

Beleving van de werkstraf in de buurt door jeugdigen

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**YOUNG OFFENDERS' EXPERIENCE OF COMMUNITY
PUNISHMENT IN THEIR OWN NEIGHBOURHOODS**

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English summary and conclusions

Community service punishments in the Netherlands are given to both adult and youthful offenders. They serve their sentences either individually or in groups and at a variety of locations. This evaluation study deals solely with offenders of minor age (12 to 17) who carry out community punishments 'in the neighbourhood'. Our primary focus is on how the offenders *experience* their punishments. What is it like for young people to do punitive community work in their own neighbourhoods? To assess this issue, which we distinguished into eight research questions, we first determined how many such sentences are being handed down by Dutch courts, and where and how offenders perform them 'in the neighbourhood'. The study consisted of three parts: a literature review, a mapping study of community service punishments coordinated by the Child Protection Board, and an ethnographic field study.

Theoretical framework

Chapter 2 examines some criminological theories that were relevant to the study. In particular, we discuss *naming and shaming* and the role of emotions in how offenders perceive being punished. The primary goal of *reintegrative shaming* is that significant others with whom an offender has affective ties will make clear their disapproval of the offence (naming) and demand that the perpetrator accept responsibility for it (shaming), but without treating the offender disrespectfully. This is contrasted with stigmatisation, in which an offender receives a negative label on account of the act, and which may contribute to *disintegrative shaming*. Earlier Dutch research has found wide variations in whether and how offenders sentenced to community service perceive the work as punishment. These appear to be associated with the presence or absence of feelings of shame or guilt and with the perceived or actual reactions of people in the offenders' environments. Shame is a negative feeling towards others that arises from not living up to their expectations and ideals. Guilt feelings are a more individual issue; they arise from violating one's own internalised values and norms.

Punishments served in offenders' own neighbourhoods

We held interviews with community punishment coordinators to obtain nationwide data on how many offenders were sentenced to community service in their own neighbourhoods. By 'in one's own neighbourhood' we understood in practical terms the neighbourhood or immediate living environment of the young offender. In some rural cases, a village comparable in population to a small urban neighbourhood was regarded as a neighbourhood. In virtually all of the 22 Dutch Child Protection Board branches (in 13 regions), some young offenders were assigned to do community work in their own neighbourhoods, but that was mostly coincidental, episodic or for practical reasons. Ten branches were operating a total of twelve projects that either focused on the neighbourhoods where offenders lived or ensured that the workers' tasks or clothing made them recognisable as community service offenders. Eight of those ten branches made community service assignments that were purposely de-

signed to be performed in the offender's neighbourhood of residence. Four such projects involved individual placements. The content of the work in groupwise projects often did not live up to the coordinators' preferences. These were set up either to deal with a large influx of offenders or to accommodate people who, for behavioural or other reasons, needed more supervision than individual neighbourhood placement could provide.

How many young people per year were carrying out punitive community service, either in their own neighbourhood or in the area where they committed the offence (research question 1)? We were unable to properly answer this question, because most coordinators kept no annual statistics or reports on the numbers of young offenders working in their own neighbourhoods. Most coordinators did report making more individual than groupwise placements.

As to the characteristics of the community service work (question 2), the offenders always performed 'supplementary tasks'. In accordance with occupational safety legislation, the work was not to be too strenuous. In groupwise projects, offenders mainly did maintenance, cleaning or repair work. Tasks in individual projects were more varied. Before job assignments were made, individual assessment interviews were conducted with offenders and sometimes parents, followed by get-acquainted interviews. The offender, the community punishment coordinator and the supervisor of the intended work project discussed what the work would entail; agreements were made and rules explained. Coordinators did not always stay in touch with offenders while the work was in progress. Sometimes an exit interview took place after completion. On-site supervision in individual projects was in the hands of the organisation where the work was carried out; in groupwise projects, the Child Protection Board contracted overseers.

Punishments in the neighbourhood where the offence occurred

Placement of offenders in neighbourhoods where they had committed a crime was rare. There were no permanent projects focusing specifically on such neighbourhoods. Although occasional placements did occur, our data allows no conclusions about how offenders experienced them. Some interviewed offenders did argue explicitly for a more direct connection between the crime committed and the punishment received.

The young offenders

On the basis of our mapping study, we selected seven projects for in-depth field research. We interviewed 30 selected offenders working in those projects and conducted participant observation and informal interviews with work supervisors, project overseers, neighbourhood residents and offenders. The large majority of young offenders with community service punishments were male. Some common characteristics were their often low educational attainment and their penchant for 'street culture' and the associated values such as macho behaviour. Three subgroups could be distinguished amongst young offenders serving neighbourhood punishments: neighbourhood youth, independent youth and last-chance offenders. *Neighbourhood youth* hung out mostly in the neighbourhoods they lived in (often villages) and were usually first offenders; some tended to migrate towards cities as they grew older. *Independent youth* were living temporarily or permanently away from their par-

ents, some of them in supervised accommodation. Some of the *last-chance offenders*, all of whom had previously served or prematurely abandoned a community service sentence, had serious behavioural problems.

During the initial assessment, first offenders were given more leeway than repeat offenders to express preferences about the content and location of their work assignments. All interviewed coordinators agreed that placements should be well suited to the individual offender. But not all the interviewed offenders felt that their own wishes and preferences had been taken into account.

Recognisability of offenders in community punishments

The nature and strenuousness of the work varied between the seven projects we studied. All group projects had an overseer and many had work supervisors; individual projects had work supervisors only. The overseers had considerable experience in working with young people but had no specific training in supervising community punishments. Offenders gave mostly positive judgments of the overseers.

Were local residents generally informed that young offenders were to do community service work in their neighbourhoods (research question 3)? Virtually all coordinators reported in our survey that this did not happen in either individual or groupwise projects. The reason most commonly given was that the coordinators were wary of negative effects like stigmatisation of the offenders, exacerbation of the punishment or neighbourhood unrest. Another reason was to protect the offenders' privacy. Some coordinators believed neighbourhood residents would know the workers were offenders anyway, making it unnecessary to tell them. Occasionally the neighbourhood was informed in newspaper articles. None of the seven projects we analysed in depth had actively notified the neighbourhood. Especially the neighbours in the vicinity of a work site would have been aware of the nature of the work, partly because of the work routines at certain hours of certain days.

Were the young people recognisable as community service offenders as they performed their work in the neighbourhood (question 4)? During initial interviews, recognisability proved a sensitive topic for many young offenders. Depending on their project or work site, they were recognisable as offenders to varying degrees. In individual projects, residents or passers-by might more readily assume they were doing a student placement or part-time job than was the case in groupwise projects.

Did the young offenders themselves think neighbourhood residents were aware they were serving a community punishment (question 7)? Offenders were most likely to feel stared at if they worked in the more conspicuous projects in the public domain. Coordinators and project overseers reported that projects in cities and railway stations were more unmanageable, partly because those participants were the most likely to feel their compulsory work clothing made them recognisable to bystanders. In actual fact, participants in public groupwise projects were recognised as offenders to different degrees. That depended less on efforts to inform the neighbourhood than on the recognisability of the clothing. A small percentage of group project participants tried to make themselves less conspicuous by taking off their orange bibs or working at a distance from the group, as if they had nothing to

do with it. Project overseers responded stringently and delivered warnings or yellow cards. Resistance to wearing the high-visibility bibs tended to diminish as the sentence progressed.

Neighbourhood reactions and interactions with bystanders

What reactions did offenders receive from neighbourhood residents; did any interaction occur between offenders and residents (question 5)? Logically, some projects, groupwise ones in particular, seemed to lend themselves more to neighbourhood reactions or interaction. At the same time, participants in group projects could get so absorbed in their work that they paid little attention to bystanders, even if their work gear and other attributes made them conspicuous to the neighbourhood.

Some offenders were afraid of being stigmatised by 'friends' as 'neighbourhood delinquents'. Generally, people were less sensitive about the opinions of age-group peers who had been in the same boat. There were also some participants that derived status from 'delinquent behaviour' and/or feared that doing such chores might harm their tough image. Sensitivity about reputations appeared highest in city youth and was accompanied more often by obstinate behaviours such as refusing to wear the mandatory work gear. Yet the large majority performed their tasks 'normally' and were more likely to be taciturn and restrained than confrontational.

Reactions from neighbourhood residents and passers-by varied. Some offenders and overseers were straightforward in informing them that the work was part of a community punishment project. But most were cautious about interacting with the neighbourhood. The amount of information released about the project often depended on the outlook and mentality of the overseers. They based their approach on questions as: What are the pros and cons of letting people know? What approach will enable the offenders to function optimally while serving their sentence and will minimise the dropout chances? The strategy adopted often depended on the specific workplace and location where projects were carried out.

Although young offenders might at first be apprehensive about neighbourhood awareness of the project, they would often loosen up if residents or passers-by made compliments. Positive reactions were particularly likely if the workers showed they were diligently carrying out their punishments. Yet negative reactions from youth, residents or others could not always be avoided. A number of factors interplayed here. One of these was whether the offenders stuck to the agreement to be friendly, polite and correct in their interactions with clients or patients. Overseers generally took up for offenders who were the target of provocations from bystanders while they were performing their sentences.

Group dynamics

External influences from friends, relatives or passers-by tended to have a stronger impact on the young offenders than internal group processes, both in a positive sense (approval of the work they were doing) and in negative ways (getting distracted, feeling gawked at, losing status). In individually assigned tasks, group processes were relevant at most in contacts with regular staff members doing similar work. In groupwise projects, the emergence of group processes depended on the kind of work being performed. Group processes were

more likely to arise in some types of projects than in others. Another factor was that many offenders did not serve out their whole sentences in groups containing the same people.

Community punishment coordinators tried to anticipate potentially negative group processes as they assigned offenders to work crews. Well matched groups were obviously in the interest of the project overseers. Attention was paid to age and gender distributions in groups, and offenders were preferably selected who did not yet know one another. Despite this, problems could arise when groups were not adequately put together, participants were recalcitrant or work settings were injudiciously chosen. This was especially true of locations where offenders had a good chance of bumping into people they knew from criminal or other environments.

Overseers appreciated receiving more specific information beforehand about individual offenders from the community punishment coordinators; often they were not informed about what kind of young people to expect. Overseers in group projects were more called upon to exercise their educational and training skills than supervisors in individual projects.

Ethnic background, streetwise values and bragging about crime generally played very minor roles in the group dynamics we observed. That was probably because the groups were put together with ethnic and other diversity in mind. Unfamiliarity with the habits and mores of other participants, along with the rather small size of groups, was usually enough to prevent cliques from forming in the course of the work projects. Some offenders reported that they felt pressure from other participants to break rules. Nevertheless, in contrast to reports in some of the literature about recalcitrant group behaviour and 'street groups' with tough reputations, we observed only limited degrees of glorification of street values or ethnically inspired individual or group resistance. Probably that was due to restrictions put on spontaneous social interaction within the group. The strategic composition of groups and the short-term nature of the community punishments served to attenuate street values and largely neutralise the clique formation feared by overseers. Many young offenders also showed themselves little impressed by macho behaviour and boasting from their peers. They sometimes even derived positive motivation from refusing to follow the examples of fellow participants who acted recalcitrantly in the work projects.

How offenders perceived their community punishments

How did offenders experience the neighbourhood punishments (research question 6)? Most reported seeing positive sides to the community service. They cited relaxed atmospheres and pleasant workplaces (particularly in individually organised projects) and to a lesser extent they cited the content and diversified nature of the work. Working on Saturdays and doing tedious or unpleasant work were more likely to be experienced as punishments.

What qualitative differences were evident between young offenders in the ways they perceived the community punishments (question 8)?¹ In terms of social bond theory,

¹ We had originally planned to investigate whether different perceptions arose from work in offenders' own neighbourhoods and work in neighbourhoods where they had committed their crime. Since specific placement in the latter turned out to be rare, we could not study this aspect.

we would have expected that categories of offenders who rarely went to school, who were unemployed (but hung about more on local streets) and were little involved with conventional activities but more with street culture would stand to suffer less reputational damage 'within their own group' if they were seen doing neighbourhood punishment (chapter 2). In our study, that would have applied the most to last-chance offenders. But our expectation was not always borne out, and sometimes this group even seemed to risk more reputational damage. This finding is, in fact, consistent with subcultural theories, particularly with regard to the role of status, prestige and pride. Some indications of this were to tasks like street sweeping or to the prohibition on fashionable clothing, as well as displays of macho behaviour when friends passed by.

Visibility

Young offenders across the board expressed qualms about the neighbourhood visibility and recognisability of their punitive community work, but the categories of independent youth and last-chance offenders reported more misgivings than neighbourhood youth (who were also more likely to be first offenders). Broadly speaking, ethnic minority youth reported more misgivings than ethnic Dutch youth. The 'tatty' work clothing that was often prescribed formed a stark contrast with the well groomed, logo-branded identity that was cherished by urban youth in particular, especially by those from some ethnic minorities.

The viewpoints of young offenders about neighbourhood community punishments, and about the potential recognisability as offenders, revealed a complex, multi-faceted issue. Even if their initial concerns about visibility were later eased or even allayed by positive reactions from neighbourhood residents, they still did not welcome such attention. Although they gave more negative ratings to the element of recognisability than to the element of being punished in their own neighbourhood, many offenders nevertheless felt that recognisability was 'all part of the punishment'.

Learning experiences

The interviewed young offenders were generally positive about their overseer, whom many described as strict but kind. They particularly appreciated clarity and fairness from overseers in explaining tasks and in interacting. As to the content of the work, most reported having learnt little or nothing from their community punishment. Many found this understandable, given the punitive nature of the work. Some would have preferred a work task that was more clearly related to the crime they had committed.

The significance of being punished 'in your own neighbourhood'

It was important to the young offenders that the workplace was near home, and in that sense they were pleased with placement 'in their own neighbourhood'. On the other hand, publicly visible work projects gave rise to many outside distractions, and comments from bystanders could adversely affect group dynamics. Whilst not wanting to be too conspicuous to peers and passers-by, offenders did appreciate compliments from residents. They even saw positive effects from the fact that the punishments were performed under the observant eye of residents and bystanders. That might just put an end to complaints that young

offenders always got off with minimal or no punishment, merely because many punishments were not visible to the public eye. Offenders should not mind showing how hard they work.

Shame, guilt and ridicule

As we had anticipated from the literature, it was not easy for many young offenders to precisely differentiate between feelings of shame and guilt and to apply such notions to themselves. On the basis of the data we obtained from the interviewed young people, we can distinguish four categories of offenders. A substantial minority reported feeling *no shame* (they neutralised the offence by blaming the other). A small majority *did feel ashamed*. How much shame they felt depended on the nature of the crime. They especially felt shame towards their parents and relatives, but also towards girlfriends, victims and friends. Guilt feelings were about equally prevalent to feelings of shame; most people who felt guilt also felt shame (especially when goods had been stolen). A minority felt *guilt but no shame*, and 'confessions of guilt' did not always seem entirely sincere ('I may have hit him too hard, but he was asking for it'). And a small group reported feeling *shame but no guilt* (for instance, they had been caught with drugs and saw nothing wrong with that, but now their parents knew they took drugs). A final group were firmly convinced they were in the right, and hence felt *neither shame nor guilt*.

The theory of *reintegrative shaming* points out that young people who must carry out punishments in their own neighbourhood could feel they are being treated disrespectfully and could perceive the punishment as humiliating. Indeed, assigning offenders to neighbourhood work carries a potential risk of *disintegrative* shaming if negative reactions or social exclusion occur. However, the positive neighbourhood reactions that we noted in our study seem to provide more evidence of *integrative* shaming. Yet even though we encountered few real examples of ridicule in our study, the young offenders still feared it, and a few felt they had actually experienced negative gazes and criticisms. This occurred not least in projects in which offenders were required to wear certain types of clothing, such as orange bibs. Many were not aware that such clothing was required by occupational safety legislation; this could have been better explained.

Conclusion

The fact that young offenders carry out community service punishments in their own neighbourhoods, or the fact that they are recognisable as offenders, does not appear to be the most important factor in their perception of such punishments. More significant factors are the person and the working methods of the project overseers, the nature of the work and the ways the offenders experience it. They seem most inclined to rate neighbourhood projects positively if they perceive the work as worthwhile, if the atmosphere is pleasant, if the supervisor or overseer is 'cool' and forthright, and if they feel valued as persons. Residents of the neighbourhoods in question can help them feel appreciated.

