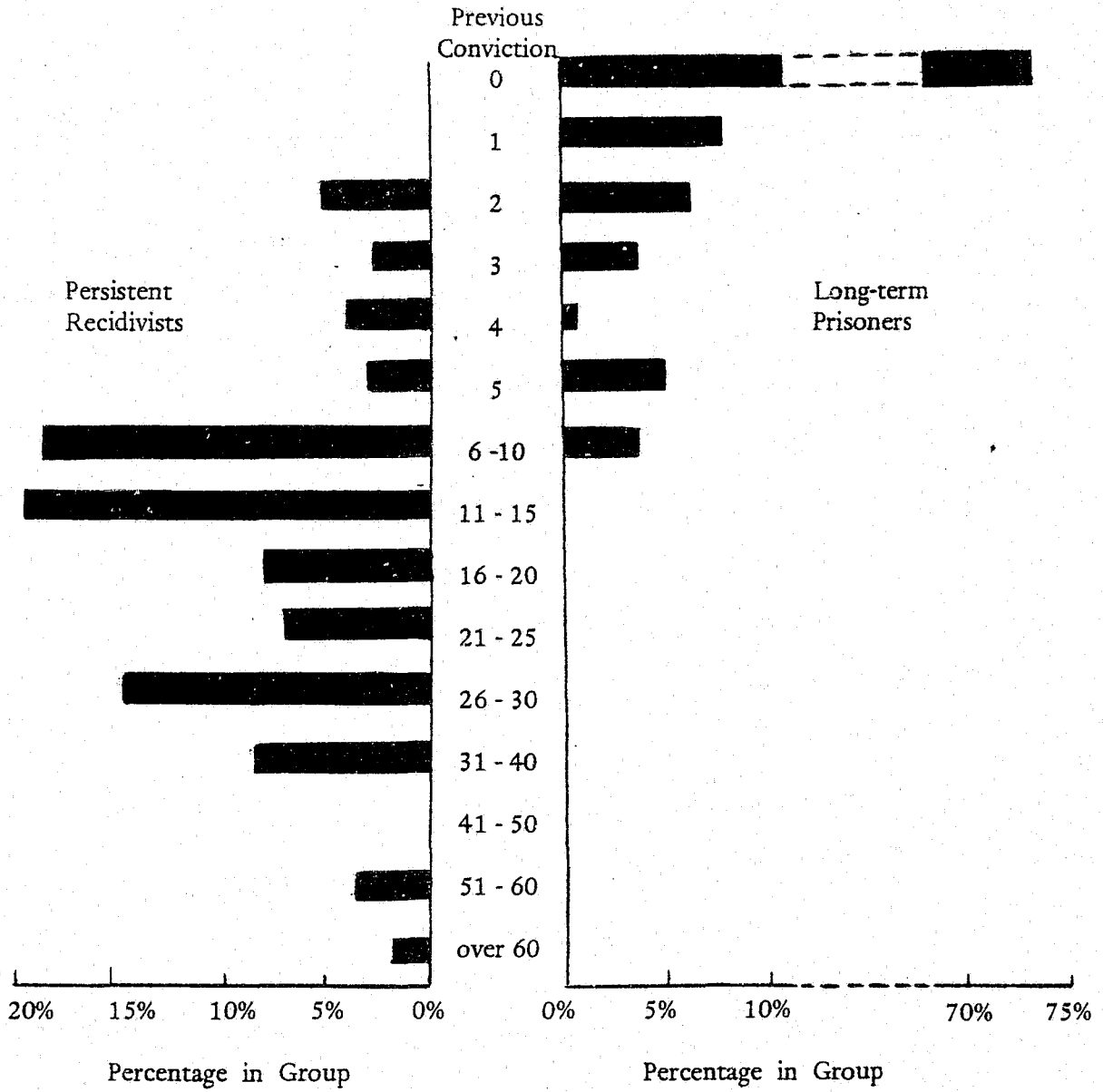
$$\bar{X}_{PR} = 17.8$$ $$\bar{X}_{LP} = 0.9$$

t = 9.712, Significant at df = 124, P < 0.01

As for the number of prison sentences served, 72.1% of the long-termers turned out to be serving their first prison sentence while the persistent recidivists had each served an average of 13 prison sentences (see Figure 10).

Figure. 10   Total Number of Previous Prison Sentences Served (Bar Chart)
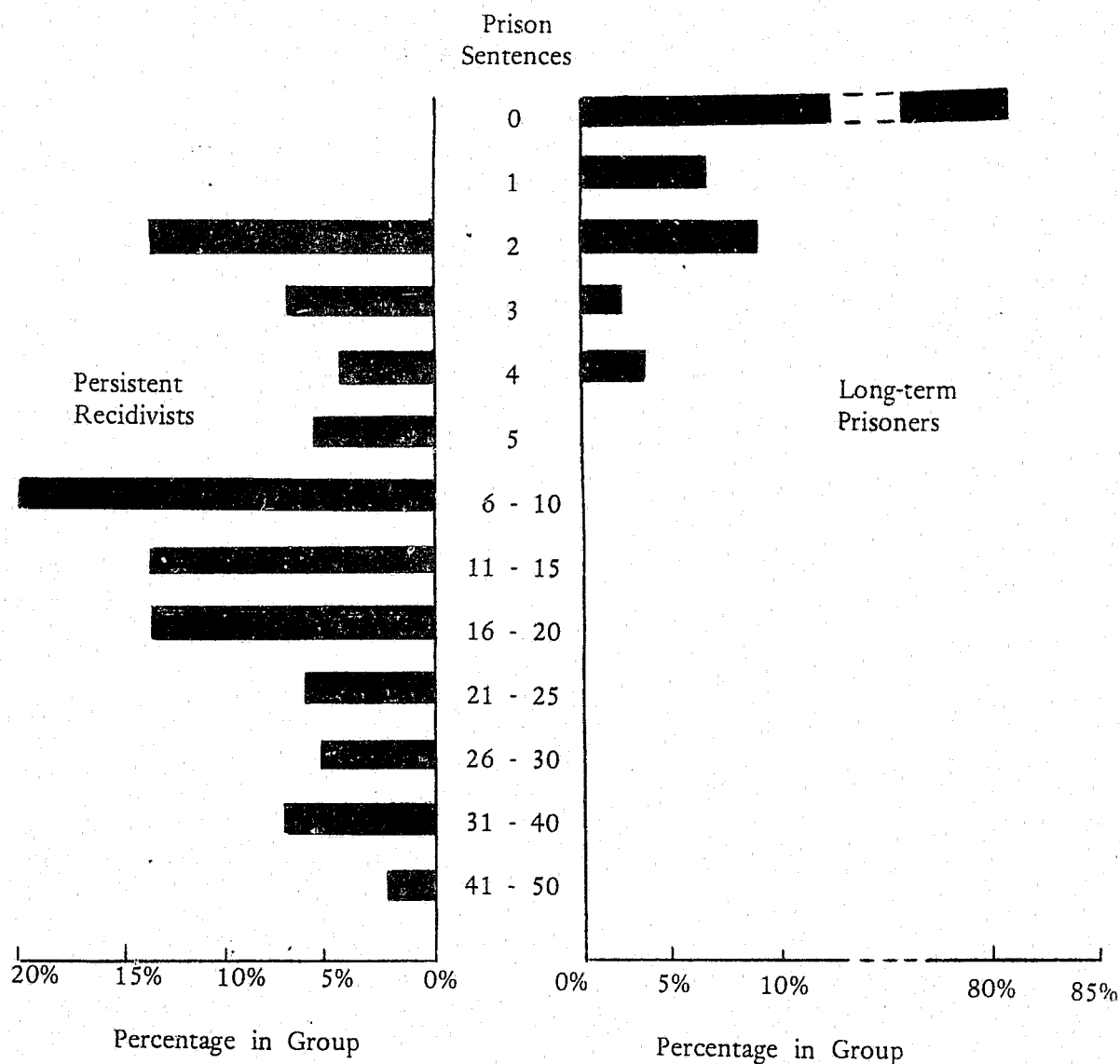
$$\overline{X}_{PR} = 13.0 \qquad \overline{X}_{LP} = 0.4$$

$$t = 9.193, \text{ Significant at } df = 124, \ P < 0.01$$

The time lapse between discharge from prison and subsequent re-admission into prison was usually between 5 to 15 months (see Figure 11 and 12).

Figure 11   Time Lapse between First Discharge From Prison and
Subsequent Re-admission into Prison
(Frequency Polygon)

Number of Persistent Recidivists

$\overline{X}$ = 14.5 months

Less than 1 month

1 to less than 3 months

3 to less than 5 months

5 to less than 10 months

10 to less than 15 months

15 to less than 20 months

20 to less than 25 months

25 to less than 30 months

30 to less than 40 months

40 to less than 50 months
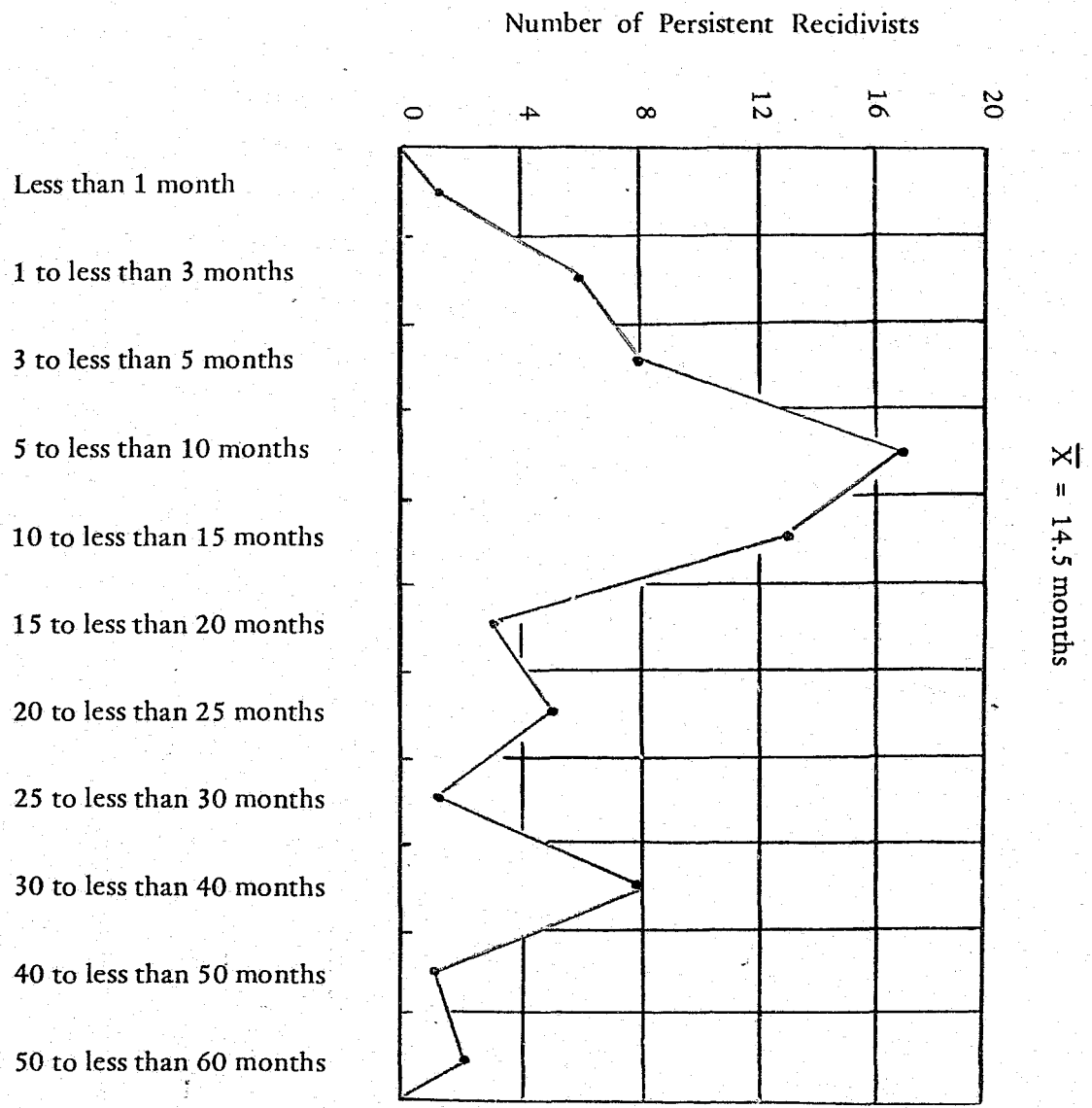
50 to less than 60 months

Figure 12

Time Lapse between Last Discharge From Prison and
Subsequent Re-admission into Prison
(Frequency Polygon)

$\overline{X}$ = 17.846 months

Number of Persistent Recidivists

0   4   8   12   16   20

Less than 1 month

1 to less than 3 months

3 to less than 5 months

5 to less than 10 months

10 to less than 15 months

15 to less than 20 months

20 to less than 25 months

25 to less than 30 months

30 to less than 40 months

40 to less than 50 months

50 to less than 60 months

60 to less than 70 months

70 to less than 80 months
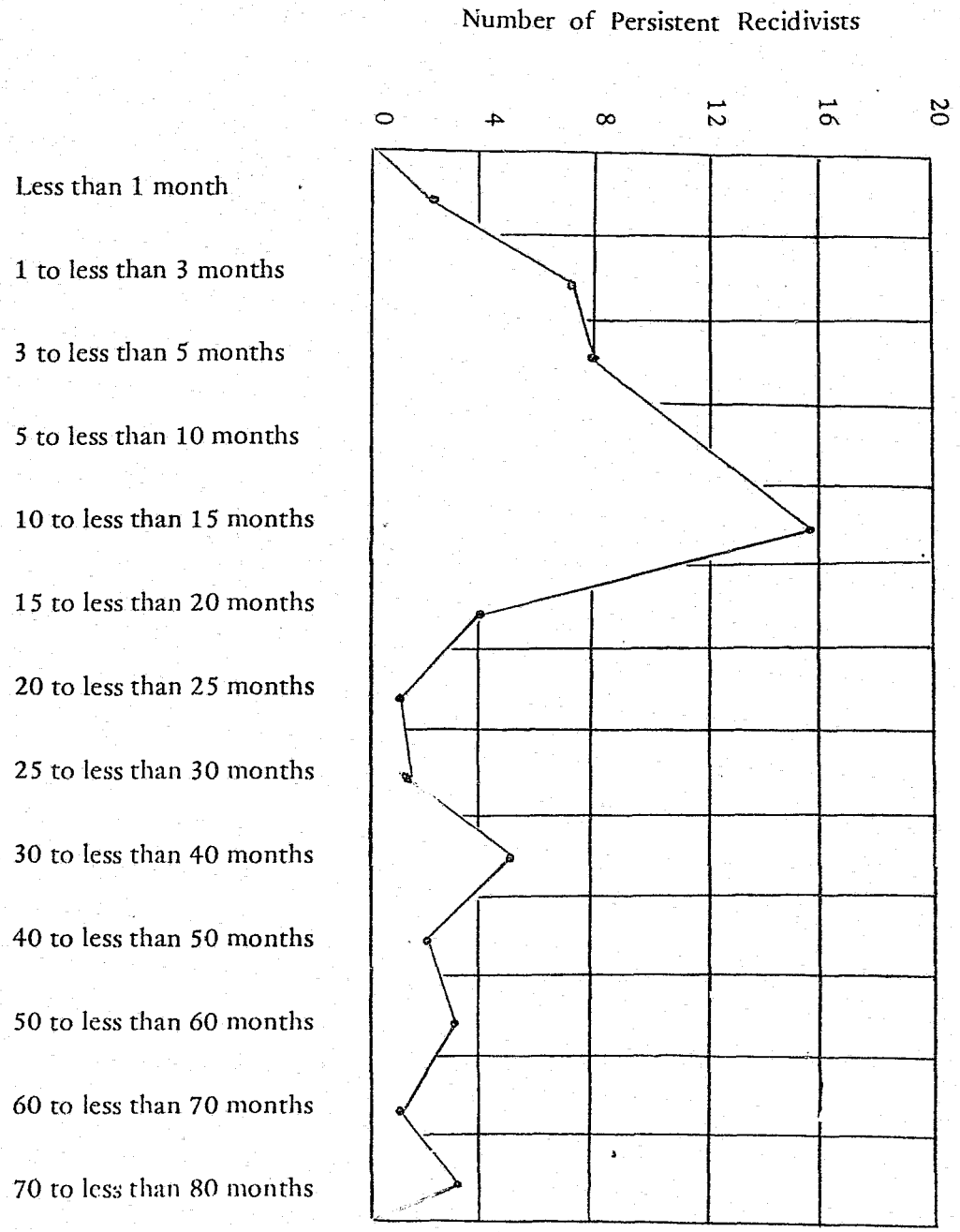
6.5.   Summary on Chapter

From the data gathered, it appeared that most of the persistent recidivists were petty offenders who simply could not conform to the law possibly because they viewed crime as a way of making a living, and also perhaps because they were narcotic addicts. The relationship between addiction and recidivism will be discussed in the following chapter.

CHAPTER 7

FINDINGS V : DRUG ADDICTION

7.1.   Introduction

The high correlation between crime and addiction is a well established fact. The present research postulated that drug addiction is one of the primary causes of persistent recidivism. In other words, repeated admissions into prison were the consequence of the offender's addiction to drugs which made him vunerable to being arrested for narcotic offences and which caused him to resort to crime in order to obtain the money to purchase drugs.

7.2.   History of drug addiction

Figure 13 showed that 80% of the persistent recidivists were drug addicts. The average length of addiction to drugs was 12 years.

Figure 13   Length of Addiction to Drugs (Bar Chart)

$\overline{X}_{PR} = 12.1$ $\overline{X}_{LP} = 0.70$
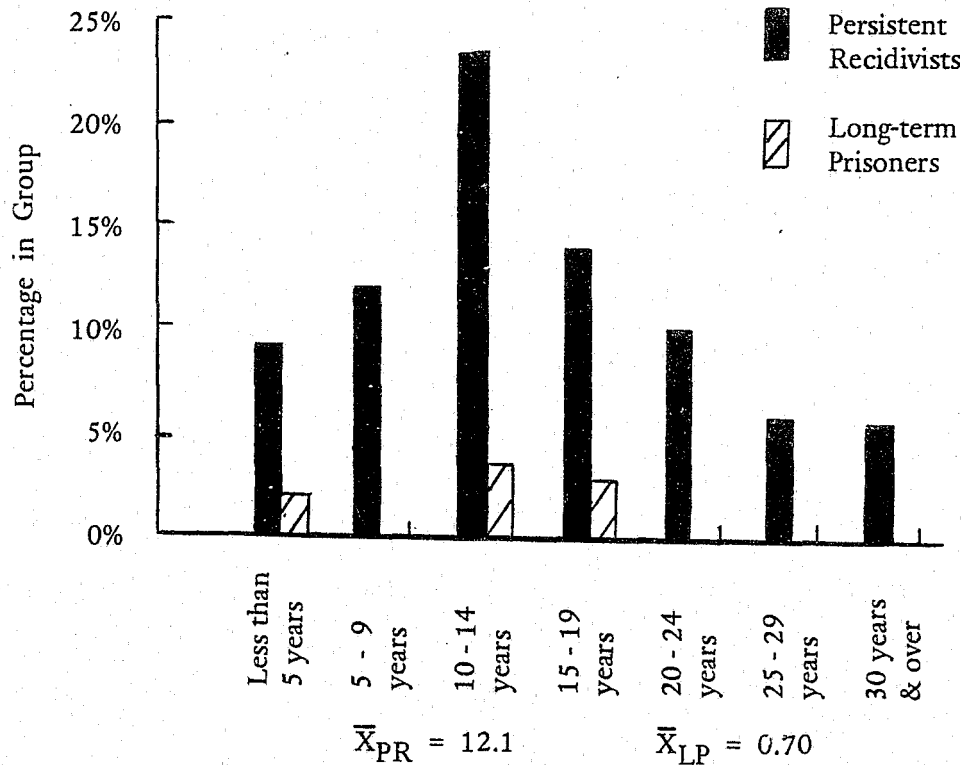
t = 8.419, Significant at df = 124, P < 0.01

Further analysis revealed that there was a remarkably high correlation between the length of addiction to narcotics and the length of involvement in crime (see Table 10).

Table 10 : Persistent Recidivists : Length of Addiction to
Narcotics by Length of Criminal Career

	Length of Criminal Career							
	Less than 5 Yrs.	5 - 9 Years	10 - 14 Years	15 - 19 Years	20 - 24 Years	25 - 29 Years	30 & Over	Total
Less than 5 Years	2(3.8)	3(5.8)	-(-)	1(1.9)	-(-)	-(-)	-(-)	6(11.5)
5 - 9 years	-(-)	3(5.8)	4(7.7)	-(-)	-(-)	1(1.9)	-(-)	8(15.4)
10 - 14 years	-(-)	5(9.6)	2(3.8)	2(3.8)	4(7.7)	2(3.8)	-(-)	15(28.8)
15 - 19 years	-(-)	-(-)	2(3.8)	3(5.8)	3(5.8)	-(-)	-(-)	8(15.4)
20 - 24 years	-(-)	-(-)	-(-)	-(-)	5(9.6)	1(1.9)	1(1.9)	7(13.5)
25 - 29 years	-(-)	-(-)	-(-)	1(1.9)	1(1.9)	1(1.9)	1(1.9)	4(7.7)
30 and over	-(-)	-(-)	-(-)	1(1.9)	-(-)	2(3.8)	1(1.9)	4(7.7)
Total	2(3.8)	11(21.1)	8(15.4)	8(15.4)	13(25.0)	7(13.5)	3(5.8)	52(100.0)

$r = 0.687$

$F_{1,50} = 44.572$

Significant at $P < 0.01$

7.3.   Involvement in Drug Trade

13.8% of the persistent recidivists were employed in the drug trade possibly as a means to support their habits (see Table 11).

Table 11 : Involvement in Drug Trade

	Persistent Recidivists		Long-term Prisoners	
	No.	%	No.	%
Yes	9	(13.8)	9	(14.8)
No	56	(86.2)	52	(85.2)
Total	65	(100.0)	61	(100.0)

$X^2 = 0.022$

Not significant at df = 1, $P < 0.01$

7.4.   Summary on Chapter

Partial correlation tests performed on three variables, namely length of drug addiction (Variable A), length of criminal career (Variable B), and length of time involved with triad societies/gangs (Variable C), yielded interesting results :

$$r_{AB} = 0.703 \qquad\qquad r_{AB.C} = 0.290$$

$$r_{BC} = 0.872 \qquad\qquad r_{BC.A} = 0.752$$

$$r_{CA} = 0.688 \qquad\qquad r_{CA.B} = 0.215$$

A bold interpretation of these statistical findings would be that there is a strong and direct relationship between variables B and C i.e. length of criminal career and length of time involved with triad societies/gangs, while Variable A is perhaps only a by-product of this relationship.

CHAPTER 8

DISCUSSION : A PROFILE AND RECOMMENDATIONS

8.1.   A Profile of the Persistent Recidivist

From the data collected on the mental state, criminal background, addiction history, and relationship with family, a profile of the average persistent recidivist clearly emerges.

Personality-wise, the persistent recidivist can be described as a maladjusted individual who is unsophisticated in his social skills, cannot form meaningful relationship with other people, and is unable to handle real situations rationally. He does not learn from experience or punishment, and always seeks immediate instinctual gratification. Lacking any sense of responsibility, he is easily frustrated and does not as a rule tolerate hardship. To him, there are no morals involved in crime-committing which he sees as a way of life. However, he usually believes that he deserves the punishment imposed on him.

The persistent recidivist's relationship with his family is an impaired one due to two factors : firstly, there is indication that the relationship is not well-founded to start out with, and secondly, the numerous times he has been convicted has accelerated the breaking up of family cohesion.

An examination of his criminal history shows that three significant events occurred approximately at the same time in his life : his addiction to narcotics, his commencement in his criminal career, and his involvement with triad/gang elements. Since then he has been in and out of prison for petty offences.

8.2.   Suggestions to Reinforce Programme of Corrective Treatment

From the profile outlined at para. 8.1., it appears that a comprehensive programme for the treatment of persistent recidivists should essentially include four items : training in social skills, extrication of the recidivist from the tentacles of triad influences, treatment of the recidivist for his drug addiction, and restructuring the recidivist's relationship with his family. A reinforced post-release programme must be designed to facilitate their re-intergration into society.

The importance of training in social skills has been emphasized by Gambill who felt that ideally, time spent in detention should be utilized to develope skills, such as, how to apply for a job, how to resist provocations, and how to interact positively with others. (14) This particular aspect is often overlooked because social skills such as the ones mentioned above are very basic skills and there is the overriding assumption that by natural endowment, one should possess such skills, and training to acquire these skills is thus deemed unnecessary. However, since the psychological assessment of the persistent recidivists reveals that this group of individuals are maladjusted because they are lacking in these basic social skills, training in this aspect should be made an integral part of the total programme.

Of equal importance is that the persistent recidivists must be helped to break away from triad/gang influences. One practicable measure is to have a persistent recidivist sever his triad/gang ties by submitting himself to prosecution in court for being a member of an unlawful society. In this manner, the recidivist may start anew after his discharge from prison. This measure has been tried with young offenders and the results have been satis-factory.

Addiction to narcotics invariably increases the recidivist's liability to be arrested and prosecuted because the possession and taking of narcotic drugs are both arrestable offen-ces, not to mention the fact that the recidivist may relapse to crime for economic gains to support his habit. Therefore, to reduce the chances of future recidivism, the persistent recidivist must be treated for his drug addiction. The drug addiction treatment centres operated by the Hong Kong Prisons Department are established for this purpose.

In treatment centres, the emphasis is placed upon both the physical as well as psychological rehabilitation of the offender. There is also statutory provision to subject those discharged from treatment centres to one year's after-care supervision. During this period, violation of the terms of supervision may ensue in being recalled to a treatment centre for further treatment.

Providing the persistent recidivist with tools to adjust to society more effectively is not sufficient if the recidivist feels that there is no incentive for him to stay within the law. If the recidivist's relationship with his family can be repaired to such an extent that the recidivist feels an emotional attachment and perhaps even a sense of responsibility towards his family, then the incentive may be there to keep him on the line. The important role which the family plays in the rehabilitation process should not be played down.

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(14)   Gambill, Eileen D. "The Use of Behavioral Methods in Short-term Detention Setting" Criminal Justice and Behaviour, Vol. 3 No. 1, March 1976, pp. 53 - 65.

The situation for those with no families is somewhat more complicated. A possible solution lies in the establishment of half-way houses where discharged prisoners with no families to return to can go. These half-way houses should be staffed by officers trained in social work who are competent enough to offer counselling and guidance to help the recidivists to re-adjust to society as law-abiding citizens. In order to ensure that this arrangement achieves the greatest possible effect, it is important for the staff of the half-way houses to establish rapport with their potential residents before the latter's discharge from prison.

8.3. Identification of the Potential Recidivist

The best programme of corrective treatment is one which can effectively prevent future reversion to crime. To implement a recidivism-prevention programme, the potential recidivists must be first identified. This can possibly be done by constructing prediction tables based on the profile of the persistent offender as outlined in para. 8.1. Once identified, the potential recidivist should be placed under the same reinforced programme as the persistent recidivists, although the intensity of the programme can be adjusted as deemed necessary. The details of the construction of a prediction table will be presented as a supplement to this research at a later stage.

8.4. Conclusion

Even though persistent recidivists present a constant barrier to the well-being of society as they intensify social chaos and cause wastage of resources within the penal/rehabilitative regime, they are, because of the relatively minor damages they cause, looked upon as petty offenders and seldom dealt with seriously. In view of such social climate, the present research hopes to have brought about the awareness that many of the reasons which lead to the first commission of crime and subsequent reversion to crime lie within society. As such, it is imperative that society should abandon its apathetic attitude towards these "petty offenders" and actively involve itself in the correctional process by initiating such action as de-stigmatization of ex-offenders, offer of employment, and minimizing rejection, as well as the improvement of general social conditions.

On a more immediate and practical level, it is hoped that the present research has identified a number of areas in which workers in the correctional field should concentrate their effort, thus making feasible the implementation of a more effective programme to cope with the problem of recidivism.

Questionnaire

Please supply following information on Prisoner No. _____

*   For prisoners serving sentences of 6 years and over, present imprisonment may well be first imprisonment. If such is the case, strike out the inapplicable parts.

A. Personal particulars	For Coding

A.   Personal particulars   For   Coding

    1.   Present age _____   1.   _____

    2.   Age first affiliated with triad/criminal elements   2.   _____

        _____

* 3.   Age at first conviction _____   3.   _____

    4.   Educational attainment (please circle one of the following)

        (i)   No schooling and kindergarten
        (ii)   Lower primary
        (iii)   Upper primary
        (iv)   Lower secondary
        (v)   Upper secondary
        (vi)   Post secondary   4.   _____

    5.   Occupation (lawful) before present conviction

        _____   5.   _____

    6.   How long have you been engaged in this trade?_____years   6.   _____

    7.   Sources of income

        lawful _____ %
        unlawful _____%   7.   _____

    8.   Religious affiliation (Please circle one of the following)

        (i)   Nil
        (ii)   Roman Catholic
        (iii)   Protestant
        (iv)   Buddhist
        (v)   Ancestral worship
        (vi)   Other (specify) _____   8.   _____

    9.   Place of birth (Please circle one of the following)

        (i)   Hong Kong
        (ii)   Outside Hong Kong (specify)_____   9.   _____

/ 10.   Marital ......

10. Marital status (Please circle one of the following)

    (i)   single
    (ii)   married
    (iii)   cohabited/common law
    (iv)   separated
    (v)   divorced
    (vi)   widowed

10. _____

*11. At time of first imprisonment, you were/were not addicted to drugs. (delete where not applicable)

11. _____

*12. At time of present admission into prison, you were/were not addicted to drugs. (delete where not applicable)

12. _____

12a. If addicted to drugs, how long have you been addicted?
_____years

13. _____

b. How many times have you abstained from drugs?
_____times

14. _____

13. Residential district immediately before present imprisonment _____

15. _____

B. Relationship with family

14. With reference to the present imprisonment, who have you registered as your visitors? (please circle any of the following which is/are applicable)

    (i)   family members (including grandparents, parents, siblings, wife, and children)
    (ii)   relatives other than listed in (i)
    (iii)   friends
    (iv)   members of religious/welfare organization
    (v)   other (specify)
    (vi)   nil

16. _____

15. Who do you think will visit you most frequently during your present imprisonment _____

17. _____

16. Do you think you will return to your family after discharge (please circle one of the following)

    (i)   not applicable (no family)
    (ii)   yes
    (iii)   no

18. _____

*17. Living arrangement at time of first imprisonment (please circle one of the following)

    (i)   no fixed place of abode
    (ii)   lives alone (fixed place)
    (iii)   with friends/fellow workers (dormitory)
    (iv)   with relatives
    (v)   with family members
    (vi)   other (specify)

19. _____

/*17a.   - - - - - - - -

*17a. Living arrangement at time of present imprisonment (please circle one of the following)

    (i)   no fixed place of abode
    (ii)   lives alone (fixed place)
    (iii) with friends/fellow workers (dormitory)
    (iv) with relatives
    (v)   with family members
    (vi) other (specify)

    20. _____

C. Involvement in Crime

18. Present offence (major) _____

    21. _____

19. Total number of convictions including present one

_____

    22. _____

20. Total number of prison sentences served including present one

_____

    23. _____

21. Time lapse between each discharge from prison and subsequent re-admission into prison

Not applicable _____
1st Discharge to 1st Re-admission =   months
2nd Discharge to 2nd Re-admission =   months
3rd Discharge to 3rd Re-admission =   months
4th Discharge to 4th Re-admission =   months

    24. _____

    •   •
    •   •
    •   •

last Discharge to present Re-admission =   months

    25. _____

22. Type of offence committed on (major one)

Not applicable   _____
1st conviction   _____
2nd conviction   _____
3rd conviction   _____
4th conviction   _____

    26. _____

    •
    •
    •

last conviction   _____

    27. _____

23. Are you a triad member? _____
If yes, which society do you belong to? _____

    28. _____

24. You are a/an _____ in the triad society
(please circle one of the following)

    29. _____

    (i)   passive member
    (ii)   active member
    (iii) officer bearer

    30. _____

    31. _____

25. Have you ever been involved in the drug trade?
Yes/No _____

    32. _____

D. Institutional Adjustment

26. Have you committed any breaches of discipline during your previous prison sentences?_____
    If yes, how many times? _____
    List out the nature of each breach against discipline
    _____

    (27, 28, 29 - information from penal records)

27. Has the prisoner been known to have engaged actively in gang activity within prisons during his previous and present prison sentences?

    _____

28. Has the prisoner ever been classified as a category A or category B prisoner? _____
    If yes, why? _____

29. Is there any psychiatric report in the prisoner's file?

    _____

    If yes, how many? _____

E. Concept of Criminal Justice

30. Do you think that society has treated you with fairness?

    _____

    If no, do you think that you are getting even with society by committing crimes? _____

31. Do you believe that crime -committing is a justified way of making a living? _____

32. Do you thing that the sentence(s) imposed on you by the court is fair?
    fair/unfair (delete where not applicable)
    if unfair, why? _____

F. Physical Deformities

33. Does the prisoner bear any physical deformity e.g. physical disability, facial distortion etc.?

    _____

    If yes, the physical deformity is _____
    (Please circle one of the following)

    (i)   severe
    (ii)   moderate
    (iii)   mild
    (iv)   negligible

33. _____

34. _____

35. _____

36. _____

37. _____

38. _____

39. _____

40. _____

41. _____

42. _____

43. _____

44. _____

45. _____

46. _____

47. _____

48. _____

49. _____

50. _____

51. _____

52. _____

53. _____

54. _____

55. _____

END