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Young ex-offenders and recidivism

Estonia

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Executive Summary:

This case study looks at young ex-offenders in Estonia. The main focus of this analysis is how and in what domains young ex-offenders experience stigmatisation, and what impact stigmatisation has on their lives. The study also looks at the strategies young people have to avoid the negative impact of stigmatisation, and how stigmatisation affects a person when the label is internalised. The report is based on the analysis of 22 qualitative interviews with 24 young persons (21 male and 3 female), who have been convicted for a criminal offence. A photo elicitation approach as well as a peer-research approach were used to collect data. Fieldwork took place from August 2017 until March 2018.

This report should be read in conjunction with the document "Individual case studies – introduction."



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1. Introduction

In the current research, our argument follows the tradition of a labelling approach in criminology that looks at how people come to be defined as deviant and then examining the implications that such definitions hold for the future offending behaviour (Muncie, 2010, p. 140).

States react to unlawful acts committed by young people through their criminal justice system, either placing them on parole in cases of less serious offences or imprisoning in cases of serious or repeating criminal acts. Although the main idea of interventions is the rehabilitation of young people via the influence of risk factors that are associated with delinquency, the effect is often the opposite to the desired one. A study of recidivism conducted in Estonia in 2010 revealed that the highest risk of recidivism was among convicted juvenile offenders. Every third person from 14 to 18 commits their next criminal offence already within a year after their previous conviction (Ahven, Salla, and Vahtrus, 2010). High recidivism rates indicate that reacting to delinquent behaviour by punishment and isolation is rather an ineffective strategy.

The reasons of such inefficiency are various but one of them is related to stigma attached to young delinquency because of their treatment by the criminal justice system. As Muncie (2010) notes, stigmatisation means creating difference and the latter is translated to undesirability and inferiority of a particular group. The stigmatised are cast as not quite human.

It may be useful to distinguish between public stigma that refers to discrimination by powerful groups, and self-stigma, when ex-offenders internalise these beliefs against themselves (Chui and Cheng, 2013). The first can lead to the second one and hinder reintegration. Several studies have demonstrated frustration that ex-offenders face with locating and securing employment (Pager, Western, and Sugie, 2009; Paat, Hope, Lopez, Zamora, and Salas, 2017) and education opportunities (O'Reilly, 2014). Ex-offenders attribute these difficulties to incarceration records, lack of stable work history, low educational attainment, and employers' misperceptions about the character of ex-convicts. Research in life-course criminology has demonstrated that desistance from crime is associated with the successful transition to adult roles (Laub and Sampson, 1993). Strong family, completed formal education, and stable work are often mentioned as the main turning points playing the important role in desistance from a criminal career. The "enduring stigma of a felony conviction imposes restrictions on parental rights, work opportunities, housing choices and myriad other social relationships, isolating ex-felons from their communities and fellow citizens. In short, both the rights and capacities of ex-offenders to attain full citizenship are threatened" (Uggen, Manza, and Benhrens, 2013: 260).

Although stigmatised persons may resist the stigma, it will often result in low self-esteem, self-exclusion, sense of inferiority and acceptance of the role attached by others. The internalisation of the stigma results in "why try" effect. "Why try" includes three components: self-stigma that results from stereotypes; mediators such as self-esteem and self-efficacy; and life goal achievement, or lack thereof (Corrigan, Larson, and Rüsche, 2009).

The focus of the PROMISE project is on participation, conflict, inclusion and innovation and, therefore, ex-offenders seem to be a group that definitely fits these criteria. From previous experience while conducting research with young delinquents, participating in committees for various intervention programmes, I learned that these youth are often blamed for being inactive, difficult to reach, never

grateful for the opportunities offered or delivered to them by the criminal justice authorities. Current research allows to go deeper into the problem and concentrate on the young peoples' views and problems they face; to learn how they see their relation to society; and what are the reasons for them to avoid any contact with the state whenever it is possible.

While the civil and political participation of young people is often analysed as a dichotomy participation vs non-participation, research on Swedish youth suggested that political passivity is a complex phenomenon and along with 'standby citizens', two kinds of genuinely passive young people could be outlined: unengaged and disillusioned citizens. Alongside active citizens, these people are in distinct categories with regard to their political behaviour (Amnå and Ekman, 2014). The majority of ex-offenders belong to the category of disillusioned youth. They do not identify themselves with the state, quite opposite, they are in conflict with the state.

As previously mentioned, disillusionment characterises not only young offenders' political and civic participation, but they also avoid participation in specific programmes and activities that are designed with the goal to help those young people, provide support, increase social skills and through these, also self-esteem, help to find education or start a working career. These programmes are offered either by probation or by some NGOs and are seen by the state as a measure of inclusion and reducing of recidivism. However, many of these programmes do not seem to work. It may be suggested that in the eyes of offenders' intervention programmes, they are associated with the state authorities and, therefore, not trusted by them. More effective may be peer-to-peer programmes that are based on trust, increase self-esteem of those who provide the programmes as well as of those who take part in them. It may be a better solution for the integration of ex-offenders and prevention of recidivism.

2. Methods

The main challenge for this research was to study young offenders as a group, while they do not form any coherent group. One of the possible approaches would be to reach young people in prisons, where they are locked together. However, it was not possible to obtain permission for the ethnographic study to be conducted in a prison. Therefore, it was decided to recruit young offenders into the study via probation, organise them as a group and conduct the research using a photo elicitation method. To achieve this goal and to enter the field we invited representatives of Ministry of Justice and the Probation service to participate in a National Policy and Practice Network (NPPN) – group. We organised a meeting, where the outline of the course was presented by the course teacher, the PROMISE project was introduced and the strategies of recruitment discussed.

To make young people more motivated to participate in the research, the research team in co-operation with colleagues from the Estonian Academy of Art organised photo art course for young people on probation. To motivate potential participants even more, we negotiated with the Probation service and Prisons Department of the Ministry of Justice that participation in the course would be counted as a social programme, if the court assigned this obligation to the young person. Our ambitious aim was to recruit 20 persons and divide them into two groups. In reality, 15 persons expressed their interest in the course and the probation officers provided us with their names. Only six persons appeared at the first session and five of them attended the course more-or less regularly.

The course lasted from the end of August 2017 until mid-October 2017. The group met for a 3-hours “mandatory” session once a week and one “optional” meeting to attend exhibitions. To avoid stigmatisation, the young people were treated as students – we met either at the University of Tartu law faculty building or in the labs of the photography department of the Academy of Arts. The course was titled as “Photo Art Course” and we never mentioned “offender” or “delinquent” in any written or oral communication. There was a Facebook closed group for the participants of the course to serve as a communication platform, share assignments and photographs. The structure of the assignments at the course was directed by the research questions:

1. What are the consequences of and constraints on young people resulting from stigmatisation as young offenders?
2. What are the sites, agents/agencies and forms of conflict and stigmatization encountered by young people?
3. What forms do young people’s responses to stigmatization and conflict take? What meaning do young people attach to them?
4. What role do intergenerational relations play in both causing and overcoming conflict and producing social innovation and change?
5. How might the experience of young offenders in finding creative responses and driving social change out of conflict be transferred to peers?

We wanted to lead young people to tell a story of their life via photographs and the assignments were: portrait, one day of my life, people who are important to me, places important to me. The course ended with the exhibition “My Story” in the Children’s Art Gallery.

To collect material for the exhibition and also to have material to initiate the interviews, two weeks prior to the end of the course, we gave the young people disposable cameras and asked them to make photos and bring the cameras back to the researchers, so we could develop, scan, and edit images for the exhibition. This was crucial moment in the dynamics of communication between the group and the researchers. For some reasons that we did not understand at that moment, this task was not completed; young people did not attend the remaining sessions except one, the youngest participant (SAM, 15). SAM was the only one to attend the exhibition too. Although we did not get photographs made for the exhibition, we used materials from home assignments and work in class as the material. The exhibition was open for visitors for two weeks and, according to feedback from the curator, was attended by the public.

To reflect on the experience of the organisation of the art course for young offenders, I should confess it was a very complicated and stressful task. The main source of stress was to make young people participate in the course. Every week, in addition to an announcement in the Facebook group, I sent a reminder to participants regarding the time and place of our meetings. If there was no confirmation or reply, I called the young people and invited them to the session. The task was not easy because phone numbers were changing nearly every week. Young people use prepaid cards and often, have no credit on their phone to call back. They do not share their accounts in social media, e.g., used accounts of their friends to join the group and in every sense, were trying to be as anonymous as possible.

While designing and delivering the photo art course, I always was aware about the stigmatising effect of interventions. Therefore, the vocabulary we used and places we met were as “normal” as possible

and no authorities ever attended the course or were allowed to the Facebook group. However, after the analysis of the interviews, I realised that I did not think about self-stigmatisation resulting in low self-esteem and low efficacy of the young people. What was “normal” for me and my colleague from the Art Academy was may be too overwhelming and demanding for kids with different backgrounds. However, the experience of the course was an excellent experiment to study the (non)participation and (non)engagement of this group. At the end of this stage of field work, I had obtained three interviews, while two persons had disappeared completely. After several attempts to reach them, I gave up and concentrated on the other forms of recruitment.

The first part of the field work demonstrated the importance of trust in approaching and communication with young offenders. The research team tried to reach young people via probation officers and that made the university people appear to look as representatives of the authorities in the eyes of respondents. Therefore, it was decided to use a peer researcher approach to complete the fieldwork. Luckily enough from the point of view of the research, one of my graduate students was also fitting to the target group of our research. Having committed several offences in the past and being punished and stigmatised by the criminal justice system, the student had a trustful relationship with many young people with a similar background. The moment we decided to use the strategy of peer-research, was the breakthrough in the fieldwork. All interviews were collected in a relatively short period of time: between mid-December 2017 and mid-January 2018.

In total, 22 semi-structured interviews were conducted with 24 young ex-offenders, one of the interviews was done with three persons. The youngest respondent was 15, the oldest 27, the main age of the respondents was between 21 and 25. There were 3 females and 21 males in our sample. Although males are overrepresented, the proportion reflects the gender distribution among offenders. In 2017 the proportion of females within those on probation was 8%, while only 5% among incarcerated persons. (Ahven, et al., 2018, lk 119) For all respondents, we collected written informed consent for young people; and for those under 18, parental consent was also obtained. All interviews were recorded, transcribed and analysed using NVivo 11 software.

The average length of interviews was 35 minutes, the longest 1 hour 20 minutes, the shortest 14 minutes.

3. Key Findings

3.1. Stigmatisation experience

Most of the respondents interviewed for the project have experienced prejudices, discrimination or an unequal sort of treatment by society in general or by institutions. Usually, such attitudes are expressed by strangers, while relatives and close persons have more tolerant feelings.

Yes, well, prejudices I've seen that. Well, not from my relatives, or the people who know me in general. They know me, who I am, not the prisoner. But for the strangers, who do not... who learn about crime from the media and who are frightened, they feel fear, they are afraid. They are afraid even to communicate with me. That's the preconception that I'm a prisoner, so I'm going to kill you or something. There is quite a lot of such

attitude. That's what the older people are feeling, especially the women and then the other people who are like a mamma's boys. (JB, 24)

In case I would say that I have been punished under criminal law for one or the other, a person will immediately look at me with another glance. Instantly. No matter what criminal act it is: I am a murderer or I have sold weed. If you're a criminal, you're a criminal. (KEN, 19)

The stigma refers to a stereotypical image of a criminal produced by the media: a cruel, violent killer who has no human feelings or attachments. The label “criminal” or “offender” or “ex-con” is a combined image of all the sins and fears of an ordinary citizen. If the offender is a female, the image is even worse: she will be considered promiscuous and definitely a bad mother. One of the female respondents described her experience with the special commission for delinquents, where she was sent to at the age 14 because of the use of drugs:

A man in the commission said that I would never get anywhere in my life that I drink so much (which wasn't true). ... But he talked a lot about drinking. And then he used the word “whore”. Which was interesting because I was sexually pretty inexperienced before that. The labels were just attached. ... He said I'd be either a prostitute or I'd end up in jail. (SE, 25)

When the girl was about to give birth to a child and registered to a hospital in Finland, she told the doctors that she had been doing drugs before, because she thought this was relevant information for the medical system and can have had an effect on her child. The reaction of the hospital staff was, however, not professional. “In the hospital, it was also the attitude that I shouldn't have kids at all. It's like they were looking at you when you were taking something, it's like you're a drug addict. (SE, 25)

This stigma may be attached not only to the offender himself but to his family as well. This is also one of the reasons young offenders do not disclose information about their conviction even to their close persons, as it may not only upset them but also have an effect on their lives. “It can start to disrupt life. I can't imagine, for example, when my grandmother's friends knew I was in prison. They would never socialise with my grandmother.” (JB, 24)

The stigma attached to the person then becomes the prism through which all the deeds and behaviours are evaluated. As one of the respondents told, if there is a car accident, the first thing would be not to look at the circumstances of the accident but to blame the driver because of his criminal past: “Nobody's going to look now that I did or that he ran on purpose, but looked at my profile, my past. They're see that I am a criminal and that's all. This is situation what happened to some people. You can't be sure.” (BM, 27)

3.2. Effect of stigmatisation on employment

While looking for employment, many ex-offenders face situations when organisations do not want to employ them because of their criminal background. And even if they are employed, ex-offenders are not trusted and if any trouble happens, they are the first to be blamed for it.

You see that you've committed theft, you did. People don't take you to work... Let's say we all are working in the construction industry. And when something's missing, [ex-offenders} are the first to be blamed and to be questioned and bothered. Well, it's rather unpleasant experience. (IT, 28)

I sent a CV to [X] and [Y] and the negative answer came right away. No way. Like there is no vacancies. But even though there are many young people who work. I think that's the background. (JH, 23)

To avoid such situations and to get a job, ex-offenders usually do not reveal their conviction. When the information about their past is known, the employer may ask for explanations or, in extreme cases, fire the young person.

I never go to a job interview, "Hi, I'm a criminal, and that's why I got caught." When I'm already employed and ask what happened or why you came to work here, I'd tell them that there was such a thing. When I worked at the shop, I had this way that at the beginning I got to work there and after came the manager to ask that what is this thing with you and then I talked about it. Then he said, well, that's a pity. For example, he would have known it in a job interview, then I'm afraid he wouldn't even take me to work. (KEN, 19)

Because, actually, there are also those who have immediately been prejudiced that you are criminal, and living in N, I went to work at the pizza place. I told them that I had been convicted criminally before, but because nobody asked directly what it was, then I didn't think it necessary to talk. But one or two months later then suddenly, when the bailiff of these claims began to get there on the table, I received a letter that we would end up contract with you on your criminal background or something. But, well, that's discrimination. I was thinking that if you do it to me, I'd fight back. I went to work protection and got at least two months' wages as a compensation... The employer was admonished, [the work protection office communicated to the employer] that while the person has conviction before, it does not mean he cannot change. That whatever person has done before, he deserves a second chance. (RLA, 26)

Ex-offenders often look for employment from their social networks. The situation on the labour market in Estonia at the moment of research is favourable, as the labour market is characterised by the lack of working hands, rather than a high level of unemployment. While looking for employment via friends and relatives, the information about a conviction is not hidden. This knowledge, however, has not a strong stigmatising effect as the potential employer knows the young offender as a person or receives a recommendation by someone he knows and trusts.

Some employment opportunities are restricted for young offenders by the law. For example, the law does not allow convicted persons to work as a public official or security firms and will check for their background. While for the majority of youth interviewed for this project such restriction was not relevant, some youth considered it as a limit for their future career.

Perhaps, what prevents me from full life is that I cannot work in public institutions or I can't do certain jobs that might be of interest to me and where I can contribute or do something even. Because, thanks to his prison experience I have seen the system from the other side, I know both faceted. But there's nothing I can do. Because I'm a convict. (JB, 24)

The financial problems young people face will be discussed in more details below. One thing, however, shall be mentioned here in relation to employment. Many ex-convicts have debts and other financial obligations that they need to fulfil. Their bank accounts are frozen, part of their income is automatically deducted to pay their obligations, leaving a person with subsistence minimum only. This does not motivate ex-offenders to look for official employment with some better income, because the part of the salary they will receive will be the minimum. Ex-offenders would rather look for non-official employment that would guarantee them a better income.

So far, fines are still in the air, if I want to go somewhere good job...I understand it's important to pay the fines... A lot of the fines are unreasonable big, and I'm not going to pay all of them, but... no matter what I choose, I will get the minimum. You can do physically hard work that is well paid but [still get the same minimum]. (RLA, 26)

One of the opportunities to earn good money even for a low-skilled job is to go to work abroad, mainly Finland. A big share of the respondents have either been working abroad or would like to go abroad. In theory, this is possible for people under probation as well but in reality, this opportunity is restricted for ex-offenders.

Not allowed and denied to go anywhere from Estonia. Although I have two minor children. I have to provide for them, and then a probation officer just won't let go. What am I going to do, like shoplift for food or something? And then I will get punish for it. The probation officer simply does not authorise the work out of Estonia. (JH, 23)

The bans on leaving the country put brakes on those who want to work abroad, for example. In Finland, a lot of good opportunities are available, for example, I mean that the salaries are good and ... they do not expect any special knowledge and skills that it is like a very good option for the prisoner, for example. (JB, 24)

3.3. Effect of stigma on other aspects of social integration

To set up a family or move to another place because of a new job or settle down after release from prison, young people are looking for housing. Many of the respondents have reported facing difficulties with that. First, it is nearly impossible for them to get a loan to buy an apartment or a house. Second, when looking for an apartment to rent, they get rejected because of their criminal past. As one of the respondents confessed:

That at the moment, for example, if there has been a wish to rent an apartment or something, then Google will draw all the chances to zero. That if you write the name [into application], it's pretty difficult. (MG, 23)

Yes, they [landlords] check too. When they see that one has been to prison, they will not let in that person. It's also pretty tricky then; ultimately, you'll rent accommodation through another person.... And then if the owner may come...you should be watchful. Then you say he travelled there and I am looking for cats or something. ... The public info is just the worst. That everyone sees it. It could be that way that if I wanted to, I'd tell. But, well, who would ever want [to disclose] it, actually. Yes, they put everything up on the internet, come and read. (IT, 28)

The availability of information about crime and punishment via the Internet was brought up by several young people. Not only landlords, but also employers and other relevant institutions make background checks and the Internet allows for this to be done instantly. Even friends and potential partners will check information on the Internet.

Law enforcement also allegedly uses databases or other kinds of information available and execute more control over the convicted youth, in such a way, increasing the chance for them to get caught even for minor misdeed.

For example, police officers all times, absolutely. It happened that we drive a car. If I drive a car or someone is driving my car, the police are behind. Absolutely, immediately there is control, meaning they look for it, they see immediately that's my car. Then come all these paragraphs and then there is no like routine check but is so to say greater control [because I was convicted for drugs], they check the eyes, they order people to get out of the car--not like blowing up a blow check, for example. (EE, 23)

A: I mean, if I'm already convicted once, they're trying to make me really, like, doing something wrong. And then they're watching me twice as much as [they usually do], actually.

Q: Who are they?

A: Who are they? This whole system. Especially the drug police, I think. But there are all sorts of characters. I don't know how real it is, but I've heard that probation services have an overview of my social media for example. I do not know whether it is real or not, but I have heard such a thing. (KEN, 19)

3.4. Financial problems

Although not directly related to the labelling and stigmatisation paradigm, financial problems that young offenders are facing appeared to be an important topic that shapes their choices in life, relations with the state and opportunities available.

I've just started paying them back the last year. Soon it will be paid and it was not easy at all. Because those bailiffs, they have a full-of-crap ride on your back. Doing things they are not allowed to do. (MG, 23)

Criminal policy in Estonia is changing in the direction that any kind of punishment that takes freedom from a young person shall be used as a last resort. There are some rehabilitation and social

programmes in place, but their availability is scarce (especially outside Tallinn) and effect rather questionable. Therefore, when young people, especially minors, are caught for committing an offence, they are either punished by a fine or, if the offence is a minor one, the case will be closed but a person should pay the costs of the criminal procedure to the state. Depending on the number of convictions and the character of crime, by the age of 18, young people will have big sums of money as an obligation that they should pay back. Even when they are punished by a prison sentence, these obligations will still be in place.

Take alone this behavioural control, probation. Just because I have to be in court with them... No one is thinking about how I'm supposed to feel that I just got out of prison, and I don't have a dime in my soul, and I'm going to have to pass a trial. I earn maybe 800 euros a month, one lawyer's paper is worth 700. (EE, 23)

A: In two years, when I'm done with the penalty, I'll be very happy, I guess. Then I don't have that kind of financial commitment anymore. It's actually going to be over in a year.

Q: How big was that fine anyway?

A: EUR 2000.

Q: Pretty tough. What about the costs of the proceedings?

A: It is – the legal costs and the total. I'm still calling that fine.

Q: When you got caught, you were 18?

A: Yes. It really saved me a lot. I had just become an 18-year-old young person. I was still on the school list. Maybe I'd go to prison if I hadn't been on the school list. But with the fact that I was captured, nothing would change here in Estonia. They came and picked me up, and I have to pay the state now. It gives the impression that the war on drugs is a good income source for the state. (KEN, 19)

To ensure the money will be paid back, the accounts of young people are frozen and bailiffs will execute the orders of the courts. If an offender earns some money, a big share of it will be collected by bailiffs to pay the debts, leaving a person with a minimal sum of money to survive. This puts young people in a financially very difficult situation. Also, if ex-offenders would rather not disclose their previous conviction to the employer, letters sent to the employer regarding court orders will make this information public.

The constant need for money and inability to earn it legally may turn young people to crime. The criminal way is what they know; what they have already tried. It is money that the state will not reach for. Young people often have insufficient skills on how to manage financially. A few years spent in prison makes the situation even worse. As young offenders told in the interviews, they are desperately in need for guidance and support after they are released from prison.

They're making me to pay fines, and then I'll become unemployed and I don't get this amount of money from anywhere. It may happen that you will be unemployed for a few years. But I have to pay fines, I am going to take credit for this. Basically, a guy could go and rob a bag from an old lady to get his money and well, that's what makes a man more crook. (IT, 28)

Well, I used to have big debts and stuff on me, and then I wanted to get rid of them. And then I found a solution that should bring [money]. But since I was put down [for dealing drugs], I didn't get too far. (TT, 19)

3.5. Resisting stigma: do not tell about conviction

Young people develop strategies to resist the stigma. These strategies are intuitive ones and used by everyone spoken to. The basic strategy to avoid being labelled is not to let anyone know about a conviction. However, as previously described, information availability on the Internet makes things more complicated.

Q: Do your friends in Estonia know anything about this [conviction] or do not?

A: No, there's no point in much talking. When it comes to private life, it is a private thing that you do not have to share with everyone. (SAM, 15)

Not trying to hide, but you're not going to talk about it yourself. If anyone asks or comes up, I'm not going to hide it. (AK, 26)

Q: Are you trying to conceal from others this information that you have committed crimes?

A: It's kind of you're not hiding it like that, but just for mom, for family members. That's maybe they will reject me. We are talking about drug, it's such a thing, you know. (TT, 19)

Interesting to note is that this strategy to avoid disclosure of information is also taught in prisons as a recommendation to be more successful on the labour market.

Well, that's how you find a job... well, that stuff like: go and do a CV and upload it to CV-center [*on-line job market*], this stuff is not going to help a person who came out of prison. When needed they gave some tips how to conceal that 5 years gap in the CV and how to cheat in your CV, just like any practical tips. [Tips] to fill that gap, so you have a real chance of getting somewhere. (JB, 24)

Relatives usually do not reject their convicted sons or daughters. A similar situation is with friends or other people who know the offender as a person. Stigma of “cruel violent killer” or “a dirty junky” cannot be easily attached to a person you know. This familiarity or opportunity to perceive an ex-offender as a person, not as someone belonging to a criminal cast, is also used as a strategy to resist stigmatisation. As described, while looking for a job, ex-offenders may not immediately reveal their status but rather hope that the employer will have learned this information already and then the young person will a chance to demonstrate his or her abilities and personal qualities. If a young ex-offender is not given time and information about their conviction being made public, he or she may try to explain in details what has happened and what he or she has learned from it. Additional information increases familiarity and separates the label from the person.

I've still tried to hide it [conviction] from the most. I might be able to explain to people there. But it takes such a pointless time, and whether it has any effect or not, and it may happen you can't convince one. (RLA, 26)

To avoid stigma, some young people decide to leave the place where they leave, to change their social network and to start their life from scratch. For many of ex-convicts, Finland is such a place when they can start their new life.

I've decided that this circle [of friends] is not exactly what it's most suitable for me. And since I had settled my life here in Finland already, I had some kind of base down here, so when I got out from prison, the very next day I had a ferry ticket, and I was back here. ... I decided that Finland is a new life base for me. That there I can start off from scratch. I'm going to put my life back together block after block. (RS, 24)

I went out there [to Finland] because I was 15, I graduated from 9th grade, and I was 4 months pregnant. Then I went there. I had so many problems and I knew I needed a fresh start. 'Cause mom had been living there already for a couple of years. (SE, 25)

3.6. Accepting stigma

What the interviews have demonstrated is that often, the reaction of a young person who was convicted for a crime was to withdraw from relationships and contact with other people. Very few respondents reflected on this:

I pushed out my best friend too, because everyone else was negatively reacting and I thought it [breaking relationship with good friend] would be a punishment for me, etc., and then I didn't trust anyone anymore. (SE, 25)

The majority, though, just reported loneliness, lack of trust and withdrawal from close contacts as their personality trait: "I am a reserved person" usually meaning that they do not share their troubles with anyone and they always face their problems alone.

Q: Was there anyone at the time who listened to your worries or someone you shared your thoughts with?

A: Well, I've been a very closed person my whole life. I would have had just a handful of those people who would have listened. But I'm just the type of person that I'd rather leave my worries for myself and not going to get others to hatch with them.

Q: Is it a conscious choice or do you feel that you actually would like to share or do you some reason not to do it?

A: Yes. That is exactly what the feeling was very often, that would like to share. But for some reason, did not do it. I don't know if this came from the shame that you don't want to tell anyone, or is it pride that you just can't express yourself and go with self-pride. (RS, 24)

Conviction, punishment, offender status and stigmatisation have influence on a young persons' self-confidence. This lack of self-confidence and fear to fail if they try new things, restricts young people from even trying, participating in social life, or moving on with their career. "The old" scenarios that already tried either by a person himself or by other people in similar situations seem to be a safe way to go. Such scenarios may also include returning to criminality as a way of life that works.

One thing is that nobody wants to fail. This will affect many of the new things to try, etc. A lot of people see they're not worth anything. Second, you're afraid what [will happen] if you can't do it. I see a lot that people go the way that is already taken by many and looks safe (e.g., going to Finland to work). Or crime, because you know you can do it. And new things, particularly related to volunteering and education, I see it comes through such personal motivation, if something happens in your life e.g. parenthood, someone has supported you and you want to give back to the community, etc. People learn to see their worth, then this is what makes them want to contribute and give back. For people who don't feel their own value, they have a very hard time seeing that it matters. (SE, 25)

They don't have a support network to get the support that they need... I think that [they have] poor social skills, are uncertain, and people don't see any good in them, so they might not see other opportunities in life that they could do, and they're going to commit crimes. The point is, when you're freshly gotten out of prison, you're still a prisoner with prisoner's attitude, and this readjustment is complicated for many. I've seen the people I've been in prison with... while I can adjust to the environment, most of them can't. And even more, if you're like young and such a howl too, it's hard to deal with. Because in the same way its aggressive-defensive attitude that is helpful in prison, that will help you survive, it will not work outside. (JB, 24)

For some persons, the new role that they get by accepting a new label may have some benefits. Peers with similar backgrounds may respect you, while enemies will be afraid.

Some people, I'm sure, but if everyone was scared, I wouldn't like it. I still want to get along with people. Those who are my hate enemies, I will be happy if they fear me (laughs). (JK, 21)

3.7. Conflict with the authorities and alienation from the state

Young ex-offenders have many encounters with different kinds of authorities: police, prosecutors, judges, prison staff, probation officers, social workers etc. The main function of these institutions is to control. It is pretty clear that offenders are in opposition to the criminal justice system and have negative attitudes towards it but this is not always true. A negative attitude is related to a feeling of injustice, when young people feel they have been treated with disrespect or disproportionately harsh or differently compared to other people in similar situations.

I have been exposed to those who abuse this position to some extent. Just their attitude. Not that they're beating, or I don't know, it's just a degrading attitude. (JB, 24)

In Estonia [conviction] is rather is easy to come, yes. I'm sorry now that I say this, but in fact the Estonian legal system is sometimes very unfair in my opinion. (AS, 25)

Experience so far? Well, the police have been arrogant and conceited. No experience with the prosecutor and the judge. (IR, 26)

Young people appreciate when authorities are trying to help them. It came as a surprise that for many ex-offenders, although not all of them, the relationship with their probation officer was a really good one. This appears to be a very promising finding of the research. What is appreciated by young ex-offenders most is a “human-like” attitude, flexibility of demands when it comes to matching control obligations with study and work, and any kind of support and advice and just “normal talk” between the young person and probation officer.

Now the officer's name won't come back, the last one, she was a nice aunt, went there, was happy and I didn't take it as an obligation. (RLA, 26)

Q: What were the relationships with the probation officer?

A: Basically good. Very good, actually.

Q What was the attitude of her?

A: She was supportive. She talked to me, guided me. (AK, 26)

I'm getting along fine with the probation officer. Very well, you can even say. At first I had a very mean impression of her – like their job is to take me down for drug use at any cost, even though in my eyes it's a total waste of resources. Now I have shown her that I can handle my life. I already have a second job while I am under supervision of this probation officer. Work I find quickly when needed, and I have done the job. She has good attitude on me. (KEN, 19)

Personal encounters with the authorities, experiences of discrimination, stigmatisation and unjust treatment have an effect on how young people perceive the state and society in general, their place in it and whether they feel themselves as belonging to it or being alienated. Based on the interviews, it could be concluded that for young ex-offenders, the dominant feeling is alienation. Alienation from the state means non-participation and self-exclusion from all spheres of life: political, social, and even economical.

One should refrain from Estonia. ... I don't have anything against the state. The economy's all turned down in here anyway, prices only rise. But it's just that they could have little better attitude. That if you went to the prosecutor's office and then you got a lawyer to come over there and he looks at you and your face and says, "We are going to lock you up." Well, that's not normal. Are you a lawyer? You have to protect me, not tell me we're locking you up. (IT, 28)

Well... how much do you hear of people who are going to stay in Estonia or to get rich by working here. The more you get familiar with Estonian laws, entrepreneurship, taxes and everything. It even makes me nervous, how it is possible to be so mean that you try to charge taxes on everything and get more and more strict here in Estonia. Nobody

wants to live here soon. And it's understandable that if you have to start doing your thing, the Estonian state will make it so difficult that I imagine that everybody would rather sell drugs if possible. That's why they are pushing the crime. In principle, they made it impossible to enrich [legally]. (RLA, 26)

But as there is a punishing prison in Estonia, not a rehabilitative prison, then it has just brought the grudge more up, the way I see Estonia now is that if I ever had a hat that has "Estonia" on it, then I'm not wearing it anymore. (EE, 23)

3.8. The ways young ex-offenders participate in society

For the purposes of this case analysis, I would define participation as "Acts that can occur, either individually or collectively, that are intrinsically concerned with shaping the society that we want to live in". (Vromen, 2003: 82-83) If we keep in mind such a broad definition that includes all forms of traditional participation like voting in elections, membership in organisations etc., as well as non-traditional participations like boycotting, protesting, expressing position through art or consumption, the majority of young people interviewed for this case analysis would still be considered rather apathic. This apathy is expressed in many ways. Some of the youth do not work or study. They do not have any clear goal in their life. They, as it previously described, feel alienated from the state and verbally express their desire to leave Estonia.

The things that I have been through, places I've been through. The way it affects my life right now. Just because it changed me as a person when it comes to way of thinking and desires. For example, if one have nothing to do, he's going to see what's in the theatre or he's going to watch a movie. I'm not going to go to the movies, it's so pointless. To these leisure and everyday activities, they have become boring. You go outside and you have nothing to do. You have a choice that you're going to sit in a bar with your buddies and drink two beers, but you're not bothered. It feels like this. (EE, 23)

For young offenders', even routine activities, everyday life like going to work, school, university, movie theatre or gym is already a big step towards participation in life. Accepting stigma, feeling worthless, powerless – all have a big impact on participation. Those young people who resist stigma, however, reported different kinds of participation. They overcome obstacles and go to study, they find a job or are dreaming about their own business. Some of them are involved in traditional forms of active participation –some do volunteer work, participate in youth exchange programmes, work as tutors for youth. TT, for example, is 19, works and as a volunteer and is creating a gym at the local youth centre. He also has participated in an international youth exchange. SE supports and advises youth who are in trouble with the law, and has worked as a volunteer at a support centre for victims of domestic violence. SAM is interested in politics, has his own political views and is ready to express them. When, on the day of the Photo Art course meeting, news were reporting a USA shooting, he expressed his feelings in an assignment:



KEN, on the contrary, defines himself in opposition with society. He has a strong position and expresses it through music and art.

I've been doing a lot of music from the point of view what is wrong in my eyes in this country or wrong in society in generally. I've done a lot of music on that... Some of the songs are on YouTube, too. We have a video single with seven of us singing. [...]The last, the seventh verse is mine. And this whole verse is about how I've been on parole for 2 years and for what, basically. (KEN, 19)

4. Conclusions

Entering the field work for this study was long and problematic. I would like once more to list the difficulties we faced entering the field. Now, looking back at the beginning of the field, I would claim that these difficulties are good indicators to describe the case and, interestingly enough, may serve as the conclusions for present analysis.

It was difficult to access young ex-offenders. The analysis demonstrated that the majority of young ex-offenders are excluded from society. Stigmatisation and its effect of a young person play an important role here.

The research team had to gain access to this group via probation. This decision seemed to be the only possible one, however, rather problematic. The role of probation as an institution is to control the behaviour of the offenders. On the other hand, probation officers do what social workers are supposed to do – they assist young persons to find a job or to go to study, they guide and advise them, they conduct social programmes. Those two roles are in conflict, and this conflict was well reflected in the interviews. While young people are not happy with their punishment and controls, when the probation officer is just and treats them with respect, young people appreciate it very much. In an ideal world, probation could be the bridge between young offenders and society, helping them to overcome difficulties and the effects of stigmatisation. A positive, respectful attitude of the probation officer could have a tremendous effect on how the young offender relates to the state.

Fewer youth than we expected expressed their interest in the course and even less showed up for the sessions. As we later learned from the interviews, many young offenders become apathic, disengaged and lost interest in life. This is how low self-esteem, self-confidence and efficacy are expressed. These feelings are real barriers for social engagement and the participation of young offenders.

To keep the course running, we had to make real efforts to keep young people engaged and ensure they would attend the course. The research demonstrated that young people need support when they start something new – a new job, education, or new life after the release from prison. Lack of confidence and lack of skills need to be overcome.

Participants of the course started to miss the session when they got a “big important final assignment”. Ex-offenders are often afraid to fail in things that are new to them. Therefore,

they (as many of law-abiding citizens) refrain from trying new things. This may lead ex-offenders to try “old” ways and paths in their life that are familiar and, therefore, safe: alcohol, drugs, or crimes.

A photo elicitation approach was a good one but only worked for some respondents. A peer researcher helped to save the situation and complete the fieldwork. Actually, from a methodological point of view, both approaches worked quite well to produce good data. Contacts we made and relationships we established with youth during the Photo Art course allowed to collect very rich, informative data. Young people were ready to share very personal information. Two months were long enough to learn from each other, to get used to new people, and to trust them. It takes time to build the trust and the problem for the research team was that the approach we selected took too much time to result in very few interviews. A peer-research approach allowed to use relationships of trust already there and, therefore, this method was more productive for our case study. This issue of trust is of tremendous importance not only from the methodological point of view but as a conclusion of the whole analysis. For the group of young people, I analysed, trust is the key issue in participation. All dimensions of trust are important: trust towards other people in the community encourages to make new contacts and through contacts be more involved in social life. Trust towards state make young people to contribute, to pay back to society. Trust towards criminal justice system makes decisions and laws legitimate and encourages law abiding behaviour not because of the fear of punishment but because it is morally right (Jackson et al, 2012).

The qualitative analysis of interviews with ex-offenders helps to better understand what is behind the high rates of reoffending among young convicts. Youth is a period when people are looking for their path in life, connect to people and to society, create relationships and careers. For many of the young people, reasons for their criminal behaviour lie in the circumstances they have been through during their childhood. Troubles create troublesome youth and state reacts to these troubles with different sorts of measures. These measures are often stigmatising ones and, as was demonstrated in the analysis, often make the situation even worse. Young offenders often feel that to stay on the criminal path is the easiest way to live their lives.

5. Future analysis

It would be interesting to look to what extent factors contributing to stigmatisation differ in different countries. It would be also interesting to look more deeply into the context and to see what are the main issues that characterise how youth are treated by the criminal justice system in different countries, and whether this different treatment has effect on stigmatisation and re-offending.

One topic that is also interesting but did not fit the line of argument in this report is related to education. While participation in traditional education is problematic for ex-offenders, alternative forms and opportunities may be discussed (e.g., on-line courses etc).

Some ex-convicts take part in conventional forms of participation such as international volunteer work or youth exchange programmes. This is very positive from the point of view of integration and inclusion. However, how do these programmes deal with the fact that some participants have a criminal background?

A similar question goes with active protest. Only one of the respondents in our case was engaged in non-traditional participation activities like writing rap songs, recording them and uploading to YouTube. How do social protest movements feel about convicts? Embrace them? Exclude them?

For Estonia, we may look at the similarities and difficulties for youth engagement, participation but also apathy and disappointment for both case analysis (ex-offenders and youth from the Seto region), although these are very different groups of youth.

For the quantitative analysis, it would be important to look how trust is related to different forms of participation and whether this relationship is anyhow related to age. For example, whether trust is more important for youth than for older generations. Also, how self-efficacy, self-confidence, and self-esteem are related to different kinds of participation and, as an additional factor, add conflict to the analysis. There is no dataset available for cross-country analysis but may be on the level of one country, it would be possible to analyse data to answer such questions.

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Appendix: Table of respondents' socio-demographic data

Respondent	Gender	Age
AK	Male	26
AL	Male	22
AS	Male	25
BM	Male	27
DA	Female	18
EE	Male	23
ES	Male	24
IR	Male	26
IT	Male	28
JB	Male	24
JH	Male	23
JK	Male	21
KEN	Male	19
KT	Male	22
LAB	Male	22
LIA	Male	26
MG	Male	23
MS	Male	21
RLA	Male	26
RS	Male	24
SAM	Male	15
SE	Female	25
TJ	Male	17
TT	Female	19