

## A Case of Criminals in Zimbabwe: Reflections on Recidivism and the Effects on Communities in Less Developed Countries

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### Abstract

In Zimbabwe right now, crime and criminality are reaching previously unheard-of proportions. Jails are overcrowded, thus decongestion measures and the idea of open prisons are being considered. For instance, the Harare Central Prison has a daily holding capacity of 1470 inmates, but on average it holds more people each day. The efforts to encourage practical skills to help convicts reintegrate into society are not succeeding in sufficiently rehabilitating the offenders. While they are serving their prison sentences for the crimes they committed, some of the offenders have been observed ridiculing efforts to pursue skill training. The study, which was grounded in the social learning theory, used a qualitative methodology with a sample taken from local prisons in the provinces of Harare, Mashonaland West, and Midlands. Interviews were employed in the study to gather information from the sample of 60 respondents. 52 of the responders were prisoners, while 8 were prison guards.

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### Introduction

Crime and criminality are fueled by many LDC governments' inability to convincingly address their macroeconomic realities. Some ex-offenders may not be fully rehabilitated even after release, which can lead to reoffending, rearrest, reconviction, and further incarceration. This research of inmates from the Kadoma, Mashonaland West, and Harare Remand prisons in Zimbabwe proved the likelihood of recidivism in many communities owing to a variety of problems. The biggest cause of crime after release from prison was society's reluctance to recognise the ex-offenders' newfound capacity for rehabilitation. They were repeatedly plagued by the stigma till they believed there was no way out of jail. As a result, the ex-offenders decided to go back to jail because society wasn't giving them a chance.

### Community Recidivism in Less Developed Nations

According to Maltz (1984) <sup>[40]</sup>, recidivism in the context of the criminal justice system is the return of any individual to criminal behaviour following a prior conviction, sentencing, and rehabilitation for the same or a comparable crime. Some of the prisoners doing time in Zimbabwean prisons have been

observed quickly returning to such facilities. The arguments put out for this position have been numerous and diverse. This viewpoint is in line with that of Muchena (2014) <sup>[41]</sup>, who noted the high rate of recidivism in Zimbabwean jails. According to those questioned, some prisoners simply give up on everyday life and seize the next opportunity to return to prison after completing their sentences, which defeats the goal of the Zimbabwe Prisons and Correctional Services, whose main objective is to rehabilitate and integrate all offenders who enter the prison into society.

Every prison facility aims to rehabilitate inmates rather than only punish them, yet some inmates fail to recognise the institution's effort to provide them a fresh start through skill development. After being released from prison, the ex-offenders would have new opportunities for survival thanks to hands-on training. With these abilities, ex-offenders would be able to live lawfully and sustainably. Everyone wants to be at peace, regardless of their position in life. However, some criminals deny themselves this by continuing to commit crimes and act criminally, which ultimately causes recidivism. The Harare Remand Prison convicts who took part in this study indicated that segregating offenders in prisons is a long-

term solution for controlling infrastructure vandalism problems. To avoid the young or first offenders from becoming corrupted by this bunch, segregation of offenders requires dividing the offenders so that the experienced and the first and young offenders are separated. They stated that D Class offenders are still distinct individuals, and grouping them together as the authorities do frequently makes them more difficult to deal with. In order to foster a thorough rehabilitation process for the offenders, the respondents recommended that opportunist offenders and hard-core criminals be kept apart at all times throughout the criminal justice processes.

'If say a person was in custody for a crime of rape which is classified as a D class offence, such as murder, robbery, or armed robbery, fraud, or violation of the Zesa/PTC Act, the inmates may be tempted to try the high risk but paying crimes because there is a lot of coaching that takes place within the prisons,' said one respondent (HP 16) from Chikurubi Farm prison. To make room for the rehabilitation of first-time offenders or those with minor offenses-the same approach used for juveniles-the career offenders-those criminals determined to persist on committing crime-need to be left alone. Respondent KP 03 from Kadoma jail had the same opinion, stating that the greatest method to deal with crime in the long run is not to encourage first offenders to become harder by exposing them to some of those hard core criminals. In prisons, there is a lot of coaching and mentoring, according to my brother. Some first-time criminals may actually leave jail with the intention of engaging in riskier but more lucrative criminal endeavours like smuggling, robbery, or even murder. I believe that if criminals are kept apart, crime can be controlled. The State shouldn't try to avoid paying the charges by claiming there aren't any funds available. They should make a sacrifice. With that, I submit, my brother. (He then started to giggle) When interviewed one of the Officers in Charge at Harare Remand Prisons indicated that while the idea segregating the offenders was noble, the prisons did not have that kind of space and resources. He stated that the Harare Central Prison for instance has a holding capacity of 1470 but is on average having to contain with around 2000 inmates at any given time. This shows clearly that the prisons are overwhelmed.

The study revealed that the D Class inmates at the Chinhoyi Remand Prison (Mashonaland West Province) indicated that they were heavily assaulted by the police at the time of arrest as well as during the investigations. Assuming that this response was true this attitude of the police seems to confirm the position that ordinarily criminals do not volunteer information during the investigations. This being the case the police need to find ways of securing the information from the accused persons. This information is what the police will then present as evidence in a court of law. The courts are however supposed to reject any such evidence extracted from the suspects following such levels of interrogation.

According to the danger or security assessment, there are four types of convicts, as shown by the documents examined at the prison reception. The classifications for these are A, B, C, and D. Unless the Commissioner approves a "B" classification, every prisoner who has ever fled or attempted to flee is to be assigned a C or D rating. Class A prisoners are those who are considered no risk at all and who could be held in an open prison. It includes persons who have short sentences and who are well known to have family ties, etc., persons at the end of

a long sentence with earned remission, persons who have demonstrated by good conduct, trustworthiness, co-operation and diligence that they have a genuine desire to reform.

The D class inmates are prisoners with a record and/or convictions of serious crime of daring or aggressive nature or other aggravating circumstances such as robbery, rape, violence in one form or another, or participation in daring escape or gang activities involving e.g. knife assaults. Any prisoner, who, it is considered, will not hesitate to inflict serious bodily harm in order to escape. All extended sentence prisoners and prisoners serving sentences of life imprisonment shall be classified as "D" on admission to prison. This group will include persons likely to receive outside aid e.g. prominent saboteurs. (Source: ZPS Standing Orders).

These numbers are far higher than the 1470-inmate holding capacity of the Harare Central Prison, according to prison officials who were interviewed. These statistics appear to support the arguments made by interviewees who attributed high crime rates in neighbourhoods to the state of the economy. Some of the convicts at Chikurubi Maximum claimed that the police's treatment of them prevented them from reforming. Most of them claimed that getting arrested was not the problem; rather, how they were treated during the arrest led them to start committing crimes again, claiming that they had been brutalised the first time they were detained despite the fact that their offences did not call for such brutality. They said that because the Constitution guarantees respect for the accused, those who have been accused should receive it. These prisoners believe that the police should act professionally while they carry out their constitutional duties, and that if they did, it would not generally lead to hostility between the publics and the police or recidivism. However, Moore (1992)<sup>[29]</sup> argues that the citizens ought to understand that the core mission of the police is to control crime.' Any perpetrators should thus understand that police officers are not *salvation pulpit practitioners*. They have to emphasize that peace is realised within communities. Peace and tranquility within communities fosters economic growth and promotes foreign direct investment and the police are the main State machinery to ensure that this is realized. Tony Parker (1963)<sup>[42]</sup> cited by Mc Laughlin (2003:47) weighed in and said accused persons should never decry police heavy handedness because "...the occupational hazards associated with being a professional criminal included being beaten up in police custody, having to offer a bribe to officers, having evidence planted on them and being fitted up for crimes not committed."

## Conclusions

Communities have the power to prevent recidivism; most jails are overcrowded; criminal segregation has no place there; and police officers frequently use excessive force when interacting with suspects.

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