

**Doing Time with My Best Friend:
Animal–Offender Co-rehabilitation within Correctional
Facilities**

Jo Kennedy

Bachelor of Science, Diploma of Education, Bachelor of Laws

Flinders University Law School
Faculty of Education, Humanities and Law
Adelaide, Australia

15 May 2015

Declaration

I certify that this thesis does not incorporate without acknowledgement any material previously submitted for a degree or diploma in any university; and that to the best of my knowledge and belief it does not contain any material previously published or written by another person except where due reference is made in the text.

Signed: _____
Joanne Leith Kennedy

Date: 15 May 2015

Acknowledgements

First and foremost I must thank my principal supervisor Professor Willem de Lint without whose ongoing support, inspiration, kindness and good humour, this thesis would not have been possible. Thanks also to my co-supervisors Jeff Fitzpatrick, Lesley Petrie-Tellis and Michele Slatter, for their unwavering support, invaluable guidance and friendship.

I would also like to thank my long-suffering husband Mark for his endless patience and constant belief in my ability to complete this thesis, and our sons, Tristan and Sean, who were always there to share a drink when my brain was exhausted.

Thanks must also go to my dear friends who shared my table at the coffee shop on a daily basis amid an array of paperwork.

Lastly, I must thank my non-human friends, especially my horses, dogs, and cats. They kept me sane—the human–animal bond really does matter.

Abstract

The plight of unwanted companion animals has been eclipsed in the public arena by the enormity of the injustice enacted on production animals. Across Australia and the United States, hundreds of thousands of dogs are destroyed in animal shelters each year because, for want of rehabilitation, a home cannot be found for them. Effective rehabilitation of offenders within correctional facilities also remains a problem and although the two issues appear disconnected, this thesis identifies a potential solution for both species. It is contended that both prisoners in pre-release, and dogs that have been declared ‘unsuitable’ for adoption due to age or temperament, are in need of an intervention that involves animal welfare and corrections organisations in their co-rehabilitation. This thesis shows that the co-placement of these two vulnerable cohorts—human and non-human—in a structured, therapeutic, non-speciesist environment will assist in the rehabilitation of both species.

Based on a preliminary assessment by the correctional institution, it is envisaged that prisoners who are within 12 months of release from the facility are ideally placed to adopt a dog. The anxieties and behavioural problems caused by long-term incarceration are not species-specific. For both dog and offender, issues such as anxiety, aggression and timidity are exacerbated by incarceration within an institution. This offers an ideal opportunity to investigate the human–animal bond and how it can improve the psychological wellbeing of both inmate and animal. Through a qualitative and theoretical examination of the rehabilitation of shelter dogs and offenders, this thesis offers a substantial reframing of both subject groups, challenging preconceptions of animal instrumentalisation and the limitations of care and custody. More importantly, this thesis contributes a change from the human-centred focus of rehabilitation to a more holistic approach commonly found in other areas of restorative justice, and addresses the moral and ethical issues surrounding the treatment of both animal species.

Contents

Declaration	ii
Acknowledgements	iii
Abstract	iv
Contents	v
List of Tables	vii
Chapter 1: Introduction	1
1.1 Current Models of Offender Rehabilitation	3
1.2 Current Models of Shelter Dog Rehabilitation	3
1.3 Why Co-rehabilitation?	4
1.4 Utility of Animals	5
1.5 Inter-Agency Gaps	9
Chapter 2: Literature Review	13
2.1 Current Literature on Offender Rehabilitation	14
2.1.1 Risk-Needs-Responsivity Model (RNR)	14
2.1.2 Good Lives Model (GLM)	16
2.1.3 Desistance Paradigm	17
2.2 Current Literature on Rehabilitation of Shelter Dogs	20
2.2.1 How Do Animals Fit Into the ‘Morals’ Narrative?	20
2.2.2 To Kill or Not to Kill?	21
2.2.3 Animal Interests Versus Animal Rights	23
2.2.4 Animal Rights Versus Animal Welfare When Considering Animal Use	24
2.2.5 History of the Use of Animals in Sport	25
2.2.6 Rehabilitation of Shelter Dogs	26
2.3 Housing Implications for Released Offenders	29
Chapter 3: Methodology	33
3.1 Stakeholder Groups Methods	34
3.1.1 Recruitment and Sampling	34
3.1.2 Interview Group Design	35
3.1.3 Guiding Questions	35
3.1.4 Conducting the Interviews	39
3.2 Content Analysis Methods	41
3.3 Analysis of Circumstances in Specific Correctional Facilities	42
3.3.1 Species of Animal Used	42
3.3.2 Periodic or Continual Contact with the Animal	42
3.3.3 Outcome for the Animal	43
Chapter 4: Analysis	44
4.1 Animal-Centric Versus Human-Centric	44
4.2 Full-Time Contact Versus Periodic Contact	45
4.3 Rehabilitation of Offenders: What Works and Why	46
4.4 Rehabilitation of Animals: What Works and Why	50
4.5 How the Programs Work	53

4.5.1 Programs in Australia.....	53
4.5.2 Programs in the US	56
4.6 Summary	62
Chapter 5: Discussion	63
5.1 Best Practice Rehabilitation Programs.....	63
5.1.1 Desistance Paradigm	63
5.1.2 ‘Animals as Therapy’ Programs	64
5.1.3 Animal Welfare Implications of Animal-Assisted Therapies and Prison- Based Animal Programs	66
5.1.4 Rehabilitation Models for Shelter Dogs.....	72
5.1.5 Behavioural Intervention Procedures.....	73
5.2 The Human–Animal Rehabilitation Model.....	74
5.2.1 The Psychology of the Human–Animal Bond	74
5.2.2 Ethical Issues in Animal-Assisted Programs	76
5.2.3 Some Current Observations of the Human–Animal Bond in Prisons.....	77
5.2.4 How Attachment Theory Intersects This Bond.....	82
5.3 Housing Implications for Released Offenders	87
5.3.1 Problems Associated with Housing Released Offenders	88
5.3.2 The Importance of Housing for Released Offenders	90
Chapter 6: Conclusion	95
6.1 Summary	95
6.2 Limitations	99
Appendix: Animal-Based Offender Rehabilitation Programs Summary.....	102
Bibliography	105

List of Tables

Table 2.1: Categories of Animal-Based Offender Rehabilitation Programs.....	31
Table 4.1: Proportions of Surveyed Animal-Based Offender Rehabilitation Programs in Categories	52

Chapter 1: Introduction

It is well recognised that animal use has been remarkably successful as an integral part of therapy programs for humans, as evidenced by the amount of literature available on the subject.¹ The most common types of programs that utilise animals are those set up to train and place assistance dogs for people with disabilities, including guide dogs, hearing dogs, and dogs used as non-judgmental companions for autistic children. In most cases these dogs are trained from purpose-bred animal stock, while some dogs are rehabilitated from shelters, having been previously relinquished or abandoned. In a small number of cases, dogs are rehabilitated as part of a rehabilitation program for offenders in custody. However, these dogs are then moved on with little or no regard to the effect this might have on the offender involved in the training of that animal.

The aim of this research is to assess programming that offers co-rehabilitation of low-risk² male offenders and animal shelter dogs. Its hypothesis is that the co-placement of these two cohorts of vulnerable animals—human and non-human—in a structured, therapeutic, non-speciesist environment will assist in their separate and joint rehabilitation. The blueprint developed in this thesis will be supported by an analysis of an important gap in the provision of agency services (see section 1.5), and will address the potential benefits

¹ See, eg, S B Barker and A R Wolen, ‘The Benefits of Human–Companion Animal Interaction: A Review’ (2008) 35 *Journal of Veterinary Medical Education* 487; A M Beck, ‘The Use of Animals to Benefit Humans, Animal Assisted Therapy’ in Aubrey H Fine (ed), *Handbook on Animal Assisted Therapy: Theoretical Foundations and Guidelines for Practice* (Academic Press, 2000) 21; Christopher Blazina, Guler Boyraz and David Shen-Miller (eds), *The Psychology of the Human–Animal Bond: A Resource for Clinicians and Researchers* (Springer, 2011); E Friedmann, ‘The Role of Pets in Enhancing Human Well-Being: Physiological Effects’ in I Robinson (ed), *The Waltham Book of Human–Animal Interaction: Benefits and Responsibilities of Pet Ownership* (Pergamon, 1995) 33; T F Garrity and L Stallones, ‘Effects of Pet Contact on Human Well-Being: Review of Recent Research’ in C C Wilson and D C Turner (eds), *Companion Animals in Human Health* (Sage, 1998); Lynette A Hart, ‘Positive Effects of Animals for Psychosocially Vulnerable People: A Turning Point for Delivery’ in Aubrey H Fine (ed), *Handbook on Animal Assisted Therapy* (Elsevier, 3rd ed, 2010); J McNicholas and G M Collis, ‘Dogs as Catalysts for Social Interactions: Robustness of the Effect’ (2000) 91 *British Journal of Psychology* 61; Phillip Tedeschi, Aubrey H Fine and Jana I Helgeson, ‘Assistance Animals: Their Evolving Role in Psychiatric Service Applications’ in Aubrey H Fine (ed), *Handbook on Animal Assisted Therapy: Theoretical Foundations and Guidelines for Practice* (Academic Press, 2010) 421.

² Max Maller and Richard Lane, ‘A Risk Assessment Model for Offender Management’ (Paper presented at Probation and Community Corrections: Making Community Safer Conference, Perth, 23–24 September 2002) 2.

of the joint rehabilitation of animals and humans. This thesis looks at a very specific rehabilitation model, one that involves the use of dogs in particular.

Mulcahy and McLaughlin report the following:

In the last decade, correctional centres in five Australian states and one territory have introduced Prison Animal Programs (PAPs). In keeping with positive community responses to animal programs, each facility has attracted favourable attention from mainstream media.³

The same authors argue, however, that while the benefits of such programs are quite evident within community organisations that are the recipients of such animals at the conclusion of their training, the actual impact on the offenders doing the training as part of a rehabilitation program is unclear.⁴ This thesis looks specifically at these impacts. The motivation behind this thesis is to make clear the importance of the human–animal bond in the rehabilitation of humans and dogs. The potential consequences of the destruction of that bond are also considered. These consequences are highly important elements of the model in that they have a potential impact on recidivism; the major goal of rehabilitation for both species is to mitigate the chances of recidivism for both dogs and humans, which creates a revolving door into prisons and shelters respectively. Given that recidivism for the dog is likely to result in euthanasia, this is particularly important in terms of animal ethics.

This thesis makes an important and original contribution to the study of offender and shelter dog rehabilitation. It looks at the consequences of the destruction of the well-documented bond formed between human and animal, and the significant impact likely to occur when that bond is broken. It also offers another strategy for dealing with the ethical issue of the destruction of shelter dogs, as well as constructing a plausible model for the rehabilitation of offenders while taking into consideration the need for their successful reintegration into society once released. Correctional facilities were identified across Australia and the United States which use animals, in particular dogs, and it is the information gathered from these facilities which this thesis is built upon.

³ Claire Mulcahy and Diedre McLaughlin, 'Is the Tail Wagging the Dog? A Review of the Evidence for Prison Animal Programs' (2013) 48 *Australian Psychologist* 369, 369.

⁴ Ibid.

1.1 Current Models of Offender Rehabilitation

In order to comment on the effectiveness of any offender rehabilitation program, the goals of the program must be clearly recognised. A substantial body of research in criminogenics and desistance models contributes to this conversation.⁵ Two models in particular, the Risk-Needs-Responsivity model (RNR)⁶ and the Good Lives Model (GLM),⁷ have been evaluated in detail and identified in research papers in the criminology and psychology fields. These are outlined in more detail in Chapter 2.

1.2 Current Models of Shelter Dog Rehabilitation

The scope and aims of programs used for shelter dog rehabilitation must be addressed in order to assess their effectiveness. Some programs are presented in the literature that look at the immediate work done with the dogs upon admission into the shelter,⁸ and others at further training subsequent to their ‘incarceration’.⁹ As the rehabilitation process must involve the use of a human figure or figures, the resultant human–animal bond cannot be discounted in shelter rehabilitation programs. Many studies on rehabilitation of dogs in shelters look specifically at the increased rate of adoptability of dogs subsequent to an increase in human contact with these dogs.¹⁰ This in itself shows that dogs rehabilitated with the use of human contact and the subsequently developed human–animal bond are

⁵ See, eg, Shadd Maruna and Thomas P LeBel, ‘The Desistance Paradigm in Correctional Practice: From Programs to Lives’ in Fergus McNeill, Peter Raynor and Chris Trotter (eds), *Offender Supervision—New Directions in Theory, Research and Practice* (Routledge, 2010); Chris Cunneen and Garth Luke, ‘Recidivism and the Effectiveness of Criminal Justice Interventions: Juvenile Offenders and Post Release Support’ (2007) 19 *Current Issues in Criminal Justice* 199; Fergus McNeill, ‘A Desistance Paradigm for Offender Management’ (2006) 6 *Criminology and Criminal Justice* 39; Bronwyn Naylor, ‘Criminal Records and Rehabilitation in Australia’ (2011) 3 *European Journal of Probation* 79; Mike Maguire and Peter Raynor, ‘How the Resettlement of Prisoners Promotes Desistance from Crime: Or Does it?’ (2006) 6 *Criminology and Criminal Justice* 19.

⁶ Tony Ward and Shadd Maruna, *Rehabilitation: Beyond the Risk Paradigm* (Routledge, 2007) 75.

⁷ Ibid 142; T Ward and M Brown, ‘The Good Lives Model and Conceptual Issues in Offender Rehabilitation’ (2004) 10 *Psychology, Crime and the Law* 243.

⁸ M B Hennessy et al, ‘Plasma Cortisol Levels of Dogs in a County Animal Shelter’ (1997) 62 *Physiology and Behaviour* 483.

⁹ David S Tuber et al, ‘Dogs in Animal Shelters: Problems, Suggestions, and Needed Expertise’ (1999) 10 *Psychological Science* 379, 379.

¹⁰ Linda C. Marston and Pauleen C Bennett, ‘Reforging the Bond—Towards Successful Canine Adoption’ (2003) 83 *Applied Animal Behaviour Science* 227, 239

more successful in their rehabilitation, which makes this type of program an ideal target for further investigation in this thesis.

1.3 Why Co-rehabilitation?

Previous literature focuses on the rehabilitation of either human or animal, but rarely on both. This in itself is a speciesist approach, mirroring the dominion of humans over all other species, which, according to Singer, is an ‘ideology of our species’¹¹. With that in mind, the question proposed looks not merely at the use of an animal for human benefit, but at the establishment of a relationship for the mutual benefit of human and non-human. This undermines a fundamentally speciesist narrative that privileges the interests of the human. Singer argues that ‘ignorance is the speciesist’s first line of defence’;¹² it is a goal of this thesis to demonstrate the reciprocity of programs that involve both species equally.

The human–animal bond is the one element that facilitates co-rehabilitation above all others. Dogs, in particular, have been identified as the companion animals that are most often associated with human–animal interactions, and have traditionally been called ‘man’s best friend’.¹³ Zasloff states that ‘the dog ... tends to serve as the ideal model of companionship in its ability to engage in a particularly wide range of behaviors similar to those exhibited in human companionship.’¹⁴ For the offender, this means that a relationship formed with a dog that is in constant habitation with him will reflect the type of human companionship that is often missing from the lives of offenders. The maintenance of such a relationship brings with it an increase in *generativity*, the concept of caring for oneself, with ‘physical and interactive behaviors such as training, grooming, and obedience of the animal’.¹⁵ Among companion animal owners, there is described an increase in ‘intimacy’, which is defined ‘by attitudes and feelings such as regarding the pet as a family member, enjoying physical closeness, and seeking comfort from the

¹¹ Peter Singer, *Animal Liberation: The Definitive Classic of the Animal Movement* (Harper Collins, updated edition, 2009) 185.

¹² Ibid 217.

¹³ R Lee Zasloff, ‘Measuring Attachment to Companion Animals: A Dog is Not a Cat is Not a Bird’ (1996) 47 *Applied Animals Behaviour Science* 43, 44.

¹⁴ Ibid.

¹⁵ Ibid.

animal'.¹⁶ This recognition of the value of companion animal ownership validates the model of rehabilitation being discussed in this thesis.

Mulcahy and McLaughlin have reported on the favourable attention that Prison Animal Programs have gained throughout Australia in the past ten years.¹⁷

The authors go on to say, however, that even though the benefits of such programs are quite evident within the community organisations that are the recipients of such animals at the conclusion of their training, the actual impact on the offenders doing the training as part of a rehabilitation program is less clear.¹⁸ A co-rehabilitation model, as incorporated into this thesis, addresses this impact on the offender. In addition, co-rehabilitation facilitates rather than fractures the integral human–animal bond, a bond fundamental to the success of animal-assisted therapy programs. This thesis incorporates existing knowledge on desistance and investigates the proposition that continuity in the human–dog bond will be important to both sides of the rehabilitation. When the dog is relinquished, the bond is broken. This fracturing of such a strong bond echoes the all too common abandonment issues, which, from a criminogenics perspective, plunges the offender into the abyss yet again, resulting in entrenchment of the inability to form close, meaningful relationships.¹⁹

1.4 Utility of Animals

It is important for a complete and comprehensive understanding of a co-rehabilitation program to look at the relationship humans have had, and continue to have, with animals. For that purpose, animal utility must be discussed. Utility as defined by the Oxford

¹⁶ Ibid.

¹⁷ Mulcahy and McLaughlin, above n 3, 369.

¹⁸ Ibid 369.

¹⁹ J Bowlby, *Attachment and Loss Volume II: Separation, Anxiety and Anger* (Hogarth Press, 1973), 201; J Bowlby 'Forty-four juvenile thieves: Their characters and home life' (1944) 25 *International Journal of Psycho-Analysis* 19, Rebecca S Katz, 'Building the Foundation for a Side-by-Side Explanatory Model: A General Theory of Crime, the Age-Graded Life Course Theory, and Attachment Theory' (1999) 1 *Western Criminology Review* 1, 2–4; Marinus van IJzendoorn, 'Attachment, Emergent Morality, and Aggression: Toward a Developmental Socioemotional Model of Antisocial Behaviour' (1997) 21 *International Journal of Behavioral Development* 703, 707; M H van IJzendoorn et al, 'Attachment Representations of Personality-Disordered Criminal Offenders' (1997) 67 *American Journal of Orthopsychiatry* 449, 450.

Dictionary is a ‘state of being useful, profitable, or beneficial’.²⁰ This is fairly easy to identify in animals such as chickens, sheep and cattle (production animals); however, the use of companion animals in a utility framework is one that, in part, has been veiled by the fact that companion animals are seen as ‘part of the family’. Nevertheless, the facts that animals kept as companions are beneficial to humans, that some people breed companion animals as stock for sale, and that they are used for animal-assisted therapy, among other factors, mean that there is utility in companion animals.

There is a school of thought that animal utility, or the use of animals as means to an end for humans, is a morally corrupt paradigm. Kantian theory argues that if humans treat animals as means to an end, then there is likely to be a manifestation of such utility that will result in them using other humans as means to an end.²¹ Regan makes the point that some scholars disagree with such a narrow view of Kant’s argument, believing that his suggestion was not that animals not be used at all, but that maltreatment of animals in and of itself is wrong.²² The various forms of entertainment involving the use of animals provide clear examples of this. Rodeos, horse racing, greyhound racing, zoos and circuses have caused some outrage among animal rights groups and welfare groups alike.²³ This is identified colourfully by journalist Bernard Keane for *Crikey* with respect to the running of the infamous Melbourne Cup, when he says that ‘there’s also the plight of the “equine athletes ... forced to take part in being flogged around a paddock for the pleasure of 100,000 halfwits’.²⁴ Interestingly, the use of companion animals as a means of entertainment for humans causes very little outrage. Horse racing and greyhound racing

²⁰ Oxford University Press, ‘Utility’, *Oxford Dictionaries: Dictionary, Thesaurus and Grammar* (24 July 2014) <<http://www.oxforddictionaries.com>>.

²¹ Alex Bruce, *Animal Law in Australia—An Integrated Approach* (LexisNexis, 2012) 23.

²² T Regan, ‘Broadie and Pybus on Kant’ (1976) 51 *Philosophy* 471.

²³ Animals Australia, *Are Rodeos Cruel?* <http://www.animalsaustralia.org/take_action/ban-rodeo-cruelty/>; Animals Australia, *Save Greyhounds from Cruel Export* <http://www.animalsaustralia.org/take_action/save-greyhounds-from-export/>; Coalition for the Protection of Racehorses, *Horse Racing Kills* <<http://www.horseracingkills.com/>>; People for the Ethical Treatment of Animals, *Rodeo: Cruelty for a Buck* <<http://www.peta.org/issues/animals-in-entertainment/animals-used-entertainment-factsheets/rodeo-cruelty-buck/>>; People for the Ethical Treatment of Animals, *Animal Rights Uncompromised: Zoos* <<http://www.peta.org/about-peta/why-peta/zoos/>>; Sean Rubinzstein-Dunlop and Lesley Robinson, ‘Doping, Cruelty and Collusion Claims Dog Greyhound Racing Industry’, 7.30 (online), 15 October 2013 <<http://www.abc.net.au/7.30/content/2013/s3869813.htm>>; The Greens, ‘NSW Parliament Runs Cover for Racing Industry Despite Outrage Over Horse Deaths’ (5 November 2014) <<http://greens.org.au/node/6422>>; <<http://www.aact.org.au/greyhounds.htm>>.

²⁴ Bernard Keane, ‘Yes, I Hate the Cup—and for Damn Good Reason’, *Crikey* (online), 4 November 2014 <http://www.crikey.com.au/2014/11/04/yes-i-hate-the-cup-and-for-damn-good-reason/?wpm_switcher=mobile>

aside, the use of performing dogs, cats, birds and rabbits as entertainment tools still attracts large crowds of cheering humans.²⁵ The proposition put forward in this thesis is that it is not wrong to use dogs to rehabilitate prisoners in a wholly instrumental sense (that is, the dogs are being used as a means to an end), but it is more ethical for the dogs to also be rehabilitated and valued for their intrinsic worth, and in ways that would see their long-term welfare taken care of.

No hard line on the ethics of utilisation, whether of humans (to compel prison labour) or dogs (to compel actions for human amusement, diet or scientific discovery), is advocated here. Rather, it is proposed that there must be an overriding therapeutic consequence for the subject (prisoner, dog) that is elevated above such utilities (i.e., above the conversion of animal beings into mere instruments). Given that the dogs used in animal-assisted therapy are in and of themselves an integral part of the therapies, it can be argued that ‘utility’ of these animals does exist in part. It must be remembered, however, that the bond shared between the two species is a symbiotic one—each benefits from the other. Some may argue that the benefit to the dog is difficult to define; however, given that dogs are social animals, it should be defined in terms of the social connection achieved. Importantly, studies show that the benefits of human interaction and companionship to dogs are equally important as their benefits to humans.²⁶

The devaluation of dogs in their instrumentalisation is partially engendered by the legal status of animals. As domesticated animals, under the law, dogs are seen as personal property.²⁷ Petrie states:

If property is understood as structuring the relationships between persons and their interests in objects, ‘ownership’ of a companion animal confers the proprietary rights to use, control and exclude others from the creature.²⁸

This in itself means that humans, under the law, are able to make use of animals to whatever ends they require. This is mirrored in the following statement by St. Pierre:

²⁵ Jimmy Nsubuga, ‘Jumpy the Dog Performs 20 Stunts in a Minute-Long Video’, *Metro* (online), 3 April 2013 <<http://metro.co.uk/2013/04/03/jumpy-the-dog-performs-20-stunts-in-brilliant-one-minute-video-3581755/>>; *Stunt Dog Productions* <<http://www.stuntdogshow.com/>>; Dave Womach, *Performing Pets* <<http://www.davewomach.com/#!performing-pets/crb2>>

²⁶ Hennessy, above n 8.

²⁷ See, eg, *Saltoon v Lake* [1978] 1 NSWLR 52.

²⁸ Lesley-Anne Petrie, ‘Companion Animals: Valuation and Treatment in Human Society’ in Peter Sankoff and Steven White (eds), *Animal Law in Australasia* (The Federation Press, 2009) 58.

‘property’ has value solely as a means to an end, whereas ‘people’ are ends in themselves ... the value of non-human animals is measured only in terms of their usefulness to humans, not in terms of any interest they may have in their own right.²⁹

St. Pierre also writes that, where the classification of animals is that of property, this in itself is an ‘effective tool in perpetuating the subordination of that being’.³⁰

The concept of human dominion over animals has long been accepted as motivating treatment of animals that is often otherwise seen as abhorrent or distasteful. However, legislation exists throughout Australia that protects the welfare of animals,³¹ which means that the utility of animals should be constrained within the limits of such legislation. It is unfortunate, however, that this legislation contains within it the words ‘unnecessary harm’,³² meaning that harm is allowed provided that it is necessary. The following comment made by St. Pierre reflects the injustice felt by many animal welfare and animal rights advocates: ‘our legal system is structured ... such that virtually any treatment of a non-human animal can be justified as some sort of “necessity”’.³³ The model proposed in this thesis goes to the heart of the problems associated with human perception of animal use, and assumes that the welfare of the animals should be a paramount consideration alongside that of the offenders.

According to Favre, animal welfare legislation is used worldwide to fulfil three social goals: ‘first, to proscribe certain human actions as unacceptable in our society; second, to decide that a minimum level of care is due to any animal; and finally, to protect the economic interest that animals represent to their owners’.³⁴ It is this final point that causes the most concern, as the amounts of pain or suffering that are designated ‘necessary’ are quite firmly connected to economic interests. This is why animals used as entertainment are easily exploited given the thin veil of protection afforded them by legislation. The standard of ethics described by Favre is one that is permissive of animal instrumentalisation, and one that is contrary to the model proposed in this thesis.

²⁹ D W St. Pierre, ‘The Transition from Property to People: The Road to the Recognition of Rights for Non-Human Animals’ (1998) 9 *Hastings Women’s Law Journal* 255, 257–259.

³⁰ *Ibid* 255.

³¹ *Animal Welfare Act 1985* (SA); *Animal Welfare Act 1992* (ACT); *Animal Welfare Act* (NT); *Animal Welfare Act 1993* (TAS); *Animal Welfare Act 2002* (WA).

³² *Animal Welfare Act 1985* (SA) s 13(3)(a).

³³ St. Pierre, above n 28, 259.

³⁴ David S Favre and Murray Loring, *Animal Law* (Quorum Books, 1983) 122.

Most offender rehabilitation programs involving animals as a tool of rehabilitation do not involve an entertainment genre. A notable exception is those using rodeos. An infamous prison rodeo run out of Angola State prison in the United States (US) is described in detail in this thesis (see Chapter 4, section 4.4.4.5); the role of the economic windfall that this event has delivered to the institution is also discussed. Fitzgerald also discusses in some detail the situation where offenders are employed in slaughterhouses. This is clearly not aimed at the rehabilitation of animals and is just one specific example of offender centric rehabilitation with no value for the animal.³⁵

Any evaluation of models of offender rehabilitation involving animals must consider the full range of moral, economic and social values implied in those models. However, if one privileges desistance and rehabilitation on the GLM, some clear preferences can be established:

1. That the program furthers the social interest in desistance;
2. That the program offers the best chance of developing a positive bond that is lifelong and encompasses after-care needs;
3. That the program does no harm to social values and the specific interests of all parties (offender, animal, society).

1.5 Inter-Agency Gaps

The success of a co-rehabilitation model requires a collaborative approach by several agencies. Animal shelters, regardless of their governance structure, need to be willing to decrease the number of dogs being destroyed and allow their rehabilitation within a correctional facility. This is happening already, albeit on a relatively small scale; it is hoped that further documentation of successful dog rehabilitations will create this willingness and reduce the rate of animal euthanasia. It could be argued that this model would be of particular value in locations where there is not a significant dog overpopulation problem, and where they are only being euthanized for health and

³⁵ Amy J. Fitzgerald 'Doing Time in Slaughterhouses: A Green Criminological Commentary on Slaughterhouse Work Programs for Prison Inmates' *Journal of Critical Animal Studies*, Vol 10, Issue 2, 2012, 12-46.

behavioural reasons. However, the intrinsic value of each individual dog must not be underestimated and it is this which makes a rehabilitation model such as the one described in this thesis most valuable.

It is becoming part of correctional reform agendas, including in South Australia, to recognise that crime mitigation and prevention must be a multi-agency endeavour. Offenders are often long-standing clients of social service agencies, and are best addressed in terms not only of risks, but of needs. Hence, inter-agency collaboration offers the best chance to effect rehabilitation. The inclusion of prison animal programs (PAPs) to the mix of rehabilitation programs could cause implementation problems, especially given that:

The community may reject large-scale implementation of prison Human Animal Interaction programs. Providing *companion* animals to inmates, even if requiring the inmates to care for them, is inconsistent with what many suggest is a primary goal of American prisons—to strip offenders of their identity and facilitate a sense of isolation.³⁶

In addition to the above community concerns, government departments and correctional facilities would need to be prepared to invest staff and funding into a program that could physically accommodate offenders with dogs on a 24-hour basis, and have the conviction to engage the offenders in a specific educational training plan that would complement the husbandry and training aspects of the dog rehabilitation. A program such as the one outlined in this thesis has a two-fold advantage in that it not only gives the offender the required skills and knowledge to rehabilitate the dog, but it also increases employment prospects for the offender once released. Davis et al state that one of the challenges that offenders face upon release is the inability to secure employment because of lack of skills or education.³⁷ This program would go towards addressing both of those issues, albeit in the very specific field of animal husbandry, behaviour and training.

Housing authorities, both governmental and private sector, would need to make housing available that would suit the needs of an offender with a dog. This in itself will be a

³⁶ Angela Krom Fournier, E Scott Geller and Elizabeth V Fortney, 'Human–Animal Interaction in a Prison Setting: Impact on Criminal Behaviour, Treatment Progress, and Social Skills' (2007) 16 *Behaviour and Social Issues* 89, 102.

³⁷ Celeste Davis, Stephen J Bahr and Carol Ward, 'The Process of Offender Reintegration: Perceptions of What Helps Prisoners Re-enter Society' (2013) 13 *Criminology and Criminal Justice* 447.

problem requiring strategic attention, as it is increasingly difficult to find housing for anyone in the public rental market who has a dog. However, it is crucial that housing be available for a program such as the one argued for in this thesis to be effective. Homelessness is just one of the identified reasons behind recidivism of released offenders, and although offenders in this program will have a dog with them, it is of extreme importance that they be given the opportunity to have and maintain adequate housing. It has been argued that desistance from crime is closely related to characteristics such as ‘attitudes, self-esteem, identity, and motivation ... employment and treatment interventions’.³⁸ It is arguable that these characteristics can be enhanced by secure housing and support for the offender and his dog.

Apart from these inter-agency gaps, there also exists a controversial legislative significance to a model such as the one proposed in this thesis, and in fact any rehabilitation model that uses animals, and that is the question of ownership: who actually owns the animal? As briefly mentioned above, under common law, animals are deemed property,³⁹ and, as property, they can be treated as chattel. Each of the Australian states and territories has an Act that dictates the way in which an animal can or cannot be treated. If we delve further into the narrative around property and offenders, however, there is provision under the *Correctional Services Act*,⁴⁰ as well as common law precedent,⁴¹ for the treatment of prisoner property. Given that there is a serious interconnect between the property of the prisoner and the ownership of the dog, it is obvious that there would need to be put in place some kind of legislation or regulation that would protect the status of the animal and its subsequent treatment within the correctional facility. This issue of ownership was certainly a concern raised during discussions between the author and the Royal Society for the Prevention of Cruelty to Animals (RSPCA), and the idea of permanent ownership staying with the RSPCA and the offender being given a ‘foster carer’ or ‘guardianship’ type role was discussed. This solution would also address the concern of financial care of the animal with regard to feeding and veterinary costs. However, it brings with it the very real concern that the dog could be repossessed by the RSPCA at some later stage, again resulting in destruction of the

³⁸ Ibid 448.

³⁹ *Saltoon v Lake* [1978] 1 NSWLR 52.

⁴⁰ *Correctional Services Act* 1982, s 32(1), s 83.

⁴¹ *Garrett v The State of South Australia* [2012] SADC 167.

human–animal bond. However, if a situation were to arise where the treatment of the dog was seen to be inappropriate, then repossession by the RSPCA would be necessary.

If the model proposed in this thesis were to be implemented in correctional facilities, opportunities would exist to conduct further research on this type of program in those correctional facilities. This would enable an expansive longitudinal study on offenders being released with the dogs with which they had bonded, looking at the effectiveness of such a rehabilitation model on both animal cohorts. However, comment on the possible outcomes of such a study is beyond the scope of this thesis.

Chapter 2: Literature Review

The aim of this research is to assess programming that offers co-rehabilitation of low-risk male offenders and animal shelter dogs. ‘Low risk’ means those offenders who have been identified as posing the least threat of re-offending once released, and because of this criterion, will be best suited for a rehabilitation program such as this one, which carries with it an inherent responsibility. There is however an argument that the choice of ‘safe’ or non-violent offenders for participation in ‘green justice’ rehabilitation programs may be short sighted. Graham and White discuss the positive effect that green justice programs have on offenders with ‘very serious offending histories’ and they argue that what matters and means most to not just ‘low risk’ offenders but to all offenders, is that they can participate in a program that will shape their future.⁴²

The dogs are accessed from animal shelters where they might otherwise be destroyed due to unwanted behavioural issues. The hypothesis is that the co-placement of these two vulnerable animal cohorts will assist in their separate and joint rehabilitation.

This thesis looks at a very specific rehabilitation model involving the use of animals, and dogs in particular. Deaton makes the following argument:

Traditionally, educational programs in correctional institutions which intend to rehabilitate (or habilitate) adult and juvenile offenders stay within proven, safe parameters considered appropriate for this setting. Most address specific ‘deficits’ of the offender, such as lack of vocational skills, basic education needs/GED, drug and alcohol abuse, etc. The delivery of these programs is based on the underlying rational assumption: ‘This is what you need to succeed in society. You don’t have it. Here’s the solution if you want to turn your life around.’ While this approach is helpful in increasing the offender’s knowledge or skills and might work for some, it is limited. If correctional education aims to transform individuals and bring about change, it is necessary to consider the whole person inside the uniform, who always comes with human needs, emotions and attitudes.⁴³

Deaton also argues that it is quite clear from the evidence that animal-assisted rehabilitation models are ‘highly therapeutic’ and that they provide ‘meaningful experiences for incarcerated individuals during which important life lessons are

⁴² Hannah Graham and Rob White *Innovative Justice* (Routledge, 2015) 71-72.

⁴³ Christiane Deaton, ‘Humanizing Prisons with Animals: A Closer Look at “Cell Dogs” and Horse Programs in Correctional Institutions’, (2005) 56 *Journal of Correctional Education* 46, 46.

learned'.⁴⁴ This in itself justifies the need for a rehabilitation model such as the one proposed in this thesis.

2.1 Current Literature on Offender Rehabilitation

Theories of offender rehabilitation are structured around why offenders offend (criminogenics) and how behavioural modification programs (i.e. desistance models) can be used to reduce the chances of re-offending (recidivism). Many studies have looked at what leads to offending and what types of programs are best to address the relevant issues.⁴⁵ As mentioned earlier, the RNR⁴⁶ and the GLM⁴⁷ models have received the most attention in the criminology and psychology literature.

2.1.1 Risk-Needs-Responsivity Model (RNR)

The RNR is the most commonly adopted desistance model in English-speaking countries. It involves a holistic approach to rehabilitation, with a primary concern being that of reduction of harm to the public.⁴⁸ This model is designed around three principles, described by Bonta and Andrews as follows:

Risk principle: Match the level of service to the offender's risk to re-offend.

Need principle: Assess criminogenic needs and target them in treatment.

Responsivity principle: Maximize the offender's ability to learn from a rehabilitative intervention by providing cognitive behavioural treatment and tailoring the intervention to the learning style, motivation, abilities and strengths of the offender.⁴⁹

⁴⁴ Ibid.

⁴⁵ Maruna and LeBel; Cunneen and Luke; McNeill; Naylor; Maguire and Raynor; above n4.

⁴⁶ Tony Ward and Shadd Maruna, *Rehabilitation: Beyond the Risk Paradigm* (Routledge, 2007) 75.

⁴⁷ Ibid, 142; T Ward and M Brown, 'The Good Lives Model and Conceptual Issues in Offender Rehabilitation' (2004) 10 *Psychology, Crime and the Law* 243.

⁴⁸ F Porporino, 'Bringing Sense and Sensitivity to Corrections: From Programmes to 'Fix' Offenders to Services to Support Desistance' in J Brayford, F Cowe and J Deering (eds), *What Else Works? Creative Work with Offenders* (Willan Publishing, 2010) 61.

⁴⁹ Bonta, James and D A Andrews, 'Risk-need-responsivity model for offender assessment and rehabilitation' (2007) 6 *Rehabilitation* 1, 1.

Bonta and Andrews also make the observation that interventions that involve cognitive social learning ‘are the most effective way to teach people new behaviours regardless of the type of behaviour’.⁵⁰ This fits perfectly with the model described in this thesis, as not only will the offender undertake specific educational training when accepted into this program, but also the mere fact of having a dog with them is known to increase social empathy.⁵¹ One of the critiques of the RNR model however is that it focuses predominantly on the deficits and problems of offenders. Looman and Abracen have written that not only are the personal needs of the ignored, but programs are designed to eliminate negatives rather than enhance any strengths the offender might have to promote a “good life”.⁵² Others offer a critique looking at the contrast between the role of human agency and the criminogenic needs and state that the RNR model looks more at the latter rather than looking at how the offender might, through correctional rehabilitation, be able to intentionally make changes in their thinking and doing to achieve positive goals.⁵³

McNeill states that there is a legitimate need to address the welfare concerns of the offender, but he goes on to say that this is in fact secondary to the assessment of the level of risk of the offender.⁵⁴ He states that, for the RNR model to be effectively put into practice, the offender’s level of risk must be evaluated, and higher-risk individuals must be offered the most intensive interventions.⁵⁵ However, given that offenders likely to be involved in a co-rehabilitation program will be of low risk, the RNR model can be used effectively and the intervention model will not need to be intensive. Given that well-executed rehabilitative programs are designed in line with the well-known pedagogical theory of Visual, Auditory and Kinaesthetic (VAK) learners, it stands to reason that a program involving the use of animals will be well suited to all types of learners. It is, however, important to mention that the primary goal of any rehabilitation model is ‘that interventions ought to be focused on modifying or eliminating dynamic risk factors

⁵⁰ Ibid 5.

⁵¹ Angela Krom Fournier, E Scott Geller and Elizabeth V Fortney, ‘Human–Animal Interaction in a Prison Setting: Impact on Criminal Behaviour, Treatment Progress, and Social Skills’ (2007) 16 *Behaviour and Social Issues* 89, 91.

⁵² Jan Looman & Jeffrey Abracen, ‘The Risk Needs Responsivity Model of Offender Rehabilitation: Is There really a Need for a Paradigm Shift?’ *International Journal of Behavioural Consultation and Therapy*, 2013, Vol 8, No 3-4, 31.

⁵³ Ibid

⁵⁴ Fergus McNeill, *Towards Effective Practice in Offender Supervision* (Research Report 01/09, Scottish Centre for Crime and Justice, 2009) 24.

⁵⁵ Ibid.

(criminogenic needs)',⁵⁶ and it is reasonable to suggest that a program based on an animal–offender co-rehabilitation model is well placed to do just that.

2.1.2 Good Lives Model (GLM)

McNeill explains that the GLM incorporates a positive psychology model that offers a strength-based approach to rehabilitation.⁵⁷ This involves the assumption that people will generally seek out primary human goods, which include such things as health, happiness, financial success and inner peace.⁵⁸ Ward and Brown argue that the ambition to achieve these primary goods is reflected in all meaningful human actions, and that this is the case regardless of class, intelligence or education level.⁵⁹ It is these goods that motivate people to behave in a certain manner,⁶⁰ and these goods 'emerge out of basic needs'.⁶¹

To clarify what is meant by the GLM, Ward and Brown observe that the nature of humans is that of active beings that are constantly seeking goals in order to construct a sense of purpose in their lives.⁶² McNeill supports this, stating that this motivation provides a basis for rehabilitation programs designed to give the offender the opportunity to develop a life plan that would result in securing those primary human goals without causing harm to others. For this type of model to work effectively, there is a need for a 'human relationship in which the individual offender is valued and respected' to be developed between the offender and the rehabilitation practitioner.⁶³ It is documented that human primary goods such as health, happiness and inner peace are enhanced by the human–animal bond, and thus the model proposed in this thesis gives the offender the ability to seek out those primary goods.⁶⁴

⁵⁶ Tony Ward, Joseph Melser and Pamela M Yates, 'Reconstructing the Risk-Need-Responsivity Model: A Theoretical Elaboration and Evaluation' (2007) 12 *Aggression and Violent Behavior* 208, 217.

⁵⁷ McNeill, above n 5, 26.

⁵⁸ Ward and Brown, above n 7.

⁵⁹ *Ibid* 246.

⁶⁰ Ward and Brown, above n 7.

⁶¹ *Ibid*.

⁶² *Ibid*.

⁶³ McNeill, above n 5, 27.

⁶⁴ Judith M Siegel, 'Pet Ownership and Health' in Christopher Blazina, Güler Boyraz and David Shen-Miller (eds), *The Psychology of the Human–Animal Bond: A Resource for Clinicians and Researchers* (Springer, 2011); Pachana, Nancy A, Bronwyn M Massavelli and Sofia Robleda Gomez, 'A Developmental Psychological Perspective on the Human–Animal Bond' in Christopher Blazina, Güler Boyraz and David Shen-Miller (eds), *The Psychology of the Human Animal Bond* (Springer, 2011); Katherine A Kruger and

Ward and Brown suggest that '[a]ccording to the GLM, the identification of risk factors simply alerts clinicians to problems (obstacles) in the way offenders are seeking to achieve valued or personally satisfying outcomes.'⁶⁵ Thus, if a program is designed to effectively allow achievable goals on behalf of the offender, then the likelihood of problems will be decreased. It is argued in this thesis that the animal–offender co-rehabilitation model can facilitate the successful acquisition of primary human goods.

Looman and Abracen have argued that proponents of the GLM are looking at a more humanistic approach to rehabilitation rather than the more confrontational approaches that are often seen, but they also say that there have been no rigorous evaluation studies done on the GLM. When discussing the difference between the GLM and the RNR model, they state that they are 'not aware of any large scale investigations involving offender populations that have compared and contrasted these two approaches in terms of direct impact that each might have on recidivism.'⁶⁶ It is not unreasonable to think that a rehabilitation model such as the one described in this thesis is certainly one that is looking at rehabilitation from a humanistic approach, hence the GLM has a place in the development of such a model.

2.1.3 Desistance Paradigm

The desistance paradigm is the term given to evidence-based practice with regard to offender rehabilitation.⁶⁷ Maruna and LeBel have looked at how programs work rather than what programs work, but they have been careful to say that research on crime desistance is 'dynamic and contested'.⁶⁸ This thesis presents another possible facet of rehabilitation models.

James A Serpell, 'Animal-Assisted Interventions in Mental Health: Definitions and Theoretical Foundations' in Aubrey H Fine (ed), *Handbook on Animal Assisted Therapy* (Elsevier, 3rd ed, 2010) 33; Friedmann, Erika, Heesook Son and Chia-Chun Tsai, 'The Animal/Human Bond: Health and Wellness' in Aubrey H Fine (ed), *Handbook on Animal Assisted Therapy* (Elsevier, 3rd ed, 2010) 85; J A Serpell, 'Beneficial Effects of Pet Ownership on Some Aspects of Human Health and Behaviour' (1991) 84 *Journal of the Royal Society of Medicine* 717.

⁶⁵ Ward and Brown, above n 7, 246.

⁶⁶ Looman and Abracen, above n 52, 33.

⁶⁷ Maruna and LeBel, above 3, 66.

⁶⁸ Ibid.

Porporino⁶⁹ states that:

‘the desistance paradigms suggest that we might be better off if we allow offenders to guide us instead, listen to what they think might best fit the individual struggles out of crime, rather than continue to insist that our solutions are their salvation.’⁷⁰

Indeed, why not ask the offender what it is that he values in his life and work with him to secure at least some of those primary human goods? The logical conclusion to a conversation such as this would constitute an obvious advancement of the model being proposed in this thesis. Maruna and LeBel make the following comment:

Although the preferences of criminal justice clients are not typically viewed as being highly relevant to policy-makers, it needs to be emphasized that if members of this target population do not engage with or commit themselves to an intervention, the “treatment” is unlikely to succeed.⁷¹

This statement marries nicely with the proposed model in this thesis, because the chances of engagement and commitment to a co-rehabilitation model are high, given the evidence of the importance of the human–animal bond in the psychosocial and psychological health of an individual.

It makes sense that if a ‘client’ (the offender) is to undergo any sort of educational, motivational, or rehabilitative change, it must encompass aspects that are seen to be beneficial to the client and from the client’s perspective. Anyone, in any facet of his or her life, would be reluctant to engage in any activity that seems pointless to that person. This very human phenomenon should be at the forefront of any design of a rehabilitation program. This constitutes the importance of the desistance paradigm, and a model such as the one proposed in this thesis shares this benefit. It makes sense to the clients themselves, and it is ‘clearly relevant to the possibility of their living better lives’.⁷²

It is often argued that merely looking at existing models of what works in crime reduction is a narrow view, and one that should be broadened by examining the ‘organic or normative processes’ that result in specific offending patterns throughout the life of the

⁶⁹ Porporino, above n 48, 80.

⁷⁰ Ibid.

⁷¹ Maruna and LeBel, above n 5, 71.

⁷² Ibid 72.

offender.⁷³ The model proposed in this thesis relies on many of the same philosophies promoted in the desistance paradigm. It is important that the offender be given the opportunity to decide on a course of rehabilitation that is relevant to the offender's own ability to better his own life upon release. The Pygmalion theory, from educational psychology, proposes that if others have high expectations of a person, this can lead to greater self-belief and performance in that individual.⁷⁴ This relies on the teacher's belief in the ability of the student—something that historically is lacking in correctional facilities. If the attitude within the facility is one of collaborative positivity, the potential for change is enhanced. It is the interaction between an individual and significant others that will define the outcome of any rehabilitation model, and this extends to the general community as well, where mutual acceptance must be present. This study promotes this notion of acceptance, as offenders will be given the opportunity to engage in education and behavioural stimulation that will allow them to adapt more easily to life within the general community. As Maruna and LeBel state, '[n]ot only must a person accept conventional society in order to go straight, but conventional society must accept that this person has changed as well.'⁷⁵ This acceptance by the community can be, and often is, enhanced by the social capital that comes with having a companion animal; in this case, a dog.

In Day et al's study of the overall behaviour of offenders, the amount of disorder and distress within correctional facilities is associated with the social climate within the facility.⁷⁶ As suggested in the preceding discussion, it is likely that employing rehabilitative programs that have been shown to work—not just within the prison system, but also in other areas where social structure is important—can mitigate the extent of such chaos and dysfunction. The model that is proposed by this thesis is one that fits into this dogma of workable social structure, and closely follows the GLM structure as outlined by Ward and Brown.⁷⁷ It is arguably one that is best practice in rehabilitation as it ticks all the boxes necessary for offender involvement; it provides motivation for desirable behaviours, it delivers on the promise of increased self-esteem and wellbeing, and it offers

⁷³ Ibid.

⁷⁴ R Rosenthal and L Jacobson, *Pygmalion in the Classroom* (Irvington, expanded ed, 1992).

⁷⁵ Maruna and LeBel, above n 5, 76.

⁷⁶ Andrew Day et al, 'Assessing the Social Climate of Australian Prisons' 427 *Trends and Issues in Crime and Justice* (Australian Institute of Criminology) 2, September 2011.

⁷⁷ Ward and Brown, above n 5.

the chance of a life plan development structure that encompasses all of the primary human goods as discussed by Ward and Maruna.⁷⁸

2.2 Current Literature on Rehabilitation of Shelter Dogs

In order to make sense of the idea of rehabilitation of dogs, it is important to understand the evolution of interactions between humans and animals. It is not within the scope of this thesis to delve into the intricacies of the rights and wrongs of the relationships that humans have with animals, but some discussion around the history of these relationships will be helpful, focusing on the knowledge available with regard to human treatment of animals.

2.2.1 How Do Animals Fit Into the ‘Morals’ Narrative?

Singer says that if we take, for example, the Christian view of animal treatment,⁷⁹ which has ‘no serious challenge’, the overriding principle is that the ‘human species is the pinnacle of creation and has God’s permission to kill and eat other animals’.⁸⁰ Singer goes on to explain the philosophy of Aristotle and the fact that he did not ‘deny that man is an animal; in fact he defines man as a rational animal’;⁸¹ this in itself does not mean, however, that there is any justification for equal consideration between humans and other animals. Aristotle held that nature itself was a form of hierarchy, where those with a lower intelligence or means of reasoning existed for the sake of those with higher reasoning

⁷⁸ Ibid.

⁷⁹ Leonardo Blair, ‘Pope Francis Says There’s a Place for Pets in Heaven, While Conservative Catholics Preach Animals Have No Souls’, *The Christian Post* (online), 12 December 2014 <<http://www.christianpost.com/news/pope-francis-says-theres-a-place-for-pets-in-heaven-while-conservative-catholics-preach-animals-have-no-souls-131124/>>. Pope Francis has recently said that animals do indeed have souls and will have a place in heaven. This sentiment is not shared, however, by the conservative sector of the Catholic Church.

⁸⁰ Peter Singer, *Animal Liberation: The Definitive Classic of the Animal Movement* (Harper Collins, updated edition, 2009) 188.

⁸¹ Ibid.

ability.⁸² It is this view of Aristotle that Singer says was to ‘become part of the later Western tradition’.⁸³

2.2.2 To Kill or Not to Kill?

Christian doctrine also infuses the viewpoint of the analyst and philosopher René Descartes, who maintains that animals are essentially machines with no spirit or soul, and hence do not have the ability to feel pain.⁸⁴ In 1780, the philosopher Immanuel Kant commented, ‘so far as animals are concerned, we have no direct duties. Animals are not self-conscious, and are there merely as a means to an end. That end is man.’⁸⁵ This argument was answered definitively in the same year by Jeremy Bentham, who writes, ‘The question is not, Can they *reason*? nor Can they *talk*? but, Can they *suffer*?’⁸⁶ It was the publication of Bentham’s work, the *Introduction to the Principles of Morals and Legislation*, that lead commentators to believe that he ‘was perhaps the first to denounce “man’s dominion” as tyranny rather than legitimate government’.⁸⁷

Francione and Garner argue that the position of animal rights, or *abolitionism* with regard to animal use, ‘is inconsistent with sharing one’s home with dogs, cats, and other “companion animals”’.⁸⁸ Further, they make the valid point that even though the doctrine of animal rights groups is that all animals have the right not to be treated as property of humans, companion animals are ‘completely dependent on humans for every aspect of their existence ... in the end, they are still our property’.⁸⁹

Those who believe in animal rights hold that we should involve ourselves in the rescue or adoption of companion animals that have been released to shelters. However, these same people believe that the action of adopting these non-human animals means that they are

⁸² Ibid 189.

⁸³ Ibid.

⁸⁴ Roger Panaman, ‘Descartes and Animal Rights’ (2008) *How to Do Animal Rights* <<http://www.animalethics.org.uk/descartes.html>>

⁸⁵ Singer, above n 80, 203.

⁸⁶ Ibid.

⁸⁷ Ibid 204.

⁸⁸ Gary L Francione and Robert Garner, *The Animal Rights Debate—Abolition or Regulation* (Columbia University Press, 2010) 79.

⁸⁹ Ibid.

afforded an inherent value, which is ‘not analogous to efforts to make animal exploitation more “humane”’.⁹⁰ Their position on the humane killing of healthy animals is that it is not morally acceptable. Those who follow an animal welfarist doctrine, akin to Singer, ‘do not regard the killing of animals, as opposed to the suffering of animals, as a moral problem.’⁹¹ Francione and Garner quote Singer from 1990, when he wrote, ‘to take the life of a being who has been hoping, planning and working for some future goal is to deprive that being of the fulfilment of all those efforts; to take the life of a being with a mental capacity below the level needed to grasp that one is a being with a future—much less make plans for the future—cannot involve this particular kind of loss.’⁹² This, of course, suggests that humans would have a lot more to lose than non-humans if they were to be killed, with the implication ‘that human lives are of greater moral importance than animal lives’.⁹³

Given the argument that the loss of opportunities is the measure for the amount of harm death inflicts, then it is fair to say that if a human or non-human being is to be harmed by death, then sentience is required for that harm to be felt.⁹⁴ Following this argument, it is necessary to explore arguments on animal sentience.

From the pre-Socratics through Plato and Aristotle, to the Middle Ages and St. Thomas Aquinas, and through Enlightenment and Descartes, Locke, and Kant, theorists maintained that animals, unlike humans, were not rational, self-aware, or capable of abstract thoughts, language use, or reciprocal moral concern for humans.⁹⁵

As mentioned above, it was Jeremy Bentham (1748–1832), a British lawyer and philosopher, who effected change to this way of thinking. In the context of developing social movements embracing the abolition of slavery and greater rights for women, Bentham’s arguments on proposed moral obligation to non-human animals began to be received. The question posed by Bentham, quoted above and worthy of repeating, has been used extensively throughout debates and scholarship on animal welfare and animal rights. It is the question of sentience: ‘The question is not, Can they *reason*? Nor, Can

⁹⁰ Ibid 80.

⁹¹ Ibid.

⁹² Ibid 117.

⁹³ Ibid.

⁹⁴ Ibid.

⁹⁵ Gary L Francione, *Animals as Persons* (Columbia University Press, 2008), 131.

they *talk*? but, Can they *suffer*?⁹⁶ This is of great importance to the fabric of the co-rehabilitation model being proposed in this thesis, as it goes to the question of speciesism and why a non-human animal should be afforded the same the consideration as a human.

Although Bentham's profound statement has had a remarkable effect on the doctrines of both animal welfarists and animal rights advocates, the issue that he focused on primarily 'was not *whether* we used animals, but how we used them'.⁹⁷ Francione consequently argues that 'Bentham's revolutionary call in favor of sentience turned out to be rather hollow'.⁹⁸ Nevertheless, Bentham's views on how we treat animals are 'embodied in the principles of animal welfare that reflect our conventional wisdom about our moral obligations to animals'.⁹⁹ Francione coins the phrase 'moral schizophrenia' when discussing animals. He states that:

On the one hand, we claim to take animal suffering seriously and to regard unnecessary suffering as morally wrong. On the other hand, the overwhelming number of ways in which we use nonhumans—and the resultant suffering—cannot be regarded as necessary in any coherent sense.¹⁰⁰

Francione goes on to argue that '[t]he result is that our moral and legal acceptance of the importance of sentience has not resulted in any paradigm shift in our treatment of nonhumans.'¹⁰¹

2.2.3 Animal Interests Versus Animal Rights

A less controversial line of argument in the animal rights debate is one that leans sharply towards animal welfare; that is, that animals merely have a right not to suffer, rather than having a 'right to life and liberty'.¹⁰² Garner argues that 'equality between humans and animals can be inconsistent with ownership if we adopt the principle that we should treat the *interests* of animals equally with those of humans.'¹⁰³ This, of course, implies an interest-based conception of rights rather than a choice-based conception.¹⁰⁴ This makes

⁹⁶ Ibid 132.

⁹⁷ Ibid 133.

⁹⁸ Ibid.

⁹⁹ Ibid.

¹⁰⁰ Ibid 135.

¹⁰¹ Ibid 136.

¹⁰² Ibid 128.

¹⁰³ Francione and Garner, above n 88, 128.

¹⁰⁴ Ibid.

sense if the position of animals' right not to suffer is adopted above that of their right to life or liberty, which some argue is impossible due to their lack of autonomy.¹⁰⁵ There is a distinction between animal rights and animal welfare that needs to be kept. The concept of a duty of care does not grant animals rights, and this involves the ethical and moral responsibility that humans must take up in regard to animals. The model proposed in this thesis is one developed around the joint welfare of both species.

While animals remain property, they are free to be used, 'a key component of ownership'.¹⁰⁶ This in itself is 'inconsistent with equality between humans and animals'.¹⁰⁷ The lack of autonomy in animals has been defined as them 'not having an interest in developing and pursuing their own life plan', and it is this definition that gives rise to Garner's question, 'what are they being used for?'.¹⁰⁸ Given that it is not contested that animals are in fact sentient beings, there is also no argument 'between sentience and property status and no suggestion, therefore, that property must be inanimate'.¹⁰⁹ Garner argues that, even though it will be difficult to achieve, the animal rights movement should 'look for social groupings, interests and corresponding ideological tradition that can justify or, even better, require the incorporation of animal interests'.¹¹⁰ One of the biggest hurdles for the animal rights movement in its aim to convert the majority to affording moral standing to animals is that it inherently 'seeks to promote the interests of non-humans, and sometimes this will involve conflict with human interests'.¹¹¹ It is this conflict that will be addressed by the model proposed in this thesis. A co-rehabilitation model means that the ethical issue of the interests of the animal is ideally mapped out, in conjunction with the same interests of the human.

2.2.4 Animal Rights Versus Animal Welfare When Considering Animal Use

There are two schools of thought when it comes to animals and their rights or welfare. On the one hand, animal welfarists argue for 'stronger laws preventing cruelty and requiring

¹⁰⁵ Ibid.

¹⁰⁶ Ibid 129.

¹⁰⁷ Ibid

¹⁰⁸ Ibid

¹⁰⁹ Ibid 131.

¹¹⁰ Ibid 155.

¹¹¹ Ibid.

humane treatment’, while on the other hand, ‘animal rights advocates oppose any and all human “use” of animals’.¹¹² Such ‘use’ of animals may include areas such as entertainment (e.g., circuses, rodeos, zoos), hunting, agriculture and scientific experimentation;¹¹³ it does not, however, typically include the use of animals as pets or companions. Nevertheless, it cannot be argued that being a pet is not a ‘use’. Pets are used as companions, as disability aids (e.g., hearing dogs, guide dogs) and as security aids (e.g., border protection and customs, guard dogs, policing within defence forces, correctional facilities, police departments). There are, however, areas where the ‘welfare camp’ and the ‘rights camp’ intersect. This is clear when it does involve companion animals that are used for entertainment.

2.2.5 History of the Use of Animals in Sport

The use of animals in sport descends from the Roman games in the form of gladiatorial combat. Singer quotes historian W. E. H. Lecky in explaining the evolution of the slaughter of animals. Statements such as:

Four hundred bears were killed on a single day under Caligula ... Under Nero, four hundred tigers fought with bulls and elephants ... In a single day, at the dedication of the Colosseum by Titus, five thousand animals perished.¹¹⁴

Singer goes on to explain that the Romans did not do this out of any inherent immorality; indeed, they were moral beings in that they showed kindness to others and had a high regard for public duty and justice. However, there were limits regarding the beneficiaries of that morality:¹¹⁵ animals and some humans, ‘criminals and military captives especially’, fell outside of that limit and the ‘infliction of any suffering was merely entertaining’.¹¹⁶ It cannot be denied that the use of animals in sport still fits comfortably within this framework; however, in the twenty-first century, this philosophy must be recognised as being merely part of a continuum present in the ongoing debate on the ethics of animal use and how it reflects on the moral values of humans, the so-called higher order of animals.

¹¹² Cass R Sunstein and Martha C Nussbaum (eds), *Animal Rights—Current Debates and New Directions* (Oxford University Press, 2004) 5.

¹¹³ *Ibid.*

¹¹⁴ *Ibid* 190.

¹¹⁵ *Ibid.*

¹¹⁶ *Ibid* 190–191.

For example, the plights of horses and greyhounds that do not run fast enough attracts bipartisan outrage from both groups.¹¹⁷ The co-rehabilitation model proposed in this thesis can, and does, intersect this genre of animal use, as racing greyhounds and racehorses are used as part of offender rehabilitation programs in Australia and the US. This in and of itself, however, brings with it the problem of inherently allowing such practices to continue. The specific racing industries will continue to breed, in excess numbers, and race these animals, knowing that the ‘slow’ ones will either be destroyed or used as therapy animals. This gives them carte blanche to continue to treat these animals with disrespect, trusting that society will see them as contributing positively to animal-assisted therapy programs. This makes these industries no more than ‘executives’ in the commodification of animals, adding to the existing numbers of unwanted dogs.

2.2.6 Rehabilitation of Shelter Dogs

In the US, approximately 15 million dogs are either released to welfare agencies or abandoned on the streets each year. Within the same study, it is shown that approximately one third of all canine deaths in the US are the result of shelter euthanasia.¹¹⁸ The statistics in Australia are also dire, with just one animal welfare organisation taking in more than 49,000 dogs, of which over 14,000 were destroyed.¹¹⁹ This enormous moral dilemma will be difficult to overcome unless, as Marston et al state, ‘community attitudes change toward dog acquisition, training, and continuing responsibilities as the animal’s guardian’.¹²⁰

Of those dogs that make it to the shelters, only a small number are re-homed.¹²¹ Those that are not re-homed are subjected to a:

¹¹⁷ Ibid.

¹¹⁸ P Olson et al, ‘Pet Overpopulation: A challenge for Companion Animal Veterinarians in the 1990s’ (1991) 198 *Journal of the American Veterinary Association*, 1152.

¹¹⁹ Royal Society for the Protection of Animals, *Dogs* <<http://www.rspca.org.au/facts/annual-statistics/dogs>>.

¹²⁰ Linda C Marston, Pauleen C Bennett and Grahame J Coleman, ‘What Happens to Shelter Dogs? An Analysis of Data for 1 Year from Three Australian Shelters’ (2004) 7 *Journal of Applied Animal Welfare Science* 27, 42.

¹²¹ David S Tuber et al, ‘Dogs in Animal Shelters: Problems, Suggestions, and Needed Expertise’ (1999) 10 *Psychological Science* 379, 379.

variety of psychological stressors, including novelty, isolation from any former attachment figures, exposure to unpredictable and often intense noise, disruption of familiar routines (such as walks for elimination), and general loss of control over environmental contingencies.¹²²

Hennessy et al produce scientific evidence that housing dogs in a shelter is stressful to them. Their findings rely on the plasma levels of the stress-related adrenal hormone cortisol, showing that cortisol levels were in fact almost three times higher in newly arrived shelter dogs than in dogs in their home environment.¹²³ The unfortunate reality is that these dogs will often begin to display behavioural problems that make re-homing problematic, if not impossible, because these problems are often left uncorrected or in some instances undiagnosed, which results in eventual euthanasia of the dog.

Tuber et al argue that these behavioural problems can be addressed with the use of volunteers and a structured training program.¹²⁴ The model suggested in this thesis falls neatly into this category, and is in line with many existing offender rehabilitation programs: the dog from the shelter is trained by the offender, in conjunction with a structured educational program for the offender. The accomplishment of a retraining program for these dogs ‘will necessarily depend on the level of volunteer involvement’,¹²⁵ and of course the level of participation in such programs by correctional facilities. The problem that arises from this type of program within a correctional facility is the relinquishment of the animal by the offender. This undeniably involves substantial stress on both the animal and the offender—the breaking of the bond.

In a study on the effects of a socialisation program within prisons, Hennessy, Morris and Linden argue that there are significant ‘positive behavioural outcomes’ for the cohort of dogs used.¹²⁶ They state that ‘[t]he constant exposure to not only the specific inmate handler, but also other inmates, guards, and dogs at the prison provides an opportunity for extensive socialization’.¹²⁷ The specific prison program studied by Hennessy and

¹²² Ibid.

¹²³ M.B. Hennessy et al, ‘Plasma Cortisol Levels of Dogs in a County Animal Shelter’ (1997) 62 *Physiology and Behaviour* 483.

¹²⁴ Tuber, above n 121, 348.

¹²⁵ Ibid, 384.

¹²⁶ Michael B Hennessy, Angela Morris and Fran Linden, ‘Evaluation of the Effects of a Socialization Program in a Prison on Behavior and Pituitary-Adrenal Hormone Levels of Shelter Dogs’ (2006) 99 *Applied Animal Behaviour Science* 157, 157.

¹²⁷ Ibid, 158.

colleagues involved male prisoners who had been specifically chosen for their ability to work effectively with the dogs, and who underwent collaborative educational programs with the Humane Society in dog training and husbandry skills. The dogs were kept with the handler at all times and trained by their handlers to rest quietly in a crate,¹²⁸ situated in the ‘home’ environment, should the circumstance arise that they are left alone.¹²⁹ This model is one commonly used in correctional facilities, and one that reflects, in part, the basis of the model touted as best practice by this thesis. The authors of this study do, however make the point: ‘It is important to caution, however, that the present study does not address the permanence of behavioural change.’¹³⁰ Permanence of behavioural change is an important issue, but one that can easily be addressed within the model proposed in this thesis. If the dogs are able to be trained by the offender, forming a strong attachment or bond with that person, and are then permitted to stay with that person throughout the duration of their incarceration and then upon release, this will mean that the dog’s training will be uniform and constant, which in turn makes it more likely to be permanent.

Fournier et al note that very little investigation has been done on the effects that animal-based rehabilitation programs have on offenders, with more research time being spent on the successes of the animals and their subsequent placements in the community.¹³¹ Since Fournier et al’s 2007 study, there have been some studies looking at impacts on both animal and offender; however, there have been no studies specifically investigating the abandonment issues that have been flagged anecdotally by offenders who have had dogs removed from their care at the end of a training period.

Studies show that there is effective reduction of the stress hormone cortisol in shelter dogs who have interaction with humans, and that it is social isolation that causes the most stress for these dogs:¹³²

In the shelter, socialization with other dogs and humans is essential for good psychological wellbeing. Social isolation or restriction is regarded as a major stressor for a social species like the dog. The withdrawal of human and/or

¹²⁸ The Humane Society of the United States, *Crate Training* (31 October 2014) <http://www.humanesociety.org/animals/dogs/tips/crate_training.html>

¹²⁹ Hennessy, Morris and Linden, above n 81, 160.

¹³⁰ Ibid 169.

¹³¹ Fournier, Geller and Fortney, above n 9, 91.

¹³² Crista L Coppola, Temple R Grandin and Mark Enns, ‘Human Interaction and Cortisol: Can Human Contact Reduce Stress for Shelter Dogs?’ (2006) 87 *Physiology & Behavior* 537, 540.

conspecific contact can be detrimental to mental health particularly to dogs accustomed to such contact. In fact, human contact may be even more important than contact with another dog.¹³³

This evidence advances the thesis that dogs from shelters will be well served by engaging in a co-rehabilitation program within a correctional facility.

A study by Wells and Hepper looks at the effects of environmental change on the adoptability of dogs from shelters.¹³⁴ The results of their study confirm the argument that dogs in an environment that offers exploration, diversity and the companionship of a human (as opposed to that of a conspecific animal) do become much happier and more confident animals. This, in turn, makes that animal easier to adopt. Hence this type of rehabilitation is essential for preventing the destruction of dogs that cannot be re-homed due to problem behaviours. Several studies confirm these findings on the importance of human interaction as part of a rehabilitation program for shelter dogs,¹³⁵ and add to the worth of a collaborative approach such as the one proposed in this thesis.

2.3 Housing Implications for Released Offenders

In order to facilitate a smooth transition for the offender from incarceration to liberty, accompanied by a decrease in recidivism, considerable effort must be made by the agencies concerned to address the issue of housing.¹³⁶

For the returning prisoner, the search for permanent, sustainable housing is more than simply a disagreeable experience. It is a daunting challenge—one that portends success or failure for the entire reintegration process.¹³⁷

¹³³ Ibid.

¹³⁴ Deborah L Wells and Peter G Hepper, 'The Influence of Environmental Change on the Behaviour of Sheltered Dogs' (2000) 68 *Applied Animal Behaviour Science* 151, 151.

¹³⁵ Simona Normando et al, 'Effects of an Enhanced Human Interaction Program on Shelter Dogs' Behaviour Analysed Using Novel Nonparametric Test' (2009) 116 *Applied Animal Behaviour Science* 211; Paolo Dalla Villa et al, 'A Management Model Applied in Two "No-Kill" Dog Shelters in Central Italy: Use of Population Medicine for Three Consecutive Years' (2008) 44 *Veterinaria Italiana* 347, 350; Andrew Urs Leuscher and Robert Tyson Medlock, 'The Effects of Training and Environmental Alterations on Adoption Success of Shelter Dogs' (2009) 117 *Applied Animal Behaviour Science* 63, 67; Linda C Marston and Pauleen C Bennett, 'Reforging the Bond—Towards Successful Canine Adoption' (2003) 83 *Applied Animal Behaviour Science* 227, 239; Tuber et al, above n 76, 384; Hennessy, Morris and Linden, above n 81, 169.

¹³⁶ Eileen Baldry et al, 'Ex-Prisoners and Accommodation: What Bearing Do Different Forms of Housing Have on Social Reintegration of Ex-prisoners?' (Paper presented at the Housing, Crime and Stronger Communities Conference, convened by the Australian Institute of Criminology and the Australian Housing and Urban research Institute, Melbourne, 6–7 May 2002) 4.

Comments such as this speak volumes about the quest for offenders to integrate successfully, and constitute a gap in the system identified both in Australia and in the US.¹³⁸ In order for a rehabilitation program such as the one presented in this thesis to be successful, this gap needs to be addressed with some urgency. Bradley et al make the valid point that public safety is one of the major foci when assessing successful re-entry of offenders, and that this safety goes hand in hand with the offender having a ‘productive life in the community’.¹³⁹ Lynch and Sabol¹⁴⁰ also discuss the public safety aspect of released offenders, where they argue that funding has not kept pace with the numbers of offenders being released into the community. This lack of funding invariably leads to a multitude of failings when it comes to successful integration, of which housing is just one.

Any rehabilitative program commenced within the prison system will only have continued success upon release of the offender if there is a complementary program within the community. Whether that program is part of an employment situation or volunteer-type arrangement is not as important as whether it exists at all. This program itself must include appropriate housing that will enable the offender to work within parole conditions and defeat other challenges that are often associated with any criminal conviction.¹⁴¹ For this reason, the very difficult task of tackling extreme waiting lists and overcrowded shelters¹⁴² needs to be addressed by all relevant government agencies, both in Australia and the US. This will be essential to the success of a program such as the one discussed in this thesis, as gaining suitable accommodation for the offender and his dog is paramount.

The research and conclusions identified in this literature review lead to a best model for the symbiotic co-rehabilitation of dogs and offenders that must follow the blueprint set out in Table 2.1.

¹³⁷ Katharine H Bradley et al, ‘No Place Like Home: Housing and the Ex-prisoner’, *Community Resources for Justice* (Policy Brief, November, 2001).

¹³⁸ Ibid; Baldry et al, above n 136.

¹³⁹ Bradley et al, above n 137.

¹⁴⁰ James P Lynch and William Sabol, ‘Prisoner Reentry in Perspective’ (2001) 3 *Crime Policy Report* (Urban Institute, Justice Policy Center) 3.

¹⁴¹ Ibid.

¹⁴² Ibid.

Table 2.1: Categories of Animal-Based Offender Rehabilitation Programs

ANIMAL REHABILITATION ↑	Animal-Centric Rehabilitation	Full-time contact of offender with animal	Co-rehabilitation Offender released with animal Human–animal bond remains strong (helps both offender and animal)
	Periodic contact between offender and animal	Animal not kept with offender, but held in correctional facility	Animal adopted by family of offender
	Animal taken from offender Human–animal bond broken (affects both offender and animal)	Periodic contact of Animal with Offender	Offender-Centric Rehabilitation
	OFFENDER REHABILITATION →		

This table describes, at a glance, the different ways in which programs using animals can be used within prison systems (and in some cases, already are being used). If we first look at the animal rehabilitation axis, it is identified in this table that in order to achieve successful rehabilitation for the animal, there must be a program in place that is specifically animal-centric—one that concentrates on all aspects of animal welfare, including the psychological wellbeing of the animal. In the same vein, for successful offender rehabilitation, there must be a program in place that concentrates on all aspects of human welfare, including the psychological wellbeing of the human. The most ineffective program for mutual rehabilitation is one that results in the fracturing of the human–animal bond. As with any discussion on rehabilitation programs, all nuances of the program must be looked at.

The table also identifies the various ways in which offender–animal programs are run, and includes situations where the offender has intermittent or periodic access to the animal. It is identified in the table that this periodic contact is not ideal. In a snapshot, it can be seen

that the ideal program for successful co-rehabilitation would be one that involves continual contact between the offender and the animal, and that maintains the human–animal bond by allowing the animal to stay with the offender throughout the duration of incarceration and, most importantly, upon release. This is in line with the well-understood principles of correctional rehabilitation described by McNeill in his discussion on the GLM,¹⁴³ and also addresses the concept of generativity as discussed by Halsey and Harris.¹⁴⁴

¹⁴³ McNeill, above n 5.

¹⁴⁴ Mark Halsey and Vandra Harris, 'Prisoner Futures: Sensing the Signs of Generativity' (2011) 44 *Australian & New Zealand Journal of Criminology* 74, 88.

Chapter 3: Methodology

This chapter outlines the methodological approach taken in conducting this research. It was decided to use stakeholder interviews, paired with a content analysis of written materials in the form of journal publications, reports, media releases and non-fiction publications. This chapter also provides an account of the design of the content analysis and the criteria, which was used to analyse specific articles. A detailed analysis of the interviews and the content analysis, along with further discussion, is contained in Chapters 4 and 5.

Prior to undertaking the research, it was essential to have a clear understanding of its aims. The research questions posed were as follows:

1. What are the possible models of animal support in incarcerated rehabilitation?
2. How would we come up with a tool to evaluate best practice?

A clear and concise formulation of these questions was important to guide the research, as well as to give the stakeholder interviewees a clear and practical understanding of the purpose of the interview questions.

It is not uncommon for prisons to offer animal-based rehabilitation programs; however, many of them are adjusted with changes in governments at election time and subsequent funding models to the prison system. During the research phase, it became evident that the numbers of animal-based programs being offered in South Australia are much lower now than they were in the 1990s, primarily due to funding. However, as this research project progressed, it was encouraging to see PAPs being reintroduced into the Women's Prison in South Australia in late 2014. The programs offered in Victoria, New South Wales, Queensland and Western Australia seem to have progressed throughout the last 20 years; this will be discussed further in Chapter 4 of this thesis.

It is important to note here that for the purpose of this study, the animal-based offender rehabilitation programs studied at length predominantly involve dogs and male offenders only. The differences between what is offered for women and men will be mentioned,

albeit briefly, to attempt to offer an insight into how the genders are perceived with respect to care and nurturing.

3.1 Stakeholder Groups Methods

3.1.1 Recruitment and Sampling

This research partially aimed at achieving a better understanding of what animal-based offender rehabilitation programs are currently being offered in situations of incarceration, particularly in men's prisons. It was with this in mind that the stakeholder groups were chosen.

The choice was made to look at correctional facilities within Australia which use animals as part of a rehabilitation model as well as those in the USA who were identified using internet searches. Interviews were done face to face with personnel from the South Australian Department of Correctional Services, and for national and international facilities information was gathered with responses to a questionnaire via email.

The RSPCA was chosen as an interested stakeholder as they are one of the largest animal shelters in Adelaide who have the unenviable task of euthanizing dogs who are unable to be rehomed, and thus in need of joint rehabilitation in line with the model of this thesis. Several face-to-face meetings were undertaken with senior officials from this organisation over the duration of the research.

The Department of Technical and Further Education, South Australia, (TAFE SA), was identified as a stakeholder with respect to the availability of training programs appropriate for such a rehabilitation model.

After the interviews were conducted, a content analysis was performed to enable a more holistic view of the types of reports and narratives that were available, giving a greater understanding of the situations that may be encountered with the use of the animal-based programs within the prison system. Further documentation and reports, particularly media and Internet reports not initially identified for inclusion in the study, were chosen through a non-probability method of sampling known as snowball sampling.¹⁴⁵ This process involved participants forwarding information that directly related to the area of research

¹⁴⁵ Leo A Goodman, 'Snowball Sampling' (1961) 32 *The Annals of Mathematical Statistics* 148.

covered in the thesis to other relevant people within the stakeholder industries, who in turn responded to the questions, as described later in this chapter.

3.1.2 Interview Group Design

The topic and nature of this research lends itself to a predominantly qualitative methodology. The aim of interviewing stakeholders was to gain insight into the ways in which animals were being, or had been, used as a rehabilitation tool within the prison system; the types of animals being used as rehabilitation tools; the effectiveness of those programs, both for the offender and the animal; and the constraints encountered in the use of such programs. As such, interviews with relevant industry representatives were a suitable qualitative method for a number of reasons, such as that they engender a grassroots understanding of what is actually happening within the prison system and why specific animals have historically been chosen for rehabilitation programs. Throughout this research project, it has become obvious that animal-based programs have been used for a variety of reasons and to elicit different outcomes for offenders. This will be discussed in more depth in following chapters.

The majority of existing research on the use of animal-based offender rehabilitation programs is based on literature analysis and semiotics. This type of discussion can lead to valuable insights into the global situation with such programs; however, there is very little existing discussion concerning the ‘other side’ of the rehabilitation program—that is, the outcome of the rehabilitation and future welfare of the animals used in such programs. As the intention of this study is to look at the co-rehabilitation of animals and offenders in such programs, this oversight in previous studies will be addressed in further chapters of this study.

3.1.3 Guiding Questions

The stakeholders interviewed clearly come to the questions from different perspectives. For example, the perspective of an organisation with animals available for and in need of rehabilitation—in this case, dogs from the RSPCA in South Australia—differs from that

of a correctional facility currently using animals as part of an offender rehabilitation program, which differs again from that of a facility not currently using dogs, but using a program involving the rehabilitation of injured wild birds.

3.1.3.1 Questions for Correctional Facilities

For the first group, the questions used during the interviews were specific. They were designed to give a broad representation of the types of animal-based offender rehabilitation programs currently being used in corrections departments, primarily in the US and Australia. It was necessary for this study to determine whether these programs were specifically aimed at the rehabilitation of the offender alone, or whether there was some kind of rehabilitation intended for the animal as well. As a number of the corrections facilities used animals other than dogs, the questions were altered in line with the species of animal that were being used at individual centres. The questions were framed as follows.

3.1.3.1.1 What offender rehabilitation programs are currently being run in correctional facilities that involve dogs as part of that rehabilitation?

The purpose of this question is quite clearly to identify the programs. It is unambiguous and responses were short and succinct. It became clear from the responses to this question that there were several institutions using animal-based offender rehabilitation programs, many of which were training resources for animals-as-therapy organisations. However, some institutions used animals for redistribution into the community as pets, while others had production animals, such as pigs, sheep and cattle, held permanently on the grounds and used for food within the institution.

3.1.3.1.2 Who are the stakeholders involved in these programs, both within the corrections facility and once the dogs are removed (for example, the providers of the dogs and the recipients once the dogs have completed their stay)?

This question was aimed at identifying the people involved in every aspect of the program, including those who provide the animals, those who care for the animals once

they have arrived at the correctional facility, those who provide training for the offenders involved in the programs, and those who may end up keeping the animal. It was important to get an understanding of what involvement other people had in the programs and whether their involvement had any implications for the outcome of the program.

3.1.3.1.3 Are there any policy constraints on using dogs in the prison system? If so, what are they?

The purpose of this question was to ascertain any constrictions that may have been placed upon the implementation of the animal-based programs. The types of constrictions envisaged were things like offender access to the dogs. The interest was whether the offenders were allowed unrestricted access: for example, whether the dogs were housed with the offender in a cell situation or a cottage scenario.

3.1.3.1.4 How are the programs developed and implemented? Are the offenders given continuous contact with the animals or is contact episodic?

The intent of this question was to look at the ways in which the animal-based offender rehabilitation programs were developed. It was to find out whether the programs were realised because of lobbying from organisations responsible for the training of puppies for therapy (e.g., guide dogs, hearing dogs, companion dogs for the disabled and the elderly), or from organisations dealing with greyhounds from the racing industry who were deemed unfit for racing, or race horses from the racing industry also deemed unfit for racing.

The other perspective that was identified was whether input from a psychological perspective was considered with respect to the benefits of the human–animal bond when developing such programs.

The level of contact in the implementation of the programs identified was important because it goes to the very essence of the animal–offender co-rehabilitation question that is at the core of this thesis. If the animal contact with the offender was episodic, then the required outcome may indeed be different compared to a case in which the contact was continuous. For this type of relationship to be psychologically beneficial to the human, it

has been argued that it should be full-time and not sporadic.¹⁴⁶ Unfortunately, in some prisons, the animal interaction is indeed sporadic. The animals are not used for the therapeutic benefit of the offender; in fact, it has been argued that these PAPs do not have any ‘clinical or psychological counseling component’.¹⁴⁷

3.1.3.1.5 Is there a recognisable successful outcome for both offender and animal, and how is that measured?

This question was aimed at identifying the successful outcomes, if any, of the programs employed by each institution. The programs may in fact have only proven to be successful for the animal and the subsequent owner of that animal with very little measurable rehabilitative effect on the offender. It was important to gather this information, as the hypothesis of this thesis is that for the benefit to be seen in both human and non-human, then there needs to be a prolonged and ongoing relationship developed between the species. Obviously, this would be affected primarily through continuous contact between the animal and the offender, in order to develop the bond necessary to bring about permanent change in the psyches of both.

3.1.3.1.6 Are there any deficiencies that you or your staff have identified with the program? If so, do you have plans to restructure your current program in order to address those deficiencies?

The purpose of this question was to identify problems that may have been encountered with the programs currently on offer in corrections departments. The types of problems that were envisaged ranged from reluctance on the part of corrections staff to become involved in such programs due to possible staff shortages or inexperience with specific animals, to funding constraints on departments and even community backlash with respect to allowing offenders to have access to animals.

¹⁴⁶ Lynette A. Hart, ‘Positive Effects of Animals for Psychosocially Vulnerable People: A Turning Point for Delivery’ in Aubrey H Fine (ed), *Handbook on Animal Assisted Therapy* (Elsevier, 3rd ed, 2010) 59.

¹⁴⁷ Jennifer Furst, ‘Prison-Based Animal Programs: A National Survey’ (2006) 86 *The Prison Journal* 407, 408.

3.1.3.2 Questions for the Animal Provider

For this group—the RSPCA—the questions posed were less structured and involved face-to-face discussion that, at times, resulted in amorphous conclusions requiring further consolidation before exact results could be achieved. A set of structured questions was devised in the first instance, but these evolved at each meeting as the line of questioning followed the direction of the conversation. The interviews were, however, kept mostly along the lines of whether they were prepared to allow dogs to be ‘adopted’ into the prison system, and what constraints on the proposal may be required.

3.1.4 Conducting the Interviews

The interviews were conducted in two ways. Initially a web search was performed in order to identify corrections facilities that were currently undertaking offender rehabilitation programs using animals. Those institutions were then contacted, in the first instance, by email; if no email address was available, then a letter was sent via Australia Post. It was at times a little difficult to identify the most appropriate person to contact; however, this was overcome by asking that the email or letter be passed on to the correct person if the original recipient was unable to provide answers.

Meetings were arranged to take place at the RSPCA headquarters in Morphett Street, Adelaide. On the first occasion, a meeting was arranged with two officers, a Senior Inspector and a Project Officer, to discuss the proposal with regard to allowing specific offenders to ‘adopt’ a dog that would otherwise have been euthanised due to behavioural issues, but had been identified as one that would benefit from intensive retraining. The result of this meeting was not as positive as hoped, as there was some hesitation on behalf of the RSPCA with respect to whether offenders who may be given the chance to work with the dogs would be ‘worthy’ of having a companion animal. This type of prejudice is not unusual in the general community, and is something that needs to be addressed before the model presented in this thesis could be successfully implemented.

The second meeting with the RSPCA was, again, with the Senior Inspector, who was accompanied this time by the newly appointed Animal Welfare Officer. This particular meeting was more productive, with a much more positive outcome with respect to the proposal. Greater willingness was expressed on the part of the RSPCA to look closely at the significance of the model, and how it might result in a decrease in the number of shelter dogs having to be destroyed.

In the situations in which face-to-face meetings were impossible, emails and telephone calls were used. There were a few correctional facilities in the US where an email address was not available, so in those cases a letter was written to the Warden of the facility, which was then forwarded to the appropriate person for a response. The Appendix provides a list of facilities contacted and whether a response was received. In some circumstances, a response was forthcoming indicating that they were happy to receive the questionnaire, yet the completed document was never returned.

The Department of Community Services of New South Wales was one contact in particular who were not keen to participate in writing, but were happy to be interviewed via telephone. This was arranged via email for a mutually convenient time. The interview heralded some interesting information with regards to the types of animal-based programs being run in New South Wales.

A principal lecturer from TAFE SA was interviewed with respect to the types of training programs that could be offered to the offenders within the prison system. Specific competencies from the Animal Care and Management Training Package¹⁴⁸ were identified that would be used in the development of a training schedule for the offenders who had adopted a dog.

¹⁴⁸ Training Package Details <https://training.gov.au/Training/Details/RUV04>

3.2 Content Analysis Methods

The purpose of this thesis is to identify the animal-based offender rehabilitation programs currently being used in correctional facilities. Another aim is to ascertain how many programs, if any, involved co-rehabilitation for the benefit of both offender and animal. While doing this research, it became obvious that a large majority of these animal-based programs were in the US, with lesser proportions in Italy, the United Kingdom, and Australia. I concentrated my research on the US and Australia, as information about these programs was more readily available. Sixteen correctional facilities within Australia and the United States were contacted and, of these, responses were received from nine. The figures identified in Table 4.1 are from those responses.

To define content analysis, Kassirjian¹⁴⁹ writes;

Content analysis is a scientific, objective, systematic, quantitative, and generalisable description of communications content.

Given this definition, the use of content analysis, paired with stakeholder interviews, is especially beneficial to this study. A considerable amount of research has been done on offender rehabilitation programs, and some of that research does involve the use of animal-based programs. Considerable research has also been done on the human–animal bond and the psychological effects of such relationships; however, to date, there has been little research on the significance of the human–animal bond on offenders as a specific cohort. However, numerous studies exist on the psychological impacts of incarceration and the structure of rehabilitation programs for offenders.¹⁵⁰ Given the direction of this thesis and the need to understand the effect an animal-based rehabilitation program might have on both offender and animal, it was necessary to conduct a significant content analysis of the literature and research currently available on these subjects.

¹⁴⁹ H Kassirjian, ‘Content Analysis in Consumer Research’ (1977) 4 *Journal of Consumer Research* 8.

¹⁵⁰ Tony Ward and Shadd Maruna, *Rehabilitation: Beyond the Risk Paradigm* (Routledge, 2007); T Ward and M Brown, ‘The Good Lives Model and Conceptual Issues in Offender Rehabilitation’ (2004) 10 *Psychology, Crime and the Law* 243; F Porporino, ‘Bringing Sense and Sensitivity to Corrections: From Programmes to ‘Fix’ Offenders to Services to Support Desistance’ in J Brayford, F Cowe and J Deering (eds), *What Else Works? Creative Work with Offenders* (Willan Publishing, 2010) 61.

3.3 Analysis of Circumstances in Specific Correctional Facilities

Each of the facilities identified in this study was analysed with respect to the species of animal used in their offender rehabilitation programs, whether the contact had by the offender with the animal was sporadic or continuous, and whether the animal was taken away from the offender after a specific time, resulting in the destruction of the human–animal bond that had formed throughout the contact period. Each of these criteria carries with it a significant impact on the rehabilitations of both offender and animal, and for this reason is of particular importance to this thesis. The mutual impact of the offender on the animal’s wellbeing and the animal on the offender’s wellbeing is crucial to the understanding of the model being proposed in this thesis as the ideal model.

3.3.1 Species of Animal Used

From the information gathered throughout the literature and Internet searches, it was apparent that dogs are by far the most common animals used in offender rehabilitation. In addition, some facilities situated in rural areas have access to, and utilise, production animal species such as sheep, cattle, and chickens. These animals are used for meat and egg production for consumption at the facilities, so the animals are not moved on to other organisations after a period of time, as dogs are. A bond may still develop between an offender and these animals; however, the depth of this bond may not be as significant as the bond developed between the offender and a companion animal, such as a dog. Some of these rural facilities have also taken ex-racehorses from state racing bodies in order to rehabilitate them for use by the equine ‘leisure’ industry or ‘recreational’ industry.

3.3.2 Periodic or Continual Contact with the Animal

During the course of this study it was important to find out which correctional facilities using animal-based offender rehabilitation programs adopted the strategy of allowing the offenders to have continuous contact with the animals, and which only allowed periodic contact with them. The importance of this has to do with the formation of the animal–human bond. It is as true for animals as it is for humans that the more consistent the

contact between beings, the stronger and more lasting the bond that inevitably forms.¹⁵¹ This has a direct implication for the effectiveness of the program, as it has been argued that many offend as the result of abandonment issues in early childhood.¹⁵² The process of removing a companion animal from someone who has developed a not insignificant attachment to it can replicate those feelings of abandonment. This is discussed at length in further chapters of this thesis (see Chapter 5, section 5.1).

3.3.3 Outcome for the Animal

As the focus of this thesis is on co-rehabilitation, the outcome for the animal must be addressed as well as the outcome for the human. Measuring outcomes for animals can be quite a subjective undertaking, as it is difficult to obtain substantive results for psychological outcomes for animals. However, animal outcomes are important for this thesis because of their importance in validating the theory that it is possible to rehabilitate both offenders and dogs at the same time, resulting in positive emotional and physical outcomes for both. As shown in Chapter 4, there are significant numbers of dogs that are part of rehabilitation programs within correctional facilities, but that a large majority of them are taken from the co-rehabilitator (the offender) at the end of a specified period and adopted out to another person or agency.

¹⁵¹ Hart, above n 146, 59.

¹⁵² J Bowlby, *Attachment and Loss Volume II: Separation, Anxiety and Anger* (Hogarth Press, 1973).

Chapter 4: Analysis

This thesis has introduced the concepts of ‘animal-centric’, meaning attending to the needs of the animal, and ‘offender-centric’, meaning attending to the needs of the offender (see Table 2.1). The question to be addressed is, how can these two be joined such that we attend to the needs of both the animal and the offender at the same time? Often, either the offender or the animal will be less than adequately served. For example, at the Angola prison rodeo in Louisiana, US, the format adopted is specifically offender-centric, and uses the animals as instruments with which to make money with a veneer of offender rehabilitation added. In this situation, the needs of the offender, and indeed of the other humans who pay to be spectators of the show, are placed way above those of the animals in the hierarchy of needs.

The co-rehabilitation of dogs and offenders is an inherently complicated process. There are barriers to break down, both within the government agencies dealing with corrections, and in the organisations that are responsible for the housing and care of stray and unwanted dogs. This can be achieved if all parties are able to address the issues that are unique to them, and to collaborate on those issues that span both groups and warrant joint consideration. Some studies reveal elements of program design that work in both arenas, and others show how certain elements can be integrated to work for both groups, albeit more successfully in some than others. Programs that should be seen as successful are those that truly rehabilitate both the dog and the offender, and this thesis will show that this can only really be achieved if the human–animal bond forged during the rehabilitation phase is not destroyed by removing the dog from the offender after they have been together for a few weeks or months.

4.1 Animal-Centric Versus Human-Centric

A holistic rehabilitation program focuses on tending to the needs of the offender and the animal concurrently. While it can be argued that this is the aim of existing programs, there is a lack of convincing evidence that this aim has been achieved optimally thus far. Often, one group will be less than adequately served.

Of the rehabilitation programs identified in this study, only one was considered entirely human-centric, and that is the Angola State Prison in Louisiana, US. It is human-centric primarily in that it perpetuates the utility of one group over another. There is no sense of rehabilitation for the animals, and the rehabilitation measure for the offenders is somewhat arbitrary. Indeed, it would be fair to say that offenders who are ‘big and mean’ and the ones who feel the need to ‘prove their macho status’ are the ones more likely to be involved in a spectacle such as a rodeo. This goes against the core philosophy of an animal-based rehabilitation program. This example of animal utility is also evident in a prison program in North Dakota, in which the offenders are involved in raising pheasants that are then ‘released onto the prison grounds for handicapped hunters who are brought in and driven around on tractors’,¹⁵³ and in the Pickaway Correctional Institution, Ohio, USA where offenders are engaged in the farming, and then the slaughtering, of cattle.¹⁵⁴

4.2 Full-Time Contact Versus Periodic Contact

It was found that full-time contact is more prevalent than periodic contact, meaning that the offender and the dog generally have the opportunity to develop a very strong bond. Hart argues that, for a relationship with a dog to be beneficial, it needs to be a full-time one.¹⁵⁵ This is precisely what these programs offer. However, all the good work done in building that human–animal bond, and the accompanying psychological wellbeing, is fractured in every case when the dog is eventually taken away. From document analysis, he comments made by the offenders and discussed at length below, (see sections 4.5.1 and 4.5.2), and in Chapter 5, quite clearly indicate the emotional distress felt when the dogs are taken away at the completion of their training period.

¹⁵³ Furst, above n 147, 420.

¹⁵⁴ Ohio Department of Rehabilitation and Correction Agricultural and Farm Services

<http://www.drc.ohio.gov/web/ag_farm.htm>

¹⁵⁵ Hart, above n 146, 59.

4.3 Rehabilitation of Offenders: What Works and Why

Cunneen and Luke report that, all too often, the criminogenic needs of the offender define the type of rehabilitation program used within correctional institutions.¹⁵⁶ They make the following point:

Criminogenic needs are often defined in contradistinction to the economic, social and welfare needs of offenders. As a result, rehabilitation is considered within a narrow individualised and psychology-based framework. The broader social welfare agenda of providing employment, income, education and accommodation is no longer seen as essential to rehabilitation goals.¹⁵⁷

In support of this argument, McNeill writes that in order to maintain an effective psychosocial intervention model in rehabilitation, the ability to convey ‘accurate empathy, respect, warmth and “therapeutic genuineness”’¹⁵⁸ is important. This, along with a ‘mutual understanding and agreement about the nature and purpose of the treatment; and to develop an approach that is person-centred or collaborative’,¹⁵⁹ is important because it underpins the structure of the rehabilitation model being posited in this thesis. In order to achieve successful co-rehabilitation of offenders and animals, the model must incorporate a broader interpretation of rehabilitation, to the extent that it includes such things as respect, empathy and meaningful education linked to a collaborative approach to rehabilitation of the animal.

Porporino reports similar findings, and suggests that the best way to deal with rehabilitation of offenders is to listen to what they say and make decisions on what would best suit the individual in their attempt to achieve some form of normality.¹⁶⁰ He argues for the desistance paradigm to be at the forefront of all rehabilitation models, rather than

¹⁵⁶ Chris Cunneen and Garth Luke, ‘Recidivism and the Effectiveness of Criminal Justice Interventions: Juvenile Offenders and Post Release Support’ (2007) 19 *Current Issues in Criminal Justice* 199.

¹⁵⁷ Ibid 199.

¹⁵⁸ Fergus McNeill, ‘A Desistance Paradigm for Offender Management’ (2006) 6 *Criminology and Criminal Justice* 39, 31.

¹⁵⁹ Ibid.

¹⁶⁰ F Porporino, ‘Bringing Sense and Sensitivity to Corrections: From Programmes to ‘Fix’ Offenders to Services to Support Desistance’ in J Brayford, F Cowe and J Deering (eds), *What Else Works? Creative Work with Offenders* (Willan Publishing, 2010) 61.

designing generic models, they should reflect what the offender feels will best suit their individual requirements.¹⁶¹

In a further study, Maruna and LeBel contend that, even though policy-makers within corrections departments do not see the preferences of their clients, the offenders, to be of great relevance, ‘it needs to be emphasized that if members of this target population do not engage with or commit themselves to an intervention, the “treatment” is unlikely to succeed’.¹⁶² According to Maruna and LeBel, ‘[t]he desistance paradigm—based as it is on the experiences of successfully reformed ex-offenders themselves—takes the views and voices of correctional clients very seriously and assigns the issue of ‘motivation’ a central role in understanding the change process’.¹⁶³ They further argue that ‘any rehabilitation option offered to prisoners and probationers needs to make sense to clients themselves and be clearly relevant to the possibility of their living better lives.’¹⁶⁴ This is an important observation, because it gives significant weight to the theory being put forward in this thesis: if given the right type of emotionally charged rehabilitation program, the chances of success for the offender are greatly enhanced. Arguably, the type of program being advanced in this thesis can be categorised as one that is relevant to the offender living a better life, and as one that is demonstrably capable of helping that offender to live a better life.

Day et al investigate the role of therapeutic communities as a rehabilitative tool within prisons.¹⁶⁵ They make the comment that ‘[t]he therapeutic community model, whether democratic or concept-based, thus aims to use the community to provide a range of life situations in which members can re-enact and re-experience their relationships in the outside world’.¹⁶⁶ This model is also discussed by Kennard, who goes on to explain a therapeutic community as ‘a “living-learning situation” in which everything that happens between members ... in the course of living and working together is used as a learning

¹⁶¹ Ibid.

¹⁶² Shadd Maruna and Thomas P LeBel, ‘The Desistance Paradigm in Correctional Practice: From Programs to Lives’ in Fergus McNeill, Peter Raynor and Chris Trotter (eds), *Offender Supervision—New Directions in Theory, Research and Practice* (Routledge, 2010), 71.

¹⁶³ Ibid.

¹⁶⁴ Ibid 72.

¹⁶⁵ Andrew Day et al, ‘Assessing the Social Climate of Australian Prisons’ 427 *Trends and Issues in Crime and Justice* (Australian Institute of Criminology) 2.

¹⁶⁶ Ibid.

opportunity'.¹⁶⁷ The logical inference that can be drawn from this argument is that the development of a rehabilitation program that promotes and maintains a relationship between the offender and the dog while still in an incarcerated situation will help to develop that learning opportunity of living and working together upon release into the community. A model such as the one argued for in this thesis does just that, as well as addressing the criteria of the desistance paradigm as discussed by Porporino.¹⁶⁸

In the findings of their report, Day et al make the argument that the social climate of the prison environment is extremely important to the rehabilitative outcomes for the offender.¹⁶⁹ This statement by Day et al advances the present thesis in that, by valuing the human–animal bond developed throughout the rehabilitation program, the social climate of the prison will be uplifted. Maruna et al argue as follows:

We contend that if the world of corrections were to become more of a *generative society*—that is, an environment in which generative commitments were modelled and nurtured, and opportunities for generative activities were promoted and rewarded – it would simply be more effective at reducing repeat offending.¹⁷⁰

This reflects the common perception that people, if given the right opportunity, can indeed change their lives ‘when those around them start to believe they can’.¹⁷¹ Maruna and LeBel make the point that for rehabilitation to be an effective tool in the recidivism battle, not only does the offender need to be accepted by society as a changed person, they must also accept the conventions of society themselves.¹⁷² This point advances an essential tenet of the present thesis, that observational evidence has shown that ‘a man with a dog’ is much more likely to be accepted by conventional society.¹⁷³

Maruna and LeBel’s reflection stands in direct contrast to the current situation in many corrections facilities. Halsey and Harris note that, in fact, much of what occurs in

¹⁶⁷ D Kennard, ‘The therapeutic community as an adaptable treatment modality across different settings’ (2004) 75 *Psychiatric Quarterly* 295, 296.

¹⁶⁸ Porporino, above n 160.

¹⁶⁹ Day et al, above n 76, 5.

¹⁷⁰ S Maruna, T P LeBel and C S Lanier, ‘Generativity Behind Bars: Some ‘Redemptive Truth’ About Prison Society’ in E De StAusbin, D P McAdams and T Kim (eds), *The Generative Society*, American Psychological Association, 2004) 131, 133.

¹⁷¹ Maruna and LeBel, above n 5, 76.

¹⁷² Ibid.

¹⁷³ L Wood (ed), *Living Well Together: How Companion Animals Can Strengthen Social Fabric* (Petcare Information & Advisory Service Pty Ltd and the Centre for the Built Environment and Health, University of Western Australia, 2000).

rehabilitation programs is along the lines of ‘rehearsing prisoners’ problems’ instead of creating opportunities to change their way of being.¹⁷⁴ The concept of generativity has become a common theme in the current discourse on offender rehabilitation and the problem of recidivism. The concept is described most effectively by Halsey and Harris as follows: ‘we conceive of generativity as the commitment toward or practice of caring for self, other and future’.¹⁷⁵ They argue that generativity is an inherent part of the human condition that is ‘all but expunged by the prison environment’.¹⁷⁶ This is important because the rehabilitation program being proposed in this current thesis relies heavily on placing generativity at its forefront.

Halsey and Harris write that there is a need for the prison environment to promote a culture of generativity in order to fully realise offender rehabilitation and decrease the likelihood of recidivism. They make the comment:

The interview extracts have also revealed, we believe, the disturbing ways in which prison restricts and often actively extinguishes nascent generativity. This is particularly concerning not only because prisoners are expected to emerge from the chrysalis of confinement as mature, responsible, generative citizens, but also because it demonstrates that prisons continue to be used as places for (additional) punishment instead of as the punishment itself (violating prisoners’ human rights).¹⁷⁷

One of the questions raised by Halsey and Harris is that of ‘who or what it has been possible for these young men to care about within and beyond custody’. They go on to say:

Pets provide an opportunity to learn about the conditions and rewards of mutual dependence in a ‘safe’, achievable fashion ... pets can position prisoners—often for the first time—as persons capable of nurturing and protecting another living being.¹⁷⁸

The program being proposed by this thesis argues that this exact process can be successfully achieved with the adoption of a dog destined for destruction by an offender who has the opportunity not only to ‘nurture and protect’ the dog, but also to learn about the ‘rewards of mutual dependence’. This course of action is already being taken in many

¹⁷⁴ Halsey and Harris, above n 144, 74.

¹⁷⁵ Ibid.

¹⁷⁶ Ibid 88.

¹⁷⁷ Ibid 89.

¹⁷⁸ Ibid 88.

facilities, with the introduction of programs involving the use of animals as part of the toolbox for rehabilitation. A central point of this thesis is that the program falls short when it severs the bond that develops between the animal and the offender. There is no argument that the dogs are rehabilitated to the extent that they can be adopted more successfully, but little has been written about the effect that relinquishment of the dog has on both the offender and the animal.

4.4 Rehabilitation of Animals: What Works and Why

In Australia, during the year 2012/13, the RSPCA received 49,189 dogs into their shelters nationwide. The number of dogs that were re-homed or re-united with their owners during that time was 70.3%, leaving 14,609 dogs that were not re-homed.¹⁷⁹ Statistics from other, privately owned animal shelters whose data are not easily accessed would undoubtedly add to that number. These numbers indicate that there is room for many of these dogs to be rehabilitated concurrently with offenders, leading to a mutually beneficial outcome, according to the model proposed in this thesis.

The unfortunate reality of the large numbers of dogs housed in shelters is that many of these dogs will often begin to display behavioural problems that will make re-homing problematic and sometimes impossible. As mentioned in Chapter 2, these behaviour problems are often left uncorrected, or undiagnosed, which results in the eventual euthanasia of the dog. The findings of Hennessy et al,¹⁸⁰ that shelter life for dogs is stressful, add weight to the central argument of this thesis in that every time a dog is removed from an environment and placed in a ‘shelter’ or similar, constituting a new home environment, levels of cortisol will rise, indicating that an element of anxiety is present in the dog. This thesis claims that it is better for the rehabilitated dog to stay with the person with whom it has developed a bond, rather than being moved on.

Rehabilitation programs for dogs held in shelters have been utilised worldwide to increase their chances of adoption. Environmental enrichment is always part of these programs;

¹⁷⁹ Royal Society for the Protection of Animals, *Dogs* <<http://www.rspca.org.au/facts/annual-statistics/dogs>>.

¹⁸⁰ Hennessy et al, above n 126, 483.

although it is often thought that environmental enrichment means adding inanimate objects to the dog's enclosure, it also includes human interaction.¹⁸¹ It has been argued that '[m]aintaining psychological wellbeing is critical in preventing dogs becoming hyper-reactive and un-adoptable. Approximately 10% of shelter euthanasia is the result of such deterioration, therefore maintaining a dog's health reduces the risk of euthanasia.'¹⁸² It is not surprising that studies have identified that dogs that have undergone training, including daily human interaction, are much more likely to be adopted.¹⁸³ Marston and Bennett explain that current studies indicate 'that post-adoption retention could be improved by providing obedience training for the new owner and dog during the critical first month post-adoption'.¹⁸⁴ This is evidence in favour of the model argued for in this thesis, because, even though it marries nicely with the models currently being used in correctional facilities, given that the dogs from shelters undergo extensive training before being adopted out, it does not address the problem of emotional stress perpetrated upon both the offender and the dog at the end of the live-in training period. However, following this argument to its logical conclusion shows that keeping the offender and the dog together through the period of incarceration and then upon release would address this two-pronged problem.

¹⁸¹ Simona Normando et al, 'Effects of an Enhanced Human Interaction Program on Shelter Dogs' Behaviour Analysed Using Novel Nonparametric Test' (2009) 116 *Applied Animal Behaviour Science* 211, 218.

¹⁸² Linda Marston, 'Innovative Australian Shelter Dog Program Dramatically Increases Rehoming and Reduces Returns' *Shelter Research* (Anthrozoology Research Group, Monash University), Summer 2007.

¹⁸³ Andrew Urs Leuscher and Robert Tyson Medlock, 'The Effects of Training and Environmental Alterations on Adoption Success of Shelter Dogs' (2009) 117 *Applied Animal Behaviour Science* 63, 67.

¹⁸⁴ Linda C Marston and Pauleen C Bennett, 'Reforging the Bond—Towards Successful Canine Adoption' (2003) 83 *Applied Animal Behaviour Science* 227, 241.

Table 4.1: Proportions of Surveyed Animal-Based Offender Rehabilitation Programs in Categories

ANIMAL REHABILITATION →	Animal-Centric Rehabilitation	62% Full-time contact between offender and animal	Co-rehabilitation 0% Offender released with animal (benefits both offender and animal)
	38% Periodic contact between animal and offender	24% Animal not kept with offender, but held in correctional facility	6% Animal adopted by family of offender
	76% Animal taken from offender (affects both offender and animal)	38% Periodic contact between animal and offender	Offender-Centric Rehabilitation
	OFFENDER REHABILITATION →		

Using dogs can achieve many of the outcomes being argued for by researchers documented in section 4.3, as part of a rehabilitation program within correctional facilities. As demonstrated in this thesis, this is not a new idea, as there are many prisons in both Australia and the US that currently use dogs in their rehabilitation programs. Even though these programs address many of the issues elaborated on in section 4.3 above, there is a need for further modification to such programs in order to sufficiently address some of the shortfalls that have been identified—in particular, the problem of relinquishment of the animal.

As can be seen in Table 4.1 above, 76% of animals are taken away from the offender after a period of training, resulting in increased anxiety levels in the dog, and, it is not difficult to conclude, in the offender as well. This increased anxiety in the dog is likely to result in a return of some behavioural issues. This is the most common PAP scenario using dogs – almost always an offender will train a puppy/dog for adoption by an external agency or individual. As identified in the table, this is the least preferred method of rehabilitation for

both the offender and the dog. The most preferred being that where the dog is kept with the offender and released with the offender. Unfortunately, the findings from the responses show that this does not happen in the current models of rehabilitation using animals; as shown by 0% in Table 4.1, with 6% of dogs being adopted by the family of the offender.

Responses showed that 62% of those facilities that responded, do have full-time contact between the offender and the dog, which is encouraging, as this is the preferred contact time for optimal rehabilitation chances. Periodic contact between the dog and the offender is shown at 38% which is of very little benefit to the offender and the dog. The remaining 24% are not kept with the offender; this represents animals that remain in the facility as a captive cohort, such as caged birds or farm animals used directly by the prison.

4.5 How the Programs Work

Several of the institutions contacted in this study (see Appendix) have received media coverage explaining their rehabilitation program and reporting feedback from some participants. This is not peer-reviewed scientific data, and hence does not constitute research-based evidence. It is, however, the only source of participant feedback currently available on these institutions, and, as Deaton argues, ‘they inform the reader of current practices and reported benefits which might stimulate further interest’.¹⁸⁵ It must be said that there could be an element of bias, as the prison authorities may have chosen specific inmates to be interviewed by the journalists to enable a story with maximum impact for the benefit of the specific correctional facility around which the story is based.

4.5.1 Programs in Australia

4.5.1.1 Bathurst Correctional Centre

A program called ‘Dogs for Diggers’ is currently being run out of the Bathurst Correctional Centre, where dogs from shelters are trained by inmates for use by veterans as assistance dogs. The ‘rehabilitation’ of these dogs takes the form of socialisation and

¹⁸⁵ Christiane Deaton, ‘Humanizing Prisons with Animals: A Closer Look at “Cell Dogs” and Horse Programs in Correctional Institutions’, (2005) 56 *Journal of Correctional Education* 46, 47.

training with offenders to enable them to be successfully adopted by a member of the community in need of an assistance dog. This program has been described in the media as a ‘blissful experience’ for the inmate, as well as being the perfect opportunity to increase employment options once they are released:

those inmates involved get not only the bliss of the daily companionship of dogs (each dog spends six months with an inmate, and the dog and inmate even sleep together) but also gather dog-training skills. This gives the inmates a day-to-day sense of purpose and may help them find employment once they are free.¹⁸⁶

This advances the intrinsic value of animal–offender co-rehabilitation, as it increases the generativity within the prison environment for those involved, and enhances the offender’s social capacity and possible employment outcomes once released. However, for this improvement to be permanent, it is argued here the offender must be allowed to stay with the animal and vice versa. As discussed in the literature review, the fracturing of the human–animal bond can, and does, result in feelings of abandonment for the offender. This has the capacity to undermine any previously achieved rehabilitation success.

4.5.1.2 Beechworth Correctional Centre

Beechworth Correctional Centre in Victoria has a program involving the rehabilitation of raptors (birds of prey), run in partnership with Healesville Sanctuary. It is described as an ‘innovative prisoner rehabilitation program’¹⁸⁷ and does incorporate some of the same desirable qualities mentioned by Halsey and Harris in their paper on generativity.¹⁸⁸ In a media release by the Department of Justice in Victoria, the program is described as enabling offenders to develop skills and qualifications that will assist in their post-release journey. It is noted by the Department of Justice: ‘The program encourages responsibility and provides prisoners with skills they can use when they return to the community with a number of prisoners having received qualifications in animal management from Box Hill TAFE’.¹⁸⁹ Even though this program does not involve dogs in prisons, it does encourage

¹⁸⁶ Ian Warden, ‘Gang-gang: Dogs Get Their Day’, *The Canberra Times* (online), 4 September 2014 <<http://www.canberratimes.com.au/act-news/ganggang-dogs-get-their-day-20140904-10c60j.html>>

¹⁸⁷ State Government of Victoria, ‘Corrections, Prisons & Parole’ (10 April 2015) *Department of Justice and Regulation* <<http://www.corrections.vic.gov.au/utility/home/>>.

¹⁸⁸ Halsey and Harris, above n 144.

¹⁸⁹ Department of Justice, ‘The Real Birdmen of Beechworth Have Their Lives reflected in Film’ (Media Release, Monday 19 May, 2004).

the human–animal bond phenomenon; this is reflected in the following comment made by the Beechworth Correctional Centre’s General Manager: ‘While some birds may only take weeks or months to recover, some will need treatment and care for up to two years, allowing the prisoners to develop a close bond as they get closer to their release date.’¹⁹⁰ When looked at in terms of the human–animal bond, this program, like many others, espouses the virtues of this bond, yet fails to take into account the fracturing of that very same bond and the resultant retardation of the rehabilitation that is the goal of the program.

4.5.1.3 Bars and Rehabilitation Kanine Program—Arthur Gorrie Correctional Centre, Wacol, Qld

This program was set up by the Queensland RSPCA in early 2013, and involves dogs from shelters being rehabilitated by and with the prisoners. The comments that have been released to the media are very telling:

... some dogs came in with ‘broken spirits’. Through this program we help turn that around. Some of the dogs come from violent backgrounds and you know, sometimes that can’t be helped.

The prisoners just love the dogs. Miley gets lots of cuddles and they give her hope.

He described the program as being therapeutic, helping to restore faith and trust with prison inmates.

... it was nice to see ‘big tough men’ patting dogs within the jail compound ...

Sometimes you get so attached to these dogs but it’s like swapping gas bottles. Another dog will come into our care quickly as one has to leave us.

Being part of this program has changed my experience in here.¹⁹¹

This program is very animal-centric, with a high rate of successful animal rehabilitation. However, the comment made by one of the offenders where he describes the relinquishing of the dog as being like ‘swapping a gas bottle’ does identify a propensity to avoid getting attached because the dog is seen merely as an object. This, in itself, is good reason to question the true success of such programs from the perspective of the offender’s

¹⁹⁰ Ibid.

¹⁹¹ Reshni Ratnam, ‘Bonds of Fellowship Between Prisoners and Abandoned Animals’, *The Courier Mail* (online), 9 December 2013 <<http://www.couriermail.com.au/questnews/south/bonds-of-fellowship-between-prisoners-and-abandoned-animals/story-fni9r1nj-1226777276605>>.

rehabilitation. As identified by Bowlby,¹⁹² the issue of abandonment is very common in the lives of offenders; this is discussed in depth in Chapter 5 (section 5.2).

4.5.1.4 Pups in Prisons Program—NSW, Qld, Vic, Tas, WA

These programs, run in several institutions, follow a generic model, with dogs being trained by inmates for release into the community as assistance dogs. The program began in 2002 as a joint venture between the Department of the Attorney General and Justice, Corrective Services New South Wales and Assistance Dogs Australia. Comments such as: ‘Our participation in this program is driven by the positive impact on rehabilitation, and by the skills inmates can gain through it’, and ‘But, most importantly this program allows these guys to give back to the community, with these dogs eventually giving freedom and independence to someone with a disability’,¹⁹³ are evidence that the dogs in prisons are having an impact. However, this impact is arguably fairly one-sided, because despite the many stories about how the offender has changed the outcome for the dog, the problem of the fracturing of the human–animal bond and its impact on the offender is not addressed in any of these programs.

In Wooroloo Prison farm in Western Australia, the comments mirrored those from other states:

It has helped to develop offenders’ sense of responsibility, improve their self-esteem and team work and develop their communication skills, which are all essential elements to successful rehabilitation.¹⁹⁴

4.5.2 Programs in the US

Similar to the rehabilitation PAPs currently used in Australia, prisons in the US take on dogs from shelters to be trained in obedience and behaviour. There is not much variation in the way these programs are run, with all of them involving relinquishment of the dog after a clearly defined period. Some facilities use other animals as part of offender

¹⁹² Bowlby, above n 152, 201.

¹⁹³ <<http://nsw.psnews.com.au/Page>>.

¹⁹⁴ ‘Prison Pup Released’, *In My Community* (online), 9 December 2013

<<http://www.inmycommunity.com.au/news-and-views/local-news/Prison-pup-released/7654164/>>.

rehabilitation programs; one of these programs in particular, the Angola Prison Rodeo, has already been identified in this thesis as a clear example of what is meant by an offender-centric rehabilitation program. The following sections offer representative examples of the types of programs being run in the US.

4.5.2.1 Pen Pals Prison Program—Davis Correctional Facility, Holdenville, Pontotoc County

The dogs being used in this program have been identified as being unruly or bad mannered, and not suitable for re-homing without substantial training.

Comments from the director of the program tell the story:

Dogs are sent to the prison for 10 weeks at a time and when they return they are a completely different dog.

You weren't able to pet him much, would not walk on a leash, and now I can hold him and he's got manners

They feel like by taking care of the dogs, and helping the animal shelters and making the dogs more adoptable, that that is their way of giving back to the community.¹⁹⁵

4.5.2.2 Lee Arrendale State Prison, Alto

Although this is a women's prison, it comes as close as possible to an example of the type of program being proposed in this current study. The dogs used in this rehabilitation program are sourced from a shelter, and would otherwise be destroyed.

Dogs who have been at the shelter too long and were slated to be put down get a second chance. For 12 weeks 7 dogs live and train with two inmates a piece. They concentrate on obedience, crate training and being house broken. The goal is for the dogs to be adopted out by their forever family.

And for the inmates it is a bit more complicated ... she was a very lost person going into the prison. She says her addiction to pills landed her behind bars. If you ask (her), she says it's Angel who has taught her how to live.¹⁹⁶

¹⁹⁵ Ashley Park, 'Prison Training Program Teaches Inmates to Train Shelter Dogs', *News12* (online), 30 January 2014 <<http://www.kxii.com/home/headlines/Prison-training-program-teaches-inmates-to-train-shelter-dogs--242675761.html?ref=761>>.

¹⁹⁶ Gurvir Dhindsa, 'Prison Program Gives Dogs, Inmates 2nd Chances', *MyFox Atlanta* (online), 14 November 2013 <<http://www.myfoxatlanta.com/story/23955160/prison-program-gives-dogs-inmates-second-chances#axzz2rBd16Ybz>>.

The unique aspect of this program is that the dogs were then adopted out by staff and families of the inmates. This is getting close to the ideal situation but it still involves some abandonment issues.

4.5.2.3 Airway Heights, Washington

The Airway Heights Corrections Centre runs a program called ‘Pawsitive Dogs’. Again, prisoners take on the responsibility of retraining dogs from shelters so they can be used in the community as assistance dogs, or simply adopted by families as a companion. It is interesting to note that management at this facility does recognise the issue of ‘emotional loss’ for the offenders once the dog is taken away for adoption, but little is done to address this loss:

The inmates keep each dog around the clock for 8–10 weeks before the dog is adopted out. Between cycles they take a few weeks off to heal from the emotional loss and prepare for the next dog.¹⁹⁷

One of the inmates was quoted as saying:

I miss them all ... When Annie left, I was down for three days, just stayed on my bunk.¹⁹⁸

4.5.2.4 Colorado Cell Dogs

As with most programs that use dogs, Colorado Cell Dogs also takes dogs from shelters and trains them as assistance dogs for use within the community. The potential beneficiaries of assistance dogs are disabled people, police, fire departments and victims of crime. The comments made by some of the inmates imitate the now very common thread found in most correctional facilities that use dogs as part of a rehabilitation program:

What this dog will do is something I would never have been able to offer someone before I came to prison.

‘This program will bring mean people like me to tears’—This from a second degree murder convict serving a 48 year sentence, who has undertaken

¹⁹⁷ Farm Animal Welfare Council, *Five Freedoms* (16 April 2009)
<<http://www.khq.com/story/24400577/pairing-prisoners-with-puppies-a-look-inside-spokanes-pawsitive-dogs-program>>.

¹⁹⁸ Ibid.

significant study as part of the program and is now qualified as a master dog trainer.

I understand how privileged I am to be in the program.

If I got out tomorrow this is what I would do.

You can't have much better time when you are locked up.

It is tough for us. But you feel for the person receiving the dog ... It's almost like sending your child off to college.¹⁹⁹

4.5.2.5 *Angola Prison Rodeo*

The Angola prison rodeo in Louisiana, US, begun in 1965, is said to be the longest running program involving the use of animals. It is managed by the Angola Prison Rodeo Committee and is self-funded. The rodeo has become such an economically viable institution for the prison that they have been able to contribute a portion of profits to building structures within the prison community, such as an interfaith chapel.²⁰⁰ The event was developed as an exercise in involving the offenders in the construction of an arena in which a rodeo event could take place for the entertainment of the inmates and the employees. The Angola Prison Rodeo Charter states: 'The objective of the Angola Prison Rodeo remains to provide the prison population at Louisiana State Penitentiary with an opportunity for positive behaviour changes.'²⁰¹ Throughout the Charter, there is no mention whatsoever of the animals that are used in the rodeo. An article from the *Guardian*²⁰² reports on interviews conducted with inmates about the rodeo, and many of the responses show a blend of 'brutality and sentimentality as only America can'.²⁰³

Quotations from inmates reveal sentiments such as:

It's fun, all right, but a lot of people get hurt.

There's mixed feelings. Some people are like 'I won't do it.' Me, I'll do it, I'm not sitting in my room wondering what it's like. Before every event I pray.

I like stuff where I can run when it gets dangerous.

¹⁹⁹ Kirk Mitchell, 'Second Chances for Dogs, Inmates', *Denver Post* (online), 22 October 2007 <http://www.denverpost.com/news/cj_7244614>.

²⁰⁰ Louisiana State Penitentiary Museum Foundation, *Angola Prison Rodeo*, Angola Museum <<http://angolamuseum.org/?q=RodeoHistory>>.

²⁰¹ *Angola Rodeo* <www.angolarodeo.com>.

²⁰² <<http://www.theguardian.com/world/2013/oct/23>>.

²⁰³ Ibid.

It is something that takes me away from here for that moment, gives me peace of mind ... I'm in prison, but for that moment, I'm not.

There are also quotations from the Warden:

We have broken jaws occasionally, or teeth ... You'll have someone stepped on, so he could get a broken leg. But it's like rodeo in America—it's what we do. We don't want them hurt. This is not to come out here and see people harmed by the animals, nor the animals harmed. This is about traditional American rodeo and we're using that as a rehabilitative tool.

The latter comment with regard to the rodeo being a 'rehabilitative tool' does give rise to the question: what type of rehabilitation does it achieve, and how? This thesis does not argue for this type of offender rehabilitation; the rodeo has nothing to do with allowing the offender to engage with a nurturing or empathetic side to his personality, but more to do with offenders being allowed to participate in the rodeo festivities if they show certain desirable behaviours from the point of view of prison staff.

The rodeo program not only involves traditional rodeo events as seen in Australia, such as bull riding and bronco riding, but also involves events such as 'convict poker', where a group of inmates are seated in flimsy fold-up chairs around a card table and rodeo clowns goad a bull into rushing at the table; this is also known as 'inmate pinball'. There is also an event called 'guts and glory', where an inmate has to retrieve a poker chip from between the horns of the 'meanest and toughest' bull available. Another of these bizarre events is known as 'wild-cow milking': just as the name suggests, the inmates team up with others to try to milk an agitated cow as she runs around the arena.

One inmate who sustained several rib fractures comments:

It's like a high you never had, can't never get ... Participation as a rider is like showmanship. Here [in the fair] you build a temporary rapport with the people.
²⁰⁴

Others comment:

I grew up around animals and so I wanted to ride in the rodeo. I broke my leg, broke my tail bone, got a concussion, but I also won eight what we call championship buckles in the rodeo.

Incredible ... All those people watching, cheering you on. It's like time stops. You feel free for a day.
²⁰⁵

²⁰⁴ Rick Jervis, 'Prison Rodeos Provide Escape From Routine', *USA Today* (online), 30 October 2009 <http://usatoday.com/news/nation/2009-10-29-prison-rodeo_N.htm>.

²⁰⁵ Ibid.

The Louisiana State Penitentiary holds the rodeo five times a year to raise money for various 'educational and religious programs' for inmates, with the springtime event netting around US\$450,000. The feeling among the inmates is that the real benefit of the rodeo is the sense of freedom it affords them, albeit for a very short period of time.²⁰⁶

There is however, a distinct lack of appreciation for the animal participants in these comments. Not only is there the innate terror of typical wild bulls, broncos, and it appears, wild cows on display, there is also the 'Disneyfication'²⁰⁷ of other more 'cute' animals. For example, there is photographic evidence of a group of monkeys riding on the backs of Border Collie dogs tasked with herding sheep into a pen.²⁰⁸ These examples contribute to a romanticising of the prison rodeo circuit, as much of the reportage on the Angola rodeos deals with the feelings of freedom identified by the inmates, and the prison authorities are very keen to promote the impression that it provides the inmates with opportunities for positive behaviour changes.

It is interesting to see that the rodeo has attracted condemnation because it 'blurs the line between fun and exploitation'.²⁰⁹ This comment applies not only to the humans in the equation, but to the animals as well. The animals are exploited merely as a means of entertainment with no regard to their welfare. There does not appear to be any animal-centric purpose to this type of rehabilitation, only utilisation of the animal. This example of animal utility is important to this current thesis because offers an example that stands in direct contrast to the co-rehabilitation model being promoted here. There does not appear to be any rehabilitation for the animals used in this type of program, and, at best, only questionable rehabilitation outcomes for the offenders.

²⁰⁶ *Angola Rodeo*, above n 200.

²⁰⁷ M V Anderson and A J Z Henderson, 'Pernicious Portrayals: The Impact of Children's Attachment to Animals of Fiction on Animals of Fact' (2005) 13 *Society and Animals* 297.

²⁰⁸ *Prison Photography* <<http://prisonphotography.org/tag/angola/>>.

²⁰⁹ Shamiyah Kelley, 'Angola Rodeo Blurs Line Between Fun, Exploitation', *The Daily Reveille* (online), 22 October 2013 <http://www.lsureveille.com/entertainment/angola-rodeo-blurs-line-between-fun-exploitation/article_92faa0a8-3aaa-11e3-bb51-001a4bcf6878.html>.

4.6 Summary

In conclusion, it can be seen that rehabilitation programs using dogs already exist in many correctional facilities. Indeed, many of these programs assist in the rehabilitation of dogs, resulting in a decrease in the numbers of dogs unnecessarily destroyed. What is also evident, however, is the abrupt cessation of the mutual rehabilitation once the dog is removed from the offender. There is published research giving weight to the argument that the removal of something that holds significant emotional attachment from a person will result in feelings of mistrust and despair.²¹⁰ The model of rehabilitation presented in this thesis addresses this fault in existing programs represented by the breaking of the bond between the dog and the offender. A rehabilitation program that will work for both offender and dog is one in which the dog is adopted by the offender and not moved on to external agencies. The dog is still sourced from a shelter and trained by the offender, but the dog goes on to live with the offender. The unique bond between the offender and the dog is then recognised for its long-term rehabilitative potential.

Furst argues that ‘[i]n addition to the benefits to both the larger community and psychological wellbeing of the individuals involved, PAPs have also been shown to influence the overall employability of participants.’²¹¹ There is an argument that perhaps involvement in PAPs results in attributes such as responsibility, dedication and respect, which are all necessary for obtaining and maintaining employment.²¹² In support of this statement, there is little research-based evidence regarding the successful, long-term employment outcomes for released offenders that have been involved in a PAP. However, the present thesis argues that enabling the offender to keep the dog upon release will add further confidence and self-esteem to that individual’s quiver of helpful attributes in their search for meaningful employment.

²¹⁰ Bowlby, above n 152, 201.

²¹¹ Furst, above n 147, 416.

²¹² Ibid.

Chapter 5: Discussion

5.1 Best Practice Rehabilitation Programs

In order to comment on the effectiveness or lack thereof of any offender rehabilitation program, the goals of such programs must be clearly defined. Many studies in criminogenics and desistance models have been applied to rehabilitation programs.²¹³ Two in particular—the RNR²¹⁴ and the GLM²¹⁵—have been evaluated in detail and identified in research papers within the criminology and psychology genres (see Chapter 2).

5.1.1 Desistance Paradigm

Treatment programs commonly used in correctional facilities generally take into account cognitive skills. ‘[M]ulti-modal programs that incorporate problem-solving components with educational and therapeutic aspects’²¹⁶ are proven to be most effective types. In fact, Howells et al note that research from Canada has confirmed that cognitive skills programs have been shown to have a positive impact on recidivism.²¹⁷ The cognitive skills that are inherent in a program such as the one argued for in this thesis will stand it in good stead as a program worthy of implementation. Not only does a program such as this represent a perfect opportunity for educational up-skilling, in the form of dog husbandry and training, but it also brings with it the opportunity to enhance social skills and personal fulfilment.

The comment by Porporino²¹⁸ regarding the desistance paradigm, presented previously in Chapter 2 (see section 2.1.3), in which he argues that it would be better if offenders were

²¹³ Maruna and LeBel; Cunneen and Luke; McNeill; Naylor; Maguire and Raynor; above n 5.

²¹⁴ Tony Ward and Shadd Maruna, *Rehabilitation: Beyond the Risk Paradigm* (Routledge, 2007), 75.

²¹⁵ Ibid 142; T Ward and M Brown, ‘The Good Lives Model and Conceptual Issues in Offender Rehabilitation’ (2004) 10 *Psychology, Crime and the Law* 243.

²¹⁶ Kevin Howells et al, *Correctional Offender Rehabilitation Programs: The National Picture in Australia* (Report for Criminology Research Council, May 2004) 31.

²¹⁷ Ibid.

²¹⁸ F Porporino, ‘Bringing Sense and Sensitivity to Corrections: From Programmes to ‘Fix’ Offenders to Services to Support Desistance’ in J Brayford, F Cowe and J Deering (eds), *What Else Works? Creative Work with Offenders* (Willan Publishing, 2010) 61, 80.

to guide rehabilitation program designers rather than being dictated to by those in control, advances the argument being put forward in this thesis. Further, the benefit of offender-guided program design is evidenced by research documenting the role of the human–animal bond and its impact on the manifestation of those primary human goods.²¹⁹ Maruna and LeBel’s argument that the offender needs to be committed to a program for it to be effective²²⁰ supports the current thesis in that it is easy to show that a program that has purpose and value will be much more successful than one that seems pointless to the participant.

This project relies on many of the same philosophies argued by the desistance paradigm, in that the bond developed between the offender the dog, given its strong propensity to create generativity, will in fact be relevant to the possibility of the offender living a better life. It is important that the offender be given the opportunity to decide on a course of rehabilitation that is relevant to their ability to better their own lives upon release.

5.1.2 ‘Animals as Therapy’ Programs

Prison-based animal programs within the US and Australia have had success anecdotally, but have been the subjects of limited empirical research within the field.²²¹ The use of animals from a psychological perspective has been well documented in areas of child welfare, aged care facilities and hospices.²²² This is known as animal-assisted therapy, and it relies on the human–animal bond and its therapeutic benefit. In many everyday situations, examples of this very real phenomenon are taken for granted. For instance, in doctors’ and dentists’ waiting rooms, and in childcare facilities—environments that can evoke feelings of stress in clients—are often adorned with fish tanks. This inclusion of an

²¹⁹ Siegel, Judith M, ‘Pet Ownership and Health’ in Christopher Blazina, Güler Boyraz and David Shen-Miller (eds), *The Psychology of the Human–Animal Bond: A Resource for Clinicians and Researchers* (Springer, 2011).

²²⁰ Maruna and LeBel, above n 5, 71.

²²¹ Furst, above n 147, 407.

²²² Gail F Melson and Aubrey Fine, ‘Animals in the Lives of Children’ in Aubrey H Fine (ed), *Handbook on Animal Assisted Therapy* (Elsevier, 3rd ed, 2010) 223; Temple Grandin, Aubrey H Fine and Christine Bowers, ‘The Use of Therapy Animals with Individuals with Autism Spectrum Disorders’ in Aubrey H Fine (ed), *Handbook on Animal Assisted Therapy* (Elsevier, 3rd ed, 2010) 247; Mara Baun and Rebecca Johnson, ‘Human/Animal Interaction and Successful Aging’ in Aubrey H Fine (ed), *Handbook on Animal Assisted Therapy* (Elsevier, 3rd ed, 2010) 283.

animal-based distraction has been shown to decrease the anxiety levels of those who take the time to sit and watch the occupants.²²³

The bond developed between a human and a companion animal can be unique and long lasting.²²⁴ Arkow²²⁵ states that more people in the US have pets than have children. For this relationship to be psychologically beneficial to the human, however, it has been argued that it should be full-time and not sporadic.²²⁶ Unfortunately, in some prisons, the human–animal interaction is indeed sporadic. In these cases, the animals are not used for the therapeutic benefit of the offender; in fact, it has been argued that the Prison-Based Animal Program (PAP) does not have any ‘clinical or psychological counseling component’.²²⁷ Hart has conducted research on the ‘positive effect of animals for psychologically vulnerable people’ and maintains that there is a knowledge gap between recognition of the benefits a companion animal brings to everyday life and implementation of programs that value the importance of such relationships.²²⁸ The research in this thesis goes some way to addressing this gap, and offers reasonable expectation that the implementation of a broad-spectrum program promoting the human–animal bond will provide successful outcomes for both animal species.

As mentioned earlier, it is argued by Hart²²⁹ that to achieve the full potential of a positive animal–human relationship, that relationship should be full-time. This, of course would depend on the definition of ‘full-time’; a full-time relationship may not necessarily be 24 hours a day, but certainly enables substantial contact on a daily basis. This reflects the norm in society where people with companion animals also engage in full-time employment that takes them away from the animal for periods of time throughout the day, but does not in any way have a negative impact on the relationship with the animal. Raina et al conclude that ‘pet ownership was a positive factor associated with the change in the

²²³ Hart, above n 146, 71.

²²⁴ J Serpell, *In the Company of Animals* (Cambridge University Press, 1996).

²²⁵ Phil Arkow, ‘Animal-Assisted Interventions and Humane Education: Opportunities for a More Targeted Focus’ in Aubrey H Fine (ed), *Handbook on Animal Assisted Therapy* (Elsevier, 3rd ed, 2010) 457.

²²⁶ Hart, above n 146, 59.

²²⁷ Furst, above n 147, 408.

²²⁸ Hart, above n 146, 66.

²²⁹ Ibid.

psychological wellbeing of participants over a one year longitudinal study'.²³⁰ Hart writes that those of us who have pets value, above all else, the companionship in that relationship. She goes on to say that for those who are alone, a lack of companionship and social support often leads to a state of depression that results in a decline in wellbeing and an 'increase in likelihood of suicide or other maladaptive behaviours'.²³¹ This advances the proposal of the present thesis, as the beneficial outcomes of having a dog as a companion throughout the latter part of a custodial sentence and after release are shown to increase wellbeing and decrease the likelihood of maladaptive behaviours.

Studies show, along with the psychologically rewarding behaviours attributed to the human–animal bond, that dogs can have a socially lubricating effect. In 1984, Messent asserted that '[p]eople may start conversations, laugh, and exchange stories more when a dog is present than when the person is alone.'²³² Socialisation in itself enhances a supportive network, which, if absent, invariably leads to loneliness, depression and stress. There are many anecdotal tales of friendships being forged at the initiation of a companion dog. The 'Disneyfication' of many companion animals pays tribute to the lifelong companionships detailed by the history of man and his dog.²³³ For examples of this, one only need look at historical television series such as *Rin Tin Tin*, *Lassie*, and *The Littlest Hobo* to recognise the connection between human emotions and animal interactions.

5.1.3 Animal Welfare Implications of Animal-Assisted Therapies and Prison-Based Animal Programs

One of the recognised problems with the evolution of animal-assisted therapies is their welfare implications for the animal. The interests of animals have historically been

²³⁰ P Raina et al, 'Influence of Companion Animals on the Physical and Psychological Health of Older People: An Analysis of a One-Year Longitudinal Study' (1999) 47 *Journal of the American Geriatric Society* 323.

²³¹ Hart, above n 146, 69.

²³² P R Messent, 'Correlates and Effects of Pet Ownership' in R K Anderson, B L Hart and L A Hart (eds), *The Pet Connection: Its Influence on Our Health and Quality of Life* (University of Minnesota, 1984) 331.

²³³ Slavoljub Milekic, 'Disneyfication' in Marc Bekoff (ed), *Encyclopedia of Animal Rights and Animal Welfare* (Greenwood Press, 1998) 133. Disneyfication of animals refers to the assignment of some human characteristics (anthropomorphism) and cultural stereotypes onto the animals. Although this practice is best shown by the way cartoon characters and animals are pictured in Walt Disney movies, it is not restricted to the Disney Corporation, but is widespread as a marketing strategy.

ignored. As discussed in previous chapters, humans have utilised animals for years as means to an end, whether that be food, clothing, entertainment or companionship. It is important to recognise, however, that animals also have interests, meaning that they have species-specific behaviours that result in positive neurological feedback when performed. Many animal welfare groups have codified these interests in line with the five freedoms, developed initially by Professor Roger Brambell and implemented in the United Kingdom by the farm Animal Welfare Council in 1979. These are listed as:

1. Freedom from thirst, hunger and malnutrition—by ready access to fresh water and a diet to maintain full health and vigor;
2. Freedom from discomfort—by providing a suitable environment including shelter and a comfortable resting area;
3. Freedom from pain, injury or disease—by prevention and/or rapid diagnosis and treatment;
4. Freedom from fear and distress—by ensuring conditions that avoid mental suffering;
5. Freedom to express most normal behaviour—by providing sufficient space, proper facilities and company of the animal's kind.²³⁴

In parallel with these five freedoms, Degrazia argues that animals have an interest in avoiding pain, fear, distress or physical harm, and in pursuing their own needs, desires and goals.²³⁵ Further, Serpell et al state that:

Relations between human and non-human animals become morally problematic where there is a conflict of interest between the two: where the human use of the animal either causes the latter pain, fear, or harm, or it in some way thwarts or prevents the animal from satisfying its own needs and goals.²³⁶

In order to have a meaningful discussion on animal welfare, it must first be defined as a concept. Botreau defines it as a concept that is 'multidimensional', and as such, 'requires a multicriteria evaluation' if it is to be explained adequately.²³⁷ In their study, Botreau et al present a specific set of criteria on how to assess animal welfare, and argue that, among

²³⁴ Farm Animal Welfare Council, *Five Freedoms* (16 April 2009) <<http://www.khq.com/story/24400577/pairing-prisoners-with-puppies-a-look-inside-spokanes-pawsitive-dogs-program>>

²³⁵ J A Serpell et al, 'Welfare Consideration in Therapy and Assistance Animals' in Aubrey H Fine (ed), *Handbook on Animal Assisted Therapy* (Elsevier, 3rd ed, 2010) 481.

²³⁶ Ibid 483.

²³⁷ R Botreau et al, 'Definition of criteria for overall assessment of animal welfare' (2007) 16 *Animal Welfare* 225, 225.

other specifications, these criteria ‘must be *exhaustive*’, in that they must represent every viewpoint, they must be ‘*minimal*, ie containing only necessary criteria’, and must be independent of each other, such that no one criterion is dependent on another to be valid.²³⁸

These criteria are applied in further studies, such as that undertaken by Miele et al, who look specifically at the conversation between scientists and society and how the juxtaposition of the two could be determined. Due to the fact that animal welfare means different things to different people, it is important that this dichotomy be addressed. For scientists, animal welfare is characterised by the absence of suffering, while for society generally, it means that animals should be able to ‘experience positive emotions.’²³⁹ Both of these viewpoints are addressed under the category of sentience, or ‘phenomenal consciousness’, where measures of the conscious experiences of pain or pleasure in humans are extrapolated onto the behaviours of animals when placed in similar circumstances.²⁴⁰

Animal welfare science has asked the question of ‘[h]ow can good and bad welfare be recognized?’ and with that is the implied question of ‘how to measure and assess animal welfare’.²⁴¹ It is inherently difficult to measure things such as emotional wellbeing in animals, and the best proven way to make any definitive argument as to just how the animal is ‘feeling’ is to look at the animal’s behavioural responses to specific circumstances. Dawkins argues that ‘[b]ehaviour has the advantage that it can be studied non-invasively and can give a direct insight into the view of the situation from the perspective of the animal.’²⁴² The mere measure of any autonomic response, in both humans and animals, is not a conclusive measure of how the person or animal is actually feeling. As Dawkins argues, it is very difficult to tell whether a person is ‘angry, fearful, or just plain excited just from knowing what their autonomic responses are’; the same can be said for animals, in that ‘we will never understand the physiology of animal emotions

²³⁸ Ibid.

²³⁹ M Miele et al, ‘Animal Welfare: Establishing a Dialogue between Science and Society’ (2011) 20 *Animal Welfare* 103, 115.

²⁴⁰ Marian Stamp Dawkins, ‘A User’s Guide to Animal Welfare Science’ (2006) 21 *Trends in Ecology and Evolution* 77, 79.

²⁴¹ Ibid.

²⁴² Ibid.

just by looking at the autonomic responses'.²⁴³ This is evidence that the behaviour of the animal involved in any therapy program is an indispensable measure to gain a prescriptive indication of the welfare implications for that particular animal. Dawkins quite rightly makes the following observation:

Animal consciousness is central to the study of animal welfare but is still, tantalizingly, the 'hard problem' and needs to be respected as such. There is no single measure of animal welfare (no equivalent of a litmus test) but focusing on two issues—what improves animal health and what the animals themselves want.²⁴⁴

Historically, there has been debate among scientists and philosophers with regard to the conceptualisation of animal welfare and the ethical standing of animals.²⁴⁵ Fraser writes that there has been an evolution of thinking with regard to animal ethics, and quotes the feminist thinker Donovan, who proposes that the 'morality of responsibility' of feminist thinking, with its emphasis on relations and connectedness, provides an alternative to the 'morality of rights'.²⁴⁶

It is difficult to make a strictly science-based argument on an issue that involves human values. Fraser comments that 'we clearly need a more nuanced understanding of the place of values in science'.²⁴⁷ This thesis argues that it is important to take a step back from the hyperbole of discussion around which is the more appropriate path to travel with respect to our treatment of animals; rather, in agreement with Donovan and Fraser, we need to concentrate our efforts on the basic human concept of generativity. This concept is the foundation of this thesis, in that a model of joint offender and animal rehabilitation does inherently involve those feelings of care and nurturing, and needs to include consideration of the welfare of both species.

The central issue in this dialogue, however, is just how the welfare of the animal can be identified and assessed. Some writers believe that animal welfare and animal health are

²⁴³ Ibid.

²⁴⁴ Ibid 81.

²⁴⁵ David Fraser, 'Animal ethics and animal welfare science: bridging the two cultures' *Applied Animal Behaviour Science* 65, (1999) 171-189, 177.

²⁴⁶ Ibid 179.

²⁴⁷ David Fraser, 'Understanding Animal Welfare' (Paper presented at The 21st Symposium of the Nordic Committee for Veterinary Scientific Cooperation, Vaerlose, Denmark, 24–25 September 2007).

the same thing, and as such, if an animal is in optimum physiological health, then its overall welfare is also at its optimum. This is a very narrow view of animal welfare that does not take into consideration the psychological wellbeing of the animal. This psychological wellbeing, many scholars argue, can be determined successfully by looking at the behavioural responses of the animal.²⁴⁸

Behavioural responses in animals are most commonly recognised by humans in the context of anthropomorphic sentiments. Serpell argues that ‘anthropomorphism and its corollary, pet keeping, have obvious biological fitness implications.’²⁴⁹ Anthropomorphic thinking is what allows humans to conceptually morph animal social behaviours into something that mirrors their own behaviour, or behavioural responses, which in turn allows ‘nonhuman animals to function for their human owners or guardians as providers of non-human social support.’²⁵⁰ Serpell comments that, as a general rule with regard to scientific literature, anthropomorphism is regarded as an invalid method of interpreting animal behaviour; however, it can be quite reasonable to use the concept as an explanation of the ‘benefits and harms of pet ownership’, and, arguably, as a discursive tool for describing animal welfare.²⁵¹ Serpell further observes that humans will generally look at animals from an anthropomorphic perspective due in part to the fact that in childhood, animals are viewed instinctively as social subjects with ‘human-like intelligence, desires, beliefs, and intentions’.²⁵² This phenomenon of anthropomorphic thinking is responsible for the ‘incorporation of some animals into the human milieu, first as pets, and ultimately as domestic dependents’.²⁵³

Anthropomorphism is important to a model such as the one advocated in this thesis, as the social benefit of a dog being partnered with an offender in a co-rehabilitation model depends on the ability of the offender to believe that the behavioural displays of the dog can be interpreted to mean that ‘the animal cares for and loves them, holds them in high

²⁴⁸ Marian Stamp Dawkins, ‘Behaviour as a Tool in the Assessment of Animal Welfare’ (2003) 106 *Zoology* 383, 383; Miele et al, above n 27, 104; Alain Boissy et al, ‘Assessment of positive emotions in animals to improve their welfare’ (2007) 92 *Physiology & Behaviour* 375, 381.

²⁴⁹ James A Serpell, ‘Anthropomorphism and Anthropomorphic Selection—Beyond the “Cute Response”’ (2003) 11 *Society & Animals* 83, 83.

²⁵⁰ *Ibid.*

²⁵¹ *Ibid.* 84.

²⁵² *Ibid.* 86.

²⁵³ *Ibid.*

esteem, and depends on them for care and protection'.²⁵⁴ Serpell also comments that it has been found that the professed attachment people have to their companion animals is 'strongly influenced by their evaluations of the animal's behavior'.²⁵⁵ This finding is also cemented in the statement: 'Because they are unable to talk, pet animals are also unable to judge or criticise their owners, lie to them, or betray their trust.'²⁵⁶ Serpell describes the co-species benefits of anthropomorphism in the following comment:

In other words, anthropomorphism—the ability, in this case, to attribute human social motivations to nonhumans—ultimately is what enables people to benefit socially, emotionally, and physically from their relationships with companion animals ... The fact remains that without such beliefs, relationships with pets would be essentially meaningless.²⁵⁷

To put anthropomorphism into a welfare context, then, it is evident that if people look specifically at the behavioural responses of an animal and liken those responses to those made by humans under the same circumstances, then an indication of the welfare implications of certain situations can be made.

Of the five freedoms mentioned above, the freedom to express normal behaviour is the most difficult to define, and because of this, also the easiest to ignore.²⁵⁸ This can be overcome by education, however, and is important enough that it should not be ignored. This freedom is important for this thesis because the welfare of the dog is of primary concern. This project develops a model that acts directly for the welfare of the dog, and as such highlights the legislative requirements as stated in the *Animal Welfare Act 1985*, s 13.²⁵⁹ A dog that is housed in a shelter for a prolonged period of time will become anxious and distressed, and display a limited array of normal behaviours. This contravenes the last two freedoms as described by Brambell: the freedom from fear and distress, and the freedom to express normal behaviours. The management of animal shelters recognise this fact, and the only way they see to deal with the dilemma is to euthanise the dog. This project argues that there is a better way. These dogs can be rehabilitated given the right environment and the goodwill of the agencies concerned. As

²⁵⁴ Ibid 89.

²⁵⁵ Ibid 90.

²⁵⁶ Ibid 91.

²⁵⁷ Ibid 91.

²⁵⁸ Serpell et al, above n 235, 483.

²⁵⁹ *Animal Welfare Act 1985* (SA), s 13

Wells and Hepper write, ‘the most effective way to improve long-term welfare of a sheltered dog is to ensure that the animal is adopted’.²⁶⁰

5.1.4 Rehabilitation Models for Shelter Dogs

Rehabilitation models for shelter dogs must address the requirements of rehabilitation within a shelter or animal rescue holding facility. This is because once a dog arrives at a shelter or holding facility, it is generally not re-homed unless it is deemed fit for adoption by the shelter staff. If the dog does not pass the ‘vet check’ for re-homing, it is destroyed.²⁶¹ Given that large numbers of dogs are destroyed on an annual basis, involving substantial subsequent distress for the staff involved, it is encouraging that rehabilitation models have been put in place to attempt to decrease rates of killing and increase rates of adoption for these dogs. Nevertheless, more needs to be done. It is hoped that the model being proposed in this thesis will go some way towards addressing this.

One of the primary reasons for relinquishing a dog to a shelter is due to behavioural problems, and interestingly, dogs relinquished for this reason are more likely to have been purchased or adopted from a shelter in the first place.²⁶² Much of the research on the problem of shelter dog rehabilitation finds that an increase in social human contact ‘makes shelter dogs behaviourally more attractive’ for re-homing or adoption, and ‘likely increase[s] their welfare’.²⁶³ The rehabilitative result of socialisation with humans and increased behavioural training has been argued as possibly decreasing incidences of re-relinquishment of adopted dogs.²⁶⁴ Marston posits that, quite often, it is a healthy dog that is destroyed, ‘simply because there is a lack of buyer interest’.²⁶⁵ Hence it is easy to make the argument that if adoptability is enhanced by rehabilitation, there should be a decrease in destruction rates of dogs. One of the problems faced by many shelters, however, is the

²⁶⁰ Deborah L Wells and Peter G Hepper, ‘The Influence of Environmental Change on the Behaviour of Sheltered Dogs’ (2000) 68 *Applied Animal Behaviour Science* 151.

²⁶¹ Linda C Marston, Pauleen C Bennett and Grahame J Coleman, ‘What Happens to Shelter Dogs? An Analysis of Data for 1 Year from Three Australian Shelters’ (2004) 7 *Journal of Applied Animal Welfare Science* 27, 28.

²⁶² Andrew Urs Leuscher and Robert Tyson Medlock, ‘The Effects of Training and Environmental Alterations on Adoption Success of Shelter Dogs’ (2009) 117 *Applied Animal Behaviour Science* 63, 64.

²⁶³ *Ibid.*

²⁶⁴ *Ibid.*

²⁶⁵ Marston, above n 261, 28.

lack of resources available to put into practice a suitable rehabilitation program for these dogs deemed unsuitable for re-homing.²⁶⁶

5.1.5 Behavioural Intervention Procedures

Tuber et al describe a rehabilitation program that they call behavioural intervention procedures, involving staff and volunteers who spend many hours working closely with the dogs to provide:

continuity of social contact and relief from stress while the dog is sheltered, prepare the pet for transition to a new home, identify and correct potential behavioral vulnerabilities, and help the shelter in marketing dogs for adoption.²⁶⁷

Although not given a name, many of the rehabilitation programs taken up by shelters involve an increase in human socialisation measures and those that will enhance the adoptability of the dog. For example, rehabilitation programs that involve an increase in contact with the public by placing bedding and toys towards the front of the pen are said to augment adoption success.²⁶⁸ The results of the study by Wells and Hepper show that the '[i]ncreased social stimulation had a positive effect on the behaviour of sheltered dogs ... considered largely advantageous from a welfare point of view'.²⁶⁹ Wells and Hepper look primarily at the cage environment of the dog and whether changing the dynamics of the surroundings, along with an increase in human social interaction, would result in a rise in adoption rates. This in itself is a means of rehabilitation, albeit not as 'hands-on' or invasive in nature as the obedience training regimes found in some shelters. This thesis recommends inclusion of the former measures in its rehabilitation model. Nevertheless, social interaction with humans is by far the dominant criterion for any rehabilitation model.

Tuber et al offer a rehabilitation model taking place in a simulated home environment, with an area set up similarly to what the dog might find in a home should it be adopted. A series of behavioural training exercises are carried out within the 'home environment'

²⁶⁶ David S Tuber et al, 'Dogs in Animal Shelters: Problems, Suggestions, and Needed Expertise' (1999) 10 *Psychological Science* 379, 379.

²⁶⁷ Ibid 381.

²⁶⁸ Wells, above n 260, 153.

²⁶⁹ Ibid 159.

facility.²⁷⁰ Their study also looks at the advantage of crate training, which, they explain, is ‘a common tool among many dog owners and professional handlers’ for preventing destructive behaviours that can be common in many young dogs, and also to increase the dog’s acceptance of confinement where necessary.²⁷¹

It has been shown that, in Australian shelters, about one third of the dogs destroyed are done so due to a high timidity score, but by far the most common reason for destruction is hyperactivity, ‘followed by escaping, inability to walk easily on a lead, excessive barking, and mouthing’.²⁷² In their summary, Marston et al make the valid point that training is one of the most effective ways of dealing with most of these issues, which invariably result in the dog being re-relinquished.²⁷³

These examples of shelter dog rehabilitation are significant for the current thesis, as they are at the very core of the co-rehabilitation model proposed. The offender has the opportunity to engage in social interaction and training of a dog that would otherwise be destroyed.

5.2 The Human–Animal Rehabilitation Model

5.2.1 The Psychology of the Human–Animal Bond

Dogs have been companions to humans for centuries. One must only look at ancient Aboriginal drawings to see evidence of this in Australia, and museums throughout the world have archaeological remnants depicting the co-habitation of humans and dog in various cultures. Companionship between humans and dogs is also prevalent in modern society, and is depicted in media, such as print and film, and has a high level of representation on social media sites. Many households have one or more dogs as companions, with most having several throughout the lifetime of the household. The term

²⁷⁰ Tuber, above n 266, 382.

²⁷¹ Ibid.

²⁷² Marston, above n 261, 39.

²⁷³ Ibid 42.

‘pet’ has recently been replaced with ‘companion animal’, giving rise to the more recently studied phenomenon of the psychological attachment that humans have to their dogs.²⁷⁴

Siegel argues that relationships between pet ownership and certain individual health indicators have not been adequately studied, because most studies have been concerned with what she calls ‘naturally occurring pet ownership’.²⁷⁵ This thesis takes an alternate view: the fact that most companion animal ownership is naturally occurring does not, in itself, give an adequate answer to the benefits of companion animal ownership. If those of us who have companion animals, whether acquired ‘naturally’ or not, show significantly higher levels of health, self-esteem and social lubrication, then it stands to reason that offering the companionship of a dog to someone is likely to help them to achieve those benefits also. This point has been argued by many in the world of psychology, health sciences and behavioural sciences. For example, there is scientific evidence documenting the release of oxytocin in humans when stroking an animal, and in animals when being stroked by a human.²⁷⁶

Animal therapy programs have been run in prisons since 1975, when David Lee pioneered the first successful program in Ohio, US. His program was inspired by an incident where some prisoners found an injured bird in the yard, and subsequently smuggled the bird into the cells and cared for it. There was an obvious change in the demeanour of some of the prisoners, and this led to a pilot program, which was run for 90 days with extraordinary success.²⁷⁷ The programs offered a training component with ‘measurable benefits such as vocational skills’, and resulted in the animal being successfully integrated into the mainstream community when they would ‘otherwise be of little use’.²⁷⁸ Deaton makes the point that ‘[p]rograms that go beyond strictly therapeutic goals prevail, perhaps because

²⁷⁴ Nancy A Pachana, Bronwyn M Massavelli and Sofia Robleda Gomez, ‘A Developmental Psychological Perspective on the Human–Animal Bond’ in Christopher Blazina, Güler Boyraz and David Shen-Miller (eds), *The Psychology of the Human Animal Bond* (Springer, 2011) 151.

²⁷⁵ Siegel, above n 219, 167.

²⁷⁶ A Beetz et al, ‘Psychosocial and Psychophysiological Effects of Human–Animal Interactions: The Possible Role of Oxytocin’ (2012) 3 *Frontiers in Psychology* 234.

²⁷⁷ Christiane Deaton, ‘Humanizing Prisons with Animals: A Closer Look at “Cell Dogs” and Horse Programs in Correctional Institutions’, (2005) 56 *Journal of Correctional Education* 46, 47.

²⁷⁸ *Ibid.*

they are less likely to encounter resistance by the correctional system or the general public'.²⁷⁹

Since the program instigated by Lee, prison-based animal programs within the US have met with anecdotal success, but there has been limited empirical research on the topic.²⁸⁰ The use of animals from a psychological perspective has been well documented in areas of child welfare, aged care facilities, and hospices;²⁸¹ this is discussed in further detail in 5.2.4.

5.2.2 Ethical Issues in Animal-Assisted Programs

From an ethical perspective, understanding the social and behavioural needs of an animal is paramount in achieving an acceptable welfare state for any animal used in Animal-Assisted Therapy programs. For example, the use of dogs in therapy can give rise to increased stress levels in the dog,²⁸² and this would need to be recognised by the handler to enable steps to be taken to address the stress levels immediately by removing the dog from the situation. Signs of stress in a dog can vary, but include such behaviours as panting, lip licking, yawning and hypervigilance; in severe cases of anxiety, aggression will be markedly increased.²⁸³ A qualified, experienced handler will be able to recognise the precursors to such behaviours and remove the dog before they escalate and become more difficult to treat.

There is evidence to suggest that animals in residential programs such as prisons have a higher potential for burnout.²⁸⁴ This thesis argues that if these dogs were adopted by a single offender, this burnout process would not occur, as the dog would be treated in the same manner as a companion dog in a household environment. The dog would have the ability to choose to retreat to its bed or go and lie in the sun, or to interact with its

²⁷⁹ Ibid.

²⁸⁰ Furst, above n 147, 406.

²⁸¹ Melson and Fine, above n 10; Grandin, Fine and Bowers, above n 10; Baun and Johnson, above n 10.

²⁸² Serpell, above n 235, 486.

²⁸³ Therese Rehn and Linda J Keeling, 'The Effect of Time Left Alone on Dog Welfare' (2011) 129 *Applied Animal behaviour Science* 132.

²⁸⁴ Serpell, above n 235, 486.

‘owner’. Both dog and owner would be free from the constraints of a high-intensity minimal timeframe for interaction.

Iannuzzi suggests that animal-assisted programs can be categorised as follows:

1. Pet programs for the elderly and others
2. Service animal programs
3. Institutionally based residential programs
4. Visitation programs
5. Equine programs
6. Wild (non-domesticated) animal programs²⁸⁵

She further argues that each of these programs presents a unique animal welfare dilemma, writing that ‘[a]ll share a common philosophy that animals can promote wellbeing and improve the quality of life of people, and all involve using animals in some way as therapeutic tools.’²⁸⁶ This is not disputed; however, looking at any animal in a family setting reveals that the pet is a therapeutic tool in some way. That is indeed the premise of the human–animal bond. The symbiotic relationship between the two species can be viewed as just that—a therapeutic tool for both human and animal. It can be argued that the animal benefits from the relationship just as much as the human. Anecdotally, this is evident in the veterinary industry, where an animal that is hospitalised for a period of time due to ill health will show significant signs of psychological improvement if their owner is allowed to visit and interact with the animal even in a small way.

5.2.3 Some Current Observations of the Human–Animal Bond in Prisons

A study undertaken by Fournier et al on an Australian women’s prison that was involved in a Human–Animal Interaction (HAI) program produced findings that demonstrate a significant increase in the participants’ self-esteem and a decrease in their depression levels in the post-test scenario.²⁸⁷ Fournier et al do, however, add a caveat to these findings that offenders involved in the study were all tested just prior to being released

²⁸⁵ Dorothea Iannuzzi and Andrew N Rowan, ‘Ethical Issues in Animal Assisted Therapy Programs’ (1991) 4 *Anthrozoos* 157, 157.

²⁸⁶ Ibid.

²⁸⁷ Angela Krom Fournier, E Scott Geller and Elizabeth V Fortney, ‘Human–Animal Interaction in a Prison Setting: Impact on Criminal Behaviour, Treatment Progress, and Social Skills’ (2007) 16 *Behaviour and Social Issues* 89, 91.

from prison, hence the increase in self-esteem and decrease in depression could have been a result of their imminent release.²⁸⁸ They also find that ‘[t]he general prediction that participation in the HAI program would result in psychosocial changes for inmates was supported.’²⁸⁹ The argument of the present thesis is that there is a significant decrease in human depression when there is close contact with a dog and an opportunity to bond with an animal.

There have also been several anecdotal essays published that outline stories of offender–animal relationships and the impact this bond has had on offender psyche. One in particular is written by inmate Troy Chapman, incarcerated at Kinross Correctional Facility in Kincheloe, Michigan, US. In Chapman’s story, a cat turned up in the yard one day and Chapman walked over to pat it. He had not touched an animal in over 20 years. Chapman watched over the next few days as many other prisoners found the cat and spent time together, in groups, petting and talking to the cat. There was an obvious connection between the prisoners that had not been obvious prior to the arrival of the cat. Those that would not normally talk to each other would come together and, under the veil of compassion, they would feed, groom and pet the animal. Chapman makes the following comment in his essay:

After more than two decades here, I know that kindness is not a value that’s encouraged. It’s often seen as weakness. Instead the culture encourages keeping your head down, minding your own business and never letting yourself be vulnerable.

For a few days a raggedy cat disrupted this code of prison culture.²⁹⁰

The most powerful comment made in Chapman’s essay is ‘They’ve taken him away now’.²⁹¹ All too often, this occurs in animal-assisted therapy programs in prisons, and forms the linchpin of the current thesis. The fracturing of the human–animal bond is a real concern. However, there is simplicity to Chapman’s message that should not be ignored, revealed perfectly in the following comment:

It did my heart good to see the effect he had on me and the men here. He didn’t have a Ph.D., he wasn’t a criminologist or a psychologist, but by simply saying,

²⁸⁸ Ibid.

²⁸⁹ Ibid 97.

²⁹⁰ NPR, ‘Caring Makes Us Human’, *Driveway Moments*, 28 September 2008 (Troy Chapman)
<<http://www.npr.org/templates/story/story.php?storyId=95088503>>

²⁹¹ Ibid.

‘I need some help here,’ he did something important for us. He needed us—and we need to be needed.²⁹²

Although this thesis is structured around the co-rehabilitation of dogs and male offenders, this story of a cat straying into a prison yard and changing the lives of the men who came into contact with it, albeit for a short time, accentuates the value of human–animal interaction in psychological wellness.

Another anecdotal story told by Rhoades talks of several different animal-assisted rehabilitation models within the US prison system.²⁹³ She talks in particular of a dog taken from ‘death row’ in a shelter and placed in Mansfield Correctional Institution, a maximum security prison in Ohio, to undergo obedience training and socialisation. One particular offender, since 1998, has worked with 22 dogs from shelters, enabling them to be adopted by families rather than being destroyed. The following comment from that offender echoes the thoughts of many involved in animal-assisted therapy or PAPs within correctional facilities:

These dogs didn’t fit into society or they failed to meet standards of somebody out there ... They’re just like us. By working with the dogs, we’re giving them a chance to get back to a life that some of us might never see.²⁹⁴

However, comments such as only mask the psychological trauma that many offenders feel when the time comes to sever the bond that has developed between them and the dog in their care. The offender quoted in Rhoades’ story also made the following comment: ‘It’s like saying goodbye to your best friend.’²⁹⁵ It is all too easy to allow a comment such as this to pass with little or no effect, but it remains a powerful statement, and one that deserves attention. Comments of this nature are found in almost all conversations documented by those who have interviewed offenders involved in animal programs in prisons,²⁹⁶ and prove that a model needs to be established that enables the maintenance, rather than destruction, of that human–animal bond.

²⁹² Ibid.

²⁹³ Rhoades, Rebecca, *Sentence for Salvation* (2001) Petfinder <<https://www.petfinder.com/animal-shelters-and-rescues/volunteering-with-dogs/prison-dog-programs/>>.

²⁹⁴ Ibid

²⁹⁵ Ibid.

²⁹⁶ Ibid; Kirk Mitchell, ‘Second Chances for Dogs, Inmates’, *Denver Post* (online), 22 October 2007

<http://www.denverpost.com/news/ci_7244614>; ‘Pairing Prisoners with Puppies: A Look Inside Spokane’s Pawsitive Dogs Program’, *KHQ* (online), 9 January 2014

<<http://www.khq.com/story/24400577/pairing-prisoners-with-puppies-a-look-inside-spokanes-pawsitive->

One of the PAPs identified in Chapter 4, the Colorado Cell Dogs program run by the Colorado Corrections department, gives a powerful insight into the psychological effects on offenders when dogs are removed. The dogs used in this program are sourced from animal shelters, and would otherwise have been destroyed. The corrections facilities have been licensed as animal rescue facilities, and each of the dogs acquired is assessed for temperament in order to ameliorate any possible behavioural problems that might occur. Members of the general public are able to release their own unwanted dogs directly into the program. It has been dubbed the ‘last chance’ program because of the fact that otherwise, most of these dogs would have been destroyed. There is a strict policy that all dogs entering the program must be neutered before being re-homed into the general community.

The methods of dog training carried out within the correctional facilities under this program include intensive socialisation, basic manners, crate training, house training, obedience training, and confidence and ability training. The offenders are also involved in an ‘in-house’ training scheme for privately owned dogs. This involves four weeks of intensive training carried out by the offenders. This ‘allows offenders to learn new skills, improve self-esteem, and earn a salary based on their work performance. Inmates from the [Prison-Trained K9 Companion Program] are eligible to earn vocational certification in Canine Behaviour Modification.’²⁹⁷

An article written by Mitchell²⁹⁸ outlines the program and some of the effects it has had on the inmates involved in training the dogs. Below are some comments made by those inmates:

What this dog will do is something I would never have been able to offer someone before I came to prison

I understand how privileged I am to be in the program

If I get out tomorrow, this is what I would do

[dogs-program](#)>; Reshni Ratnam, ‘Bonds of Fellowship Between Prisoners and Abandoned Animals’, *The Courier Mail* (online), 9 December 2013 <<http://www.couriermail.com.au/questnews/south/bonds-of-fellowship-between-prisoners-and-abandoned-animals/story-fni9r1nj-1226777276605>>.

²⁹⁷ *Prison Trained Dog Program: Dogs Eligible for Release*

<www.coloradoci.com/serviceproviders/puppy/index.html?intro>

²⁹⁸ Mitchell, above n 199.

This program will bring mean people like me to tears²⁹⁹

The last comment was made by a second degree murder convict serving a 48-year sentence. He has undertaken study while in prison and now has qualifications as a master dog trainer.

The program liaison officer has said that all offenders must apply for a position in this program. They are excluded from a position if they are incarcerated due to sexual offences or if they have ‘write-ups for bad behaviour’. A spokesperson from the Department of Corrections says that ‘in each of the eight Colorado prisons that have a dog program, tensions have gone down. The dogs seem to affect more than just the inmates who are involved. It has an amazing calming effect on every facility.’³⁰⁰ This comment also reflects a plus for the prison guards, because a calm environment is of course going to be easier to work in, and it must not go unnoticed that a calm environment must be beneficial to the emotional wellbeing of the offender as well.

In this program, the offenders are charged with the task of caring for the dog full time. They share their cells with the dog and have full responsibility for its care and husbandry. The following comment made by an inmate shows just how important the program is to individuals:

You can’t have much better time when you are locked up.³⁰¹

There is however, in a program such as this, the inevitable relinquishment of that dog and accompanying feelings of abandonment. This is well described in the following comment:

It is tough for us. But you feel for the person receiving the dog ... It’s almost like sending your child off to college³⁰²

The abandonment issue is a significant problem with offender rehabilitation programs, and will be discussed further in the following section, because it is closely linked to attachment theory and the causes of criminality.

²⁹⁹ Ibid.

³⁰⁰ Ibid.

³⁰¹ Ibid.

³⁰² Ibid.

5.2.4 How Attachment Theory Intersects This Bond

Bowlby first recognised attachment theory as a means of ‘conceptualizing the propensity of human beings to make strong affectional bonds to particular others’.³⁰³ In this thesis it is argued that the use of dogs as part of a rehabilitation program within correctional facilities will have a distinct advantage over many other offender rehabilitation programs due to the nature of the human–animal bond as one that transects all aspects of emotion. The current programs involving dogs have received good responses with respect to offender involvement and increase in positive relationships, but this is abruptly stifled once the dog is taken away from the offender at the completion of the training program, breaking that human–animal bond.

The removal of the animal has the distinct capability to negatively affect the emotional wellbeing of the offender. In the context of Bowlby’s attachment theory³⁰⁴, there are criminogenic considerations in relation to attachments, and it is therefore not difficult to surmise that many offenders will have already suffered the pain of abandonment in their early years. This, then, has every likelihood of being exacerbated by the removal of a dog that has become an emotional crutch for many offenders involved in such programs. As described by Bowlby³⁰⁵ and van IJzendoorn³⁰⁶, young criminals who experience separations from their attachment figures go on to develop an ‘affectionless’ character. It is reasonable to expect that such a trait could manifest itself in situations that would lead to criminality. This affectionless character would seem to be one that may not be reversible given the right circumstances. However, Katz³⁰⁷ writes that this affectionless characteristic of delinquents can in fact be altered over time given the right experiences. Horner³⁰⁸ posits that ‘the central underlying factor involved in a secure attachment is the experience of empathy’. Having recognised this, it can be demonstrated that the experiences of those who have developed a human–animal bond with any animal species

³⁰³ Bowlby, above n 152.

³⁰⁴ Ibid 201.

³⁰⁵ Ibid.

³⁰⁶ Marinus van IJzendoorn, ‘Attachment, Emergent Morality, and Aggression: Toward a Developmental Socioemotional Model of Antisocial Behaviour’ (1997) 21 *International Journal of Behavioral Development* 703.

³⁰⁷ Rebecca S Katz, ‘Building the Foundation for a Side-by-Side Explanatory Model: A General Theory of Crime, the Age-Graded Life Course Theory, and Attachment Theory’ (1999) 1 *Western Criminology Review* 1, 3.

³⁰⁸ Althea J Horner, *Psychoanalytic Object Relations Therapy* (Janson Aronson Inc., 1991).

include the experience of empathy. Katz writes: ‘This emotional investment or attachment process facilitates the development of self-control by fostering empathetic understanding and the development of trust, leading to non-deviant behaviour.’³⁰⁹ Self-psychology, a particular psychological school of thought, ‘recognises that relationships and their associated experiences are the keys to healthy self development’.³¹⁰

The theory of self-psychology revolves around the importance of specific needs, especially during early growth and development. If these needs are not met, then problems will develop. Anderson divides these needs into three categories: Mirroring Needs, Idealizing Needs, and Alter-Ego Needs,³¹¹ and states that it is evident that companion animals can in fact satisfy these needs. She gives an example of a young child interacting with a dog, where the dog’s reaction to that activity is a positive reinforcement for the child, who sees the response by the dog as an appreciation for her own creativity: ‘she can see herself as an interesting, worthwhile, expressive’ person.³¹² It is argued that, in the realm of self-psychology, a dog can act as the ‘self-object’, which is the object that responds to the needs of the person: ‘self objects are the “oxygen” for the psyche’.³¹³ It is often said that the relationship or bond shared between a human and a dog stretches beyond the physical; if one trawls social media sites, one often sees it described as being a spiritual bond.

Anderson posits that:

Research suggests that dogs may have developed the ability to read human social and communication cues through a process known as convergent evolution. When two distantly related species share a similar trait or ability, it is possible that the similarity resulted from a proximal evolutionary process. One hypothesis is that dog’s enhanced social skills ‘represent a case of convergent evolution with humans’.³¹⁴

The theory of convergent evolution was first described in evolutionary biology and is described as ‘the process whereby organisms not closely related (not monophyletic), independently evolve similar traits as a result of having to adapt to similar environments

³⁰⁹ Katz, above n 307.

³¹⁰ Elizabeth P Anderson, *The Powerful Bond Between People and Pets—Our Boundless Connections to Companion Animals* (Praeger, 2008).

³¹¹ Ibid 21.

³¹² Ibid.

³¹³ Ibid.

³¹⁴ Ibid 25.

or ecological niches'.³¹⁵ That it is not uncommon to see dogs displaying advanced social skills in interactions with humans lends support to this theory. Given this, it is useful to look at the impact of evolutionary theory upon the human–animal bond. The fact that dogs have adapted so perfectly to human lifestyles that they actually have altered their own behaviours and communication styles bears witness to the importance of the bond that has developed over the years between the two species. This allows for effective communication between the species, and with that, successful co-habitation. Anderson quotes Dr Vilmos Csayni's summing up of his decade of study on canine cognition: dogs 'easily accept a membership in the family, they can predict social events, they provide and request information, obey rules of conduct and are able to cooperate and imitate human actions.'³¹⁶

The theory that dogs have genetically evolved to bond with and co-exist with humans means that the human–animal bond is likely to be an enduring one in most cases. There are exceptions to this tendency, and circumstances in which the bond may fail; this is demonstrated by the number of animals that do end up in shelters or develop aggressive tendencies.³¹⁷ However, the reasons for such breakdowns in the attachment that one person may have with their dog constitute an area for research that requires further attention.

Although not founded on any research-based evidence, it has been said in various guises in human interest weekly magazines, on social media interactions and in self-help books that the following attributes are necessary for a successful relationship:

- We must like each other,
- We must trust each other,
- We must enjoy shared activities,
- We must share expression in mutually acceptable ways, and
- We must support each other emotionally.

³¹⁵ 'Convergent evolution', *Reference terms—from Wikipedia, the free encyclopaedia*, Science Daily <www.sciencedaily.com/articles/c/convergent_evolution.htm>.

³¹⁶ Anderson, above n 310, 27.

³¹⁷ Judith K Blackshaw, 'Developments in the Study of Human–Animal Relationships' (1996) 47 *Applied Animal Behaviour Science* 1, 4.

It can be argued that these are the very attributes found in a ‘man and his dog’ relationship, strengthening the proposed model. In support of this argument, Zasloff writes that the attributes often shared in the more generic media, as described above, do in fact exist. He says that a relationship with a dog is evaluated on such criteria as ‘taking walks, travelling together, grooming, [and] training the animal’.³¹⁸ He also mentions the emotional aspects of relationships with pets, such as ‘love, trust, loyalty and joyful mutual activity’.³¹⁹

Ted Conover, a former corrections officer at Sing Sing prison in the US, states that ‘even more than people on the outside, inmates appreciate pets’.³²⁰ In their analysis of poetry written by inmates, Johnson and Chernoff comment that ‘perhaps the scarcity of opportunities to develop relationships with non-inmates and the difficulties inherent with connecting with fellow prisoners are responsible for the striking number of poems about the importance of animals’.³²¹ There are many other documented stories of relationships between inmates and animals. Probably the most well known is that of inmate Robert Stroud and the relationship he developed in Alcatraz prison with a sparrow, which led to many years spent caring for other avian wildlife that visited that island penitentiary and gave rise to his infamous name, the ‘Birdman of Alcatraz’.³²² Many other stories of bonds formed between inmates and animals are written up in the journals of the inmates themselves. An inmate by the name of James Paluch, who is serving a life sentence without the possibility of parole, has documented his life in the prison system in Los Angeles. He talks about breaking the rules by taking food from the dining room to feed the birds, with whom he has developed an attachment: ‘I take it for my babies ... my bird friends’.³²³

Furst documented the following:

Johnson and Chernoff accurately observe that ‘animals as diverse as pigeons and lizards may respond to the prisoners’ ministrations and seem to reward their

³¹⁸ R Lee Zasloff, ‘Measuring Attachment to Companion Animals: A Dog is Not a Cat is Not a Bird’ (1996) 47 *Applied Animals Behaviour Science* 43, 44.

³¹⁹ Ibid.

³²⁰ T Conover, *Newjack: Guarding Sing Sing* (Random House, 2000) 270.

³²¹ R Johnson and N Chernoff, ‘“Opening a Vein”: Inmate Poetry and the Prison Experience’ (2002) 82 *The Prison Journal* 141, 161.

³²² ‘Birdman of Alcatraz’, *Alcatraz History* <<http://www.alcatrazhistory.com/stroud.htm>>

³²³ J Paluch Jr., *A Life for a Life: Life Imprisonment: America’s Other Death Penalty* (Roxbury, 2004) 27.

care' ... The nature of relationships that develop between prison inmates and animals has not been explicitly and thoroughly examined, but given how common it is for an assortment of animals to be present both inside and around prisons, their pairing should not be dismissed as simple convenience.³²⁴

Undoubtedly, the introduction of a pet to people who find themselves in a lonely place will have a marked effect. Lee made the comment that 'there is so much loneliness and rejection in an institution that pets can have a real impact'.³²⁵ This is reiterated by Furst when she says that:

The unconditional positive regard received from an animal can be of particular significance to prison inmates who have been identified as a population vulnerable to social isolation.³²⁶

The value of using dogs as an adjunct to all kinds of therapies cannot be underestimated. There is a burgeoning industry in training dogs to work in a variety of therapeutic areas, and many government agencies are revising their rules to allow dogs into what were previously animal-free areas. It has long been the case that guide dogs are accepted in these areas, but recently, many more companion dogs have been allowed to occupy such spaces: for example, a large number of hospitals, nursing homes, and occupational and physical therapy units now allow companion animals, particularly for autistic children, where dogs as therapy have become a part of the daily routine, as is well documented by Kruger et al.³²⁷ In airports today it is not uncommon to see working dogs, and it is documented that 'security officers who are partnered with the dogs also report feeling more relaxed when on the job'.³²⁸ Sterngold³²⁹ writes that passengers within the terminal at Los Angeles International Airport often feel more relaxed and cheery at the sight of the detection dogs, and he states that they actually produce a calming effect. With regard to the proposed model, this is only one aspect; while it is of course inherently helpful for prison society dynamics that offenders may feel calmer in the presence of a dog, including for the guards, this is only one of many benefits of introducing dogs to prison systems.

³²⁴ Furst, above n 147, 409.

³²⁵ D Lee, 'Companion Animals in Institutions' in P Arkow (ed.), *The Loving Bond: Companion Animals in the Helping Professions* (R & E, 1987) 223, 232.

³²⁶ Furst, above n 147, 411.

³²⁷ Kruger, K, S Trachtenburg and J A Serpell, *Can Animals Help Humans Heal? Animal-Assisted Interventions in Adolescent Mental Health* (Centre for the Interaction of Animals & Society, 2004).

³²⁸ Furst, above n 147, 412.

³²⁹ J Sterngold, 'In Los Angeles, a Traveler's Best Friend', *The New York Times* (New York), 21 March 2002, 24.

This thesis argues that the use of animals in the prison system will enable the offenders—in this case males—to display emotions that were previously suppressed, such as warmth, tenderness, compassion and even kindness. It is the development of this generativity that Halsey and Harris argue is essential in the rehabilitation of offenders, resulting in a decrease in their likelihood of re-offending.³³⁰ For offenders, an animal such as a dog is seen as a being with no interest in their past that offers unconditional companionship. It is known that male offenders have no or ‘few socially acceptable outlets for touching and caressing’,³³¹ and companion animals provide just that. Currently, all correctional facilities that do use animals as part of a rehabilitation program recognise the value of these bonds; however, they fail to see the damage done by breaking that bond. It cannot be denied that breaking such a bond has a deleterious effect on the positive emotions associated with it.

5.3 Housing Implications for Released Offenders

It is well known that released offenders face enormous difficulties when charged with the task of finding suitable accommodation once released from prison. Among these difficulties are the problems of affordable housing, and alleviating the concerns of prospective landlords with regard to their criminal history. The rehabilitation model being proposed will bring with it yet another problem, and that is the problem of finding accommodation that has no restrictions on companion animals. This would involve both government and private agencies making a substantial commitment to the provision of suitable housing for released offenders that allows for a continuation of the bond set up between offender and dog.

³³⁰ Halsey and Harris, above n 144, 74.

³³¹ P Arkow, *Pet Therapy: A Study and Resource Guide for the Use of Companion Animals in Selected Therapies* (8th ed, 1998) 2.

5.3.1 Problems Associated with Housing Released Offenders

It has been documented that the successful social integration of released offenders is directly affected by their accommodation situation subsequent to their release.³³² Baldry identifies factors such as the need for specialised housing; the need to allow prisoners day releases prior to their timed release, to enable them to search for housing or inspect a house for suitability; and the need for a system of housing with flexibility, to cater for the varied needs of individuals while still having a core base of supported accommodation.³³³

This last point, in particular, impinges on a model such as the one suggested in this thesis. There would need to be considered effort on the part of government agencies responsible for housing to ensure not only suitable accommodation, but accommodation that also allows a dog. Finding a landlord, whether public or private, that will allow a dog on the premises is a common problem among renters generally, not only ex-prisoners. It is promising to see that some local government agencies have attempted to tackle this problem in Australia in conjunction with the Pet Industry Advisory Service.³³⁴

There are consistent observations that ‘there is almost a total lack of coordination/integration among appropriate government and non-government agencies’ where offender accommodation is concerned.³³⁵ In the same study, Baldry goes on to say that ‘[t]he current provisions for ex-prisoners with particular problems or in minority groups are reported to be grossly insufficient’.³³⁶ In the context of Baldry’s study, minority groups are defined as those who are homeless, those with a mental illness or disturbance, those with an intellectual disability, Indigenous Australians, and women with children or who have a drug problem. It can be argued that an offender with a dog also fits easily into this category. Further, Baldry notes that a staggering 68% of offenders had

³³² Eileen Baldry et al, ‘Ex-Prisoners and Accommodation: What Bearing Do Different Forms of Housing Have on Social Reintegration of Ex-prisoners?’ (Paper presented at the Housing, Crime and Stronger Communities Conference, convened by the Australian Institute of Criminology and the Australian Housing and Urban research Institute, Melbourne, 6–7 May 2002) 3.

³³³ Ibid 4.

³³⁴ L Wood (ed), *Living Well Together: How Companion Animals Can Strengthen Social Fabric* (Petcare Information & Advisory Service Pty Ltd and the Centre for the Built Environment and Health, University of Western Australia, 2000).

³³⁵ Baldry et al, above n 332, 4.

³³⁶ Ibid.

received no information whatsoever about housing facilities or support available once released. Often, the prisoners were released well before their expected release date, which resulted in no lead-time in which to find suitable accommodation. This startling statistic is mirrored in studies conducted in the US with respect to offender release and housing.³³⁷ It is stated that prisons do not offer assistance in finding accommodation to those who have some outside support, and those offenders who are soon due for release are given no assistance in seeking affordable and suitable housing. It is concluded that '[a] majority of the offender population is thus left without resources for obtaining housing or employment upon their release from jail or prison.'³³⁸

It is a matter of additional concern that all studies have shown prisoners to be among the most disadvantaged and poorest groups in society.³³⁹ This will naturally make procuring suitable housing and meeting the financial responsibilities of having a dog more difficult. This is a difficulty that must be addressed, which can be achieved with a collaborative approach between government agencies and animal welfare agencies. Stretzer argues that successful offender reintegration into society 'must be linked to, and in ideological concert with, state infrastructure and participatory government'.³⁴⁰

There is a clear need for institutional support surrounding released offenders in order to achieve the required outcome for both the offender and society. Further, this support structure must be valued to the extent that funding is made available for its facilitation and prolongation. Baldry posits that these supports 'can only be maintained by a well-functioning and adequately funded state that provides the framework for social, agency and family support in which prisoners can work to establish and integrate themselves into their community.'³⁴¹ Again, these concerns and subsequent suggestions are mirrored in reports from the US. Cain states that '[t]o achieve the result most beneficial to the society and afford ex-offenders housing as a first step to law abiding lives, legislatures, courts,

³³⁷ Heidi Lee Cain, 'Housing Our Criminals: Finding Housing for the Ex-Offender in the 21st Century' (2003) 33 *Golden Gate University Law Review* 131, 148.

³³⁸ Ibid.

³³⁹ NSW Legislative Council, 2001, Select Committee on the Increase in Prisoner Population Final Report, Sydney, New South Wales Parliament, 18.

³⁴⁰ S Stretzer, 'The State of Social Capital: Bringing Back in Power, Politics and History' (2002) 31 *Theory and Society* 612, 612; Eileen Baldry et al, 'Ex-prisoners, Homelessness and the State in Australia' (2006) 39 *The Australian and New Zealand Journal of Criminology* 20, 31.

³⁴¹ Baldry et al, above n 332, 31.

law enforcement and the community at large must cooperate.’³⁴² Findings such as these advance the message of this thesis in that there needs to be a collaborative approach to long-term, secure housing for released offenders and their dogs.

5.3.2 The Importance of Housing for Released Offenders

Criminologists and other researchers have spent many hours discussing how governments can promote desistance from crime. Many researchers have suggested that the answer lies, in part, with the resettlement process of released offenders. It has been suggested, in the UK at least, that there is at last a ‘shift in thinking about both the nature and the significance of work with prisoners who are making the transition from custody to community, which is increasingly being regarded as of central importance to the Government’s agenda of reducing re-offending.’³⁴³

As described above, the lack of assistance given to offenders prior to release in order for them to obtain suitable accommodation once released seems to be a global phenomenon. Maguire and Raynor suggest that, prior to 1969, assistance to offenders was left primarily to charities or volunteer agencies, and was only offered sporadically.³⁴⁴ It remains the case to this day that this type of assistance is offered only sporadically, if at all. Baldry et al note that one of the factors that has emerged consistently from international studies is that ‘pre-release information and support in securing accommodation are grossly inadequate’, and that ‘social isolation is a core experience for many ex-prisoners who end up homeless or with unstable, unsuitable housing’.³⁴⁵

One of the main concerns for offenders that find themselves unable to secure suitable accommodation is the real risk of relapse into the behaviours that resulted in their incarceration in the first place. It is not inconceivable that many may find this the ‘path of least resistance’, and that some feel that there are worse places to spend the night than back in prison. Maguire and Raynor argue that there exists an opportunity to quell this

³⁴² Cain, above n 337, 169.

³⁴³ Maguire and Raynor, above n 1, 20.

³⁴⁴ Ibid 21.

³⁴⁵ Baldry, above n 332, 4.

type of behaviour by addressing these possibilities prior to release. They suggest some practical points to this end, which include:

early planning and preparation for release, establishment of a close relationship with the offender while he or she is still in prison, continuity between work with individuals in custody and that undertaken after release, including reinforcement of specific learning, continuity between work with individuals in custody and that undertaken after release, including reinforcement of specific learning, provision of any required services, such as drug treatment, as soon as possible after release.³⁴⁶

Of course, the other concern is the willingness of the private landlord to accept released offenders as clients. From a social justice perspective, this is imperative for a successful reintegration into mainstream society for the released offender. Burnett and Maruna argue that ‘a key determinant of such willingness is the sense that the offender has made appropriate amends’.³⁴⁷ In order for offenders to facilitate such willingness themselves, they need to show their respective communities that they have indeed made amends for the crimes committed. This can be demonstrated if given the opportunity to make ‘positive contributions to their communities’.³⁴⁸

The logical conclusion of findings such as these lies with the subsequent educational outcomes associated with the model presented in this thesis. This, however, is thwarted somewhat by the problems associated with gaining access to the community in the form of housing. This creates a ‘catch 22’, that paradoxical situation from which one cannot escape due to uncontrollable contradictions. Burnett and Maruna argue that there is some suggestion that ‘by treating prisoners as positive resources and providing opportunities for them to develop pro-social self-concepts, communities will be more willing to do their share in the process of integration, hence reducing recidivism’. They admit that there is a lack of empirical evidence to support this theory.³⁴⁹ However, this in itself does advance the argument of the current thesis, and the model proposed will certainly go some way to addressing this.

³⁴⁶ Maguire and Raynor, above n 1, 26.

³⁴⁷ Ros Burnett and Shadd Maruna, ‘The Kindness of Prisoners: Strengths-Based Resettlement in Theory and in Action’ (2006) 6 *Criminology and Criminal Justice* 83, 86.

³⁴⁸ *Ibid* 87.

³⁴⁹ *Ibid* 89.

Wood et al discuss the argument that having pets has a significant influence on social capital—that which impacts social norms, social networks and social trust—and enables ‘participants to act together more effectively to pursue shared objectives, or to facilitate coordination and cooperation for mutual benefit.’³⁵⁰ It is argued that dogs are very effective in their ability to act as a social lubricant;³⁵¹ Wood et al write that ‘[d]ogs can promote interaction and conversation between strangers and facilitate the establishment of trust between people who are newly acquainted’.³⁵² It is therefore not implausible that there would be significant value in procuring housing for released offenders, with their now bonded dog, that would allow dogs on and in the premises. Not only would it engage the offender with the community, but it would also benefit the continued rehabilitation of the offender, resulting in a decreased propensity for recidivism.

Wood et al’s comments in their study go a long way towards addressing the question of just how the ‘offender and his dog’ would integrate into a community setting. They make several pertinent points with respect to exactly how dogs increase social capital. It is said that dogs can facilitate ‘social context and integration’ within a community setting, which includes neighbours and strangers alike, and subsequently increase the sense of community, ‘which has many conceptual parallels to social capital.’³⁵³ They quite often act ‘as catalysts for the exchange of favours between neighbours’, and also commonly contribute to the ‘building of reciprocity and networks’.³⁵⁴ Wood et al also make the observation that dogs are often responsible for an increase in exercise regimes involving ‘walking and use of local parks and open spaces’, which invariably results in improved levels of interaction and communication between people who would otherwise remain strangers.³⁵⁵ This improved stranger interaction will often result in an increase in community activities and participation, as well as acting as a ‘protective factor for mental

³⁵⁰ L Wood L, B Giles-Corti and M Bulsara. The Pet Connection: Pets as a Conduit for Social Capital? (2005) 61 *Social Science & Medicine* 1159, 1159.

³⁵¹ J McNicholas, J and G M Collis, ‘Dogs as Catalysts for Social Interactions: Robustness of the Effect’ (2000) 91 *British Journal of Psychology* 61; Messent, above n 20; D Robins, C Sanders and S Cahill, ‘Dogs and Their People: Pet Facilitated Interaction in a Public Setting’ (1991) 20 *Journal of Contemporary Ethnography* 3.

³⁵² Wood, Giles-Corti and Bulsara, above n 350, 1161.

³⁵³ Ibid 1162.

³⁵⁴ Ibid.

³⁵⁵ Ibid.

health, which in turn may influence attitudes towards, and participation in the local community and relationships with people in the community'.³⁵⁶

The most 'basic need for released offenders is affordable housing'.³⁵⁷ A comment to this effect appears in almost every article written on the problems of offender reintegration. It also appears to be the one issue that is consistently overlooked within government agencies. Arguments such as funding restrictions are often used when this question is broached with relevant agencies. However, the bigger argument should be the case that this lack of funding goes a long way in exacerbating the problem of recidivism for released offenders.

A damning comment with regard to public housing can be found in a study by Atkinson et al: 'Public housing is generally viewed as a failed endeavour that has accentuated poverty and social disadvantage'.³⁵⁸ It is also the case that public housing has a stigma attached to it, which further marginalises communities that are quite often already under attack. Atkinson et al's paper puts governments squarely in the headlights in regard to the perpetual lack of funding to the public housing sector, with comments such as these:

There is nothing intrinsic to public housing that is problematic per se, rather the negative perception of public housing can be traced back to the failure of successive governments to provide sufficient investment. The subsequent decline of public housing and stock levels has not only resulted in long waiting lists and difficult management challenges, in respect of allocation and rent setting, it also reinforced the economic and social divide between tenants of public housing and the rest of the community.³⁵⁹

Arguments such as this show the difficulties in facilitating any sort of program that relies heavily on the provision of adequate housing. There must be a collaborative effort between government departments such as corrections, housing, family services, and mental health.

³⁵⁶ Ibid 1162.

³⁵⁷ Theodore M Hammett, Cheryl Roberts and Sofia Kennedy, 'Health-Related Issues in Prisoner Reentry' (2001) 47 *Crime and Delinquency* 390, 401.

³⁵⁸ Rowland Atkinson and Keith Jacobs, *Public Housing in Australia: Stigma, Home and Opportunity* (Paper No 01, Housing and Community Research Unit, School of Sociology and Social Work, University of Tasmania, 2008).

³⁵⁹ Ibid 349.

Finally, there is the matter of community backlash in housing and integrating released offenders with a dog, when it is equally difficult for anyone looking at rental accommodation to find a place that will allow companion animals. The combination of offenders' entry into the competition for limited public housing, ownership of a dog and 'ex-crim' status may make them inherently 'non-trustworthy' in the eyes of the community. As Burnett and Maruna argue, '[i]n a society that is now organized around concerns for public safety and paranoia about unpredictable behaviour, ventures which rely on trust and optimism are particularly vulnerable to closure.'³⁶⁰

³⁶⁰ Burnett and Maruna, above n 347, 102.

Chapter 6: Conclusion

6.1 Summary

The preceding sections of this thesis have identified the value of using dogs as part of therapy programs, and the fact that these programs have been considered immensely valuable by those involved. While the overwhelming focus in previous research has been on the rehabilitation of the humans involved in these programs, it has been concluded that consideration must be given to the number of dogs that are unnecessarily destroyed in shelters, and how they present the perfect opportunity to change the way offender rehabilitation can progress.

It has been shown that the strength of the human–animal bond must not be overestimated, and that this bond should, and can, be used to effect change in the way rehabilitation is conducted within prisons. Although the use of dogs inside a prison setting is far from new, the way these dogs are used needs to be addressed due to the obvious challenges identified by the fracturing of the bond formed between the dog and the offender. Without adequate investigation into the psychological impact on the offender of the destruction of that very important connection, the current rehabilitation programs within prisons fall short of the ideal.

It has also been identified that the best practice offender rehabilitation models—in particular the GLM, discussed by McNeill,³⁶¹ and the RNR model, discussed by Bonta and Andrew³⁶²—emphasise the importance of the psychological health of the offender and the impact any rehabilitation model might have. This in and of itself is the single most important reason that any animal-assisted therapy program designed for a prison setting must consider the consequent psychological impact for the offender. Given the overwhelming number of dogs destroyed annually because they cannot be re-homed due

³⁶¹ Fergus McNeill, *Towards Effective Practice in Offender Supervision* (Research Report 01/09, Scottish Centre for Crime and Justice, 2009), 26.

³⁶² James Bonta and D A Andrews, 'Risk-need-responsivity model for offender assessment and rehabilitation' (2007) 6 *Rehabilitation* 1.

to an often correctable behavioural issue—an amendable flaw—there exists a perfect opportunity for non-speciesist co-rehabilitation.

An examination of the current animal-assisted therapy programs within prisons has shown that, although the offenders involved indeed do develop strong attachments to the dogs in their care, very little consideration is given to the offender's subsequent mental health at the conclusion of a particular program. Many anecdotal stories have been quoted in this thesis that identify the very human side of these programs. Offenders talk of the feelings of responsibility entrusted to them when given a dog to care for and train. They talk of the companionship the dog offers, the feelings of love and nurturing that have been lacking in their lives, and how these can now be expressed. They then go on to talk about the feelings of abandonment and isolation and how it takes some time to recover from the relinquishment process.³⁶³

These feelings of abandonment are themselves well documented in criminogenics research. It has been identified that, from an early age, men who have embarked upon a 'career' in offending are often in that situation as a result of a childhood riddled with the loss, or lack of, a significant attachment figure.³⁶⁴ Katz argues that this attachment figure allows for the genesis of feelings such as empathy and consideration, and because of this, a model such as the one described by my thesis would go some way towards addressing this psychological flaw in male offenders.

McNeill and Ward put forward the argument that offenders will do well if their rehabilitation is designed around a positive psychology model that looks at things such as 'primary human goods', which include things such as health, happiness, financial success and inner peace.³⁶⁵ The offender's motivation to behave in a way that results in the recompense of such primary goods should form the basis around which a rehabilitation program is structured. For this type of program to work effectively, there must also be a

³⁶³ Kirk Mitchell, 'Second Chances for Dogs, Inmates', *Denver Post* (online), 22 October 2007 <http://www.denverpost.com/news/ci_7244614>.

³⁶⁴ J Bowlby, *Attachment and Loss Volume II: Separation, Anxiety and Anger* (Hogarth Press, 1973); Marinus van IJzendoorn, 'Attachment, Emergent Morality, and Aggression: Toward a Developmental Socioemotional Model of Antisocial Behaviour' (1997) 21 *International Journal of Behavioral Development* 703.

³⁶⁵ McNeill, above n 1, 26; T Ward and M Brown, 'The Good Lives Model and Conceptual Issues in Offender Rehabilitation' (2004) 10 *Psychology, Crime and the Law* 243.

respectful relationship between the offender and the program facilitators within the prison.³⁶⁶ It is also pertinent to note that any such program must involve activities that offer some value to the offender and do not appear personally pointless. The desistance paradigm, as described by Maruna, makes this point, and argues that for any program to work effectively, it must be relevant to the individual, who must be able to perceive that it will result in them living a better life.³⁶⁷ This means that it is important that the offender be given the opportunity to have an input into the type of rehabilitation that they can identify as appropriate for them in relation to their ability to better their own lives upon release. As was iterated earlier in this thesis, if the attitude within the facility is one of collaborative positivity, the potential for change is enhanced. It is the interaction between an individual and significant others that will define the outcome of any rehabilitation model, and this extends to the general community as well.

Any animal-assisted therapy relies heavily on the bond formed between the human and his or her animal ‘therapist’. However, as discussed in previous chapters, animal-assisted therapies are most effective if the contact between the human and the animal is full time.³⁶⁸ The argument put forward in this thesis is that full-time contact between the offender and the dog is the only way in which the model advocated should be conducted. As discussed earlier, this model is not unlike the normal household companion animal who has a significant role in the family unit, but may be left alone for a period of time while the owners go out to work. The human–animal bond has been shown to provide a type of companionship that is often missing in those who are suffering from depression or maladaptive behaviours.³⁶⁹ This is made more compelling by the argument that dogs can be used as a tool for social interaction, and their companionship is invaluable to those who are confronted by loneliness and depression. As identified in Chapter 5 (section 5.2), the phrase ‘companion animals’ has superseded the term ‘pet’, making the concept of an emotional attachment to an animal easier to comprehend.³⁷⁰ This blueprint is not a

³⁶⁶ McNeill, above n 1, 27.

³⁶⁷ Shadd Maruna and Thomas P LeBel, ‘The Desistance Paradigm in Correctional Practice: From Programs to Lives’ in Fergus McNeill, Peter Raynor and Chris Trotter (eds), *Offender Supervision—New Directions in Theory, Research and Practice* (Routledge, 2010) 72.

³⁶⁸ Hart, above n 146, 59.

³⁶⁹ Ibid 69.

³⁷⁰ Nancy A Pachana, Bronwyn M Massavelli and Sofia Robleda Gomez, ‘A Developmental Psychological Perspective on the Human–Animal Bond’ in Christopher Blazina, Güler Boyraz and David Shen-Miller (eds), *The Psychology of the Human Animal Bond* (Springer, 2011).

difficult one to follow, and the only impediment to implementing such a program is the willingness (or lack thereof) of governments and affiliated agencies to accept these recommendations and provide the necessary funding arrangements.

What of the ethical issues arising from the use of animals as therapeutic tools? Those who, to all intents and purposes, have the best interests of the dog in mind often pose this question. There is an identified issue of increases in the stress levels of dogs used in therapy, but this can be mitigated by appropriate education plans used in conjunction with a rehabilitation program.³⁷¹ It has also been shown throughout this thesis that if the dogs were allowed to be adopted by the offender for the entirety of his incarceration and then subsequent release, that the chances of stress would drastically decrease, as the high-intensity minimal timeframe for interaction would simply not exist. The other ethical question often raised when it comes to humans ‘using’ animals is that such practices are seen as being for the good of the human with no regard to their impact on the animal. In this thesis, the model described is of a symbiotic nature. The dogs are used as a means of rehabilitation for the offender, but it must not be overlooked that the offenders are also used as a means of rehabilitation for the dog—they act as therapeutic tools for each other.

The bond formed by attachment to another human being is that is discussed by Bowlby, and as mentioned throughout this thesis, it is a bond that is founded on affection.³⁷² The affection that is often realised between a human and their dog is one that intersects all genres of emotion, and the programs currently involved in the use of dogs have shown good responses with regard to an increase in positive relationships until such time as the human–animal bond is fractured. The current forms of offender rehabilitation using animals are fraught with the danger of building up the emotional status of the offender, only to have it crash when the animal is taken away. This unique bond shared by people and their companion animals, often only dreamed of by those who are incarcerated, can be seen clearly in Johnson and Chernoff’s analysis of prison poetry, where it has been identified in numerous poems dealing with the importance of animals.³⁷³ The validity of the human–animal bond cannot be denied, and is amply demonstrated in a particular video

³⁷¹ Serpell et al, above n 235, 486.

³⁷² Bowlby, above n 152.

³⁷³ R Johnson and N Chernoff, “‘Opening a Vein’: Inmate Poetry and the Prison Experience’ (2002) 82 *The Prison Journal* 141.

with the title, ‘A Tough Prison Inmate Raised This Dog, But Watch What Happens When He Says Goodbye’.³⁷⁴ This bond in itself is reason enough for programs such as the one proposed in this thesis.

6.2 Limitations

It is, of course, pertinent to look at the limitations that such a model may have. As discussed in Chapter 5 (section 5.3), there is a not insignificant obstacle to the success of this model when it comes to housing released offenders accompanied by a dog. Baldry argues that, for successful integration of offenders into the community upon release, attention must be paid to the availability of and access to appropriate housing.³⁷⁵ The lack of coordination and integration between appropriate agencies when it comes to finding and accessing suitable accommodations would have to change. Coordination would need to be implemented across all areas of offender post-release programs where resources are identified and made accessible to the offender prior to release.

Apart from the identified difficulties accessing housing, the model discussed in this thesis brings with it another complication in the form of the affordability of responsible pet ownership. The inherent costs of food, annual vaccinations and ongoing health care for a dog is something that needs to be addressed before the implementation of such a program. Discussions with the RSPCA South Australia yielded positive indications that, should a model such as the one described in this thesis be implemented, the dogs sourced from RSPCA shelters for rehabilitation would have their immediate needs provided for by the RSPCA. A commitment such as this, if it were to be fulfilled, would solve this particular limitation.

Another issue that needs to be addressed is that of the instrumentalisation of the dog within the prison. This could manifest itself as a tool for bullying behaviour, either by

³⁷⁴ ‘Tough Prison Inmate Raises Dog, Watch What Happens When He Says Goodbye’, *The Daily Megabyte* (online) <<http://last-goodbye.dailymegabyte.com/tough-prison-when-says-goodbye/>>.

³⁷⁵ Eileen Baldry et al, ‘Ex-Prisoners and Accommodation: What Bearing Do Different Forms of Housing Have on Social Reintegration of Ex-prisoners?’ (Paper presented at the Housing, Crime and Stronger Communities Conference, convened by the Australian Institute of Criminology and the Australian Housing and Urban research Institute, Melbourne, 6–7 May 2002) 31.

fellow prisoners or by correctional officers. It is not inconceivable that as part of a bullying tactic, a prisoner may subject a dog to acts of cruelty as part of a confrontation or retribution against its owner. It is also pertinent to identify the possibility of bullying of the offender by correctional service officers, with the dog as the object of punishment. As mentioned in the introduction, there is currently legislation in place that gives the management of correctional institutions power to determine what an offender may or may not have in his cell,³⁷⁶ and allows officers to confiscate property of prisoners. As dogs are seen as property, it would appear that confiscation of the dog is a possibility.³⁷⁷

Having raised the problem of risk to the dog while in the correctional facility, it is encouraging to see that the prisons identified in this thesis currently running PAPs have not identified any situations where offenders have abused the animals. Nevertheless, it is a concern that should not be overlooked. The offenders identified as suitable candidates to participate in a program involving animals are always vetted closely to ensure that animal abuse would be highly unlikely to occur. This, of course, does not preclude the possibility that others may perpetrate such activities against a prisoner's dog in a full-time care situation. There is mitigation of risk to the animals in the form of legislation,³⁷⁸ but, just as in life outside the prison system, legislation does not absolutely prevent people from committing certain acts.

A final limitation that warrants further study is that of social inclusion and the community acceptance of such a model. There are anecdotal reports that some members of the community, including those employed in corrections facilities, are less than happy that offenders be afforded some of the niceties of everyday living.³⁷⁹ They believe that offenders should not only be denied their liberty, but also any other freedoms allowed to the rest of society, including the freedom to have a companion animal. It is clear that this kind of thinking can be challenged if a bigger effort is made in education and publication of research looking at the holistic benefits of the human–animal bond for all society, not

³⁷⁶ *Correctional Services Act* 1982, s 83.

³⁷⁷ *Correctional Services Act* 1982, s 32(1); *Garrett v The State of South Australia* [2012] SADC 167.

³⁷⁸ *Animal Welfare Act* 1985 (SA); *Animal Welfare Act* 1992 (ACT); *Animal Welfare Act* (NT); *Animal Welfare Act* 1993 (TAS); *Animal Welfare Act* 2002 (WA).

³⁷⁹ Robyn Ironside, 'Perks for Inmates Anger Prison Guards', *The Courier Mail* (online), 28 March 2008 <<http://www.couriermail.com.au/news/queensland/guards-appalled-by-prison-perks/story-e6freof-1111115916400>>.

just the select few. The rehabilitation of an offender must be seen as equally important as the rehabilitation of any other member of society. As stated by Stretzer, successful integration of offenders into society ‘must be linked to, and in ideological concert with, state infrastructure and participatory government’.³⁸⁰ The phrase ‘transition from custody to community’³⁸¹ is one that needs to be included in all relevant governmental discourse to engender a secure focus on programs that will enable a successful transition, leading to a known reduction in re-offending.³⁸²

Furst explains the philosophy behind the rehabilitation model proposed in this thesis uniquely in the following quote;

Homeless animals and prison inmates are both ‘throw-away populations’, discarded by a society that cares not what happens to them (and prefers they be kept out of sight). Having inmates and animals help each other in a symbiotic relationship results in a win-win-win situation, with not only the inmate and animal benefiting but the larger community as well.³⁸³

³⁸⁰ S Stretzer, ‘The State of Social Capital: Bringing Back in Power, Politics and History’ (2002) 31 *Theory and Society* 612, 31.

³⁸¹ Mike Maguire and Peter Raynor, ‘How the Resettlement of Prisoners Promotes Desistance from Crime: Or Does it?’ (2006) 6 *Criminology and Criminal Justice* 19, 20.

³⁸² Ibid.

³⁸³ Furst, above n 147, 425.

Appendix: Animal-Based Offender Rehabilitation Programs

Summary

Correctional Facility	Species of Animal Used	Outcome for Animal
Bathurst Correctional Centre, NSW, Australia	* Not sanctioned by department	
Corrective Services, NSW, Australia	Greyhounds from GAP (periodic contact)	Adopted by others
Dillwynia Corrections Centre, Windsor, NSW, Australia	Greyhound rehabilitation with Greyhound Racing NSW (periodic contact)	Adopted by others
John Moroney Correctional Complex, Windsor, NSW, Australia	Wildlife rehabilitation (periodic contact) RSPCA dog rehabilitation (full-time contact)	Adopted by others
St Heliers Correctional Centre, Musswelbrook, NSW, Australia	Horse rehabilitation with Racing NSW (periodic contact)	Horses adopted by others
Arthur Gorrie Correctional Centre, Wacol, Qld, Australia	Dogs from shelters (periodic contact)	Adopted by staff and inmates' families
Dame Phyllis Frost Centre, Vic, Australia	Dogs from shelters (periodic contact)	Adopted by others
Pardelup Prison Farm, WA, Australia	Sheep and cattle breeding for consumption in prison (periodic contact)	
Wooroloo Prison Farm, WA, Australia	Puppies for therapy (full-time contact)	Adopted out to disabled
Ribbibia Prison for Women, Rome, Italy	Dogs from shelters (full-time contact)	Adopted out to disabled
Dartmoor Prison, UK	Ferret (periodic contact)	Kept on premises
Edinburgh, Scotland, UK	Chickens (periodic contact)	Kept on premises
Airway Heights Corrections Centre, US	Puppies from shelters (full-time contact)	Adopted by others
Alto, Georgia, US	Dogs from shelters (full-time contact)	Adopted by staff and inmates' families

Colorado Cell Dogs, US	Dogs from shelters (full-time contact)	Adopted by others
Davis Correctional Facility, Holdenville, US	Dogs from shelters (full-time contact)	Adopted by others
Department of Rehabilitation and Correction, Ohio, US	* Dairy and Beef Cattle (periodic contact)	Abattoir situation
Downeast Correctional, Bucks Harbour, Maine, US	Dogs from shelters trained for disabled persons (full-time contact)	Adopted by disabled agencies
Fabian Dale Domingues State Jail, Texas, US	Dogs trained for 'assistance dogs' programs (full-time contact)	Released to assistance therapy organisations
Fort Lyon Correctional Facility, Denver, US	Dogs from shelters (full-time contact)	Adopted out to disabled
Gadsden Correctional Institution, Florida, US	Dogs trained for security industry (full-time contact)	Released to security industry
Green River Correctional Complex, Kentucky, US	Dogs from shelters (full-time contact)	Adopted by others
Gwinnett County Second Chance Prison Canine Program, Arizona, US	Dogs from shelters (full-time contact)	Adopted by others
Gwinnett County, Lawrenceville, Georgia, US	Dogs from shelters (full-time contact)	Adopted by others
Louisiana State Penitentiary US	Angola Prison Rodeo (periodic contact)	Instrumentalisation only
Missouri Department of Corrections, US	Dogs from shelters (full-time contact)	Adopted out to disabled
New York Department of Corrections & Community Supervision, US	Puppy training for guide dogs (full-time contact) Horse handling (periodic contact)	Dogs released to Guide dog association Horses held on campus
North Central Correctional Facility, Massachusetts, US	Dogs for training for hearing impaired and physically disabled (full-time contact)	Released to agencies
Oregon Women's Correctional Centre, US	Dogs from shelters (full-time contact)	Adopted out to disabled
Pochahontas Correctional Unit, Virginia, US	Dog grooming courses (periodic contact)	Released to shelters

Sanger B Powers Correctional Facility, Wisconsin, US	Dogs for training as guide dogs and service dogs (mix of full-time and periodic contact)	Released to agencies
South Carolina Prison, US	Dogs from shelters (full- time contact)	Adopted by others

Bibliography

A. Articles/Books/Reports

Anderson, M V and A J Z Henderson, 'Pernicious Portrayals: The Impact of Children's Attachment to Animals of Fiction on Animals of Fact' (2005) 13 *Society and Animals* 297

Anderson, Elizabeth P, *The Powerful Bond Between People and Pets—Our Boundless Connections to Companion Animals* (Praeger, 2008)

Arkow, Phil, 'Animal-Assisted Interventions and Humane Education: Opportunities for a More Targeted Focus' in Aubrey H Fine (ed), *Handbook on Animal Assisted Therapy* (Elsevier, 3rd ed, 2010) 457

Arkow, P, *Pet Therapy: A Study and Resource Guide for the Use of Companion Animals in Selected Therapies* (8th ed, 1998)

Atkinson, Rowland and Keith Jacobs, *Public Housing in Australia: Stigma, Home and Opportunity* (Paper No 01, Housing and Community Research Unit, School of Sociology and Social Work, University of Tasmania, 2008)

Baldry, Eileen et al, 'Ex-Prisoners and Accommodation: What Bearing Do Different Forms of Housing Have on Social Reintegration of Ex-prisoners?' (Paper presented at the Housing, Crime and Stronger Communities Conference, convened by the Australian Institute of Criminology and the Australian Housing and Urban research Institute, Melbourne, 6–7 May 2002)

Baldry, Eileen et al, 'Ex-prisoners, Homelessness and the State in Australia' (2006) 39 *The Australian and New Zealand Journal of Criminology* 20

Barker, S B and A R Wolen, 'The Benefits of Human–Companion Animal Interaction: A Review' (2008) 35 *Journal of Veterinary Medical Education* 487

Baun, Mara and Rebecca Johnson, 'Human/Animal Interaction and Successful Aging' in Aubrey H Fine (ed), *Handbook on Animal Assisted Therapy* (Elsevier, 3rd ed, 2010) 283

Beck, A M, 'The Use of Animals to Benefit Humans, Animal Assisted Therapy' in Aubrey H Fine (ed), *Handbook on Animal Assisted Therapy: Theoretical Foundations and Guidelines for Practice* (Academic Press, 2000) 21

Beetz, A et al, 'Psychosocial and Psychophysiological Effects of Human–Animal Interactions: The Possible Role of Oxytocin' (2012) 3 *Frontiers in Psychology* 234

Blackshaw, Judith K, 'Developments in the Study of Human–Animal Relationships' (1996) 47 *Applied Animal Behaviour Science* 1

Blazina, Christopher, Guler Boyraz and David Shen-Miller (eds), *The Psychology of the Human–Animal Bond: A Resource for Clinicians and Researchers* (Springer, 2011)

Boissy, Alain et al, 'Assessment of positive emotions in animals to improve their welfare' (2007) 92 *Physiology & Behaviour* 375

Bonta, James and D A Andrews, 'Risk-need-responsivity model for offender assessment and rehabilitation' (2007) 6 *Rehabilitation* 1

Botreau, R et al, 'Definition of criteria for overall assessment of animal welfare' (2007) 16 *Animal Welfare* 225

Bowlby, J, *Attachment and Loss Volume II: Separation, Anxiety and Anger* (Hogarth Press, 1973)

Bowlby, J, 'Forty-four juvenile thieves: Their characters and home life' (1944) 25 *International Journal of Psycho-Analysis* 19

Bradley, Katharine H et al, 'No Place Like Home: Housing and the Ex-prisoner', *Community Resources for Justice* (Policy Brief, November, 2001)

Bruce, Alex, *Animal Law in Australia—An Integrated Approach* (LexisNexis, 2012)

Burnett, Ros and Shadd Maruna, 'The Kindness of Prisoners: Strengths-Based Resettlement in Theory and in Action' (2006) 6 *Criminology and Criminal Justice* 83

Cain, Heidi Lee, 'Housing Our Criminals: Finding Housing for the Ex-Offender in the 21st Century' (2003) 33 *Golden Gate University Law Review* 131

Conover, T, *Newjack: Guarding Sing Sing* (Random House, 2000)

Coppola, Crista L, Temple R Grandin and Mark Enns, 'Human Interaction and Cortisol: Can Human Contact Reduce Stress for Shelter Dogs?' (2006) 87 *Physiology & Behavior* 537

Cunneen, Chris and Garth Luke, 'Recidivism and the Effectiveness of Criminal Justice Interventions: Juvenile Offenders and Post Release Support' (2007) 19 *Current Issues in Criminal Justice* 199

Dalla Villa, Paolo et al, 'A Management Model Applied in Two "No-Kill" Dog Shelters in Central Italy: Use of Population Medicine for Three Consecutive Years' (2008) 44 *Veterinaria Italiana* 347

Davis, Celeste, Stephen J Bahr and Carol Ward, 'The Process of Offender Reintegration: Perceptions of What Helps Prisoners Re-enter Society' (2013) 13 *Criminology and Criminal Justice* 447

Dawkins, Marian Stamp, 'A User's Guide to Animal Welfare Science' (2006) 21 *Trends in Ecology and Evolution* 77

Dawkins, Marian Stamp, 'Behaviour as a Tool in the Assessment of Animal Welfare' (2003) 106 *Zoology* 383

Day, Andrew et al, 'Assessing the Social Climate of Australian Prisons' 427 *Trends and Issues in Crime and Justice* (Australian Institute of Criminology) 2, September, 2011.

Deaton, Christiane, 'Humanizing Prisons with Animals: A Closer Look at "Cell Dogs" and Horse Programs in Correctional Institutions', (2005) 56 *Journal of Correctional Education* 46

Favre, David S and Murray Loring, *Animal Law* (Quorum Books, 1983)

Fitzgerald, Amy J., 'Doing Time in Slaughterhouses: A Green Criminological Commentary on Slaughterhouse Work Programs for Prison Inmates' *Journal of Critical Animal Studies*, Vol 10, Issue 2, 2012

Fraser, David, 'Animal Ethics and Animal Welfare Science: Bridging the Two Cultures' (1999) 65 *Applied Animal Behaviour Science* 171

Fraser, David, 'Understanding Animal Welfare' (Paper presented at The 21st Symposium of the Nordic Committee for Veterinary Scientific Cooperation, Vaerlose, Denmark, 24–25 September 2007)

Francione, Gary L and Robert Garner, *The Animal Rights Debate—Abolition or Regulation* (Columbia University Press, 2010)

Francione, Gary L, *Animals as Persons* (Columbia University Press, 2008)

Friedmann, E, 'The Role of Pets in Enhancing Human Well-Being: Physiological Effects' in I Robinson (ed), *The Waltham Book of Human–Animal Interaction: Benefits and Responsibilities of Pet Ownership* (Pergamon, 1995) 33

Friedmann, Erika, Heesook Son and Chia-Chun Tsai, 'The Animal/Human Bond: Health and Wellness' in Aubrey H Fine (ed), *Handbook on Animal Assisted Therapy* (Elsevier, 3rd ed, 2010) 85

Fournier, Angela Krom, E Scott Geller and Elizabeth V Fortney, 'Human–Animal Interaction in a Prison Setting: Impact on Criminal Behaviour, Treatment Progress, and Social Skills' (2007) 16 *Behaviour and Social Issues* 89

Furst, Gennifer, 'Prison-Based Animal Programs: A National Survey' (2006) 86 *The Prison Journal* 407

Garrity, T F and L Stallones, 'Effects of Pet Contact on Human Well-Being: Review of Recent Research' in C C Wilson and D C Turner (eds), *Companion Animals in Human Health* (Sage, 1998)

Goodman, Leo A, 'Snowball Sampling' (1961) 32 *The Annals of Mathematical Statistics* 148

Graham, Hannah, and Rob White *'Innovative Justice'* (Routledge, 2015)

Grandin, Temple, Aubrey H Fine and Christine Bowers, 'The Use of Therapy Animals with Individuals with Autism Spectrum Disorders' in Aubrey H Fine (ed), *Handbook on Animal Assisted Therapy* (Elsevier, 3rd ed, 2010) 247

Halsey, Mark and Vandra Harris, 'Prisoner Futures: Sensing the Signs of Generativity' (2011) 44 *Australian & New Zealand Journal of Criminology* 74

Hammett, Theodore M, Cheryl Roberts and Sofia Kennedy, 'Health-Related Issues in Prisoner Reentry' (2001) 47 *Crime and Delinquency* 390

Hart, Lynette A, 'Positive Effects of Animals for Psychosocially Vulnerable People: A Turning Point for Delivery' in Aubrey H Fine (ed), *Handbook on Animal Assisted Therapy* (Elsevier, 3rd ed, 2010)

Hennessy, M B et al, 'Plasma Cortisol Levels of Dogs in a County Animal Shelter' (1997) 62 *Physiology and Behaviour* 483

Hennessy, Michael B, Angela Morris and Fran Linden, 'Evaluation of the Effects of a Socialization Program in a Prison on Behavior and Pituitary-Adrenal Hormone Levels of Shelter Dogs' (2006) 99 *Applied Animal Behaviour Science* 157

Horner, Althea J *Psychoanalytic Object Relations Therapy* (Janson Aronson Inc., 1991)

Howells, Kevin et al, *Correctional Offender Rehabilitation Programs: The National Picture in Australia* (Report for Criminology Research Council, May 2004)

Iannuzzi, Dorothea, and Andrew N Rowan, 'Ethical Issues in Animal Assisted Therapy Programs' (1991) 4 *Anthrozoos* 157

Johnson, R and N Chernoff, "'Opening a Vein": Inmate Poetry and the Prison Experience' (2002) 82 *The Prison Journal* 141

Kassarjian, H, 'Content Analysis in Consumer Research' (1977) 4 *Journal of Consumer Research* 8

Katz, Rebecca S, 'Building the Foundation for a Side-by-Side Explanatory Model: A General Theory of Crime, the Age-Graded Life Course Theory, and Attachment Theory' (1999) 1 *Western Criminology Review* 1

Kennard, D, 'The therapeutic community as an adaptable treatment modality across different settings' (2004) 75 *Psychiatric Quarterly* 295

Kruger, Katherine A and James A Serpell, 'Animal-Assisted Interventions in Mental Health: Definitions and Theoretical Foundations' in Aubrey H Fine (ed), *Handbook on Animal Assisted Therapy* (Elsevier, 3rd ed, 2010) 33

Kruger, K, S Trachtenburg and J A Serpell, *Can Animals Help Humans Heal? Animal-Assisted Interventions in Adolescent Mental Health* (Centre for the Interaction of Animals & Society, 2004)

Lee, D, 'Companion Animals in Institutions' in P Arkow (ed.), *The Loving Bond: Companion Animals in the Helping Professions* (R & E, 1987) 223

Leuscher, Andrew Urs and Robert Tyson Medlock, 'The Effects of Training and Environmental Alterations on Adoption Success of Shelter Dogs' (2009) 117 *Applied Animal Behaviour Science* 63

Lynch, James P and William Sabol, 'Prisoner Reentry in Perspective' (2001) 3 *Crime Policy Report* (Urban Institute, Justice Policy Center)

Looman, Jan & Jeffrey Abracen, 'The Risk Needs Responsivity Model of Offender Rehabilitation: Is There really a Need for a Paradigm Shift?' *International Journal of Behavioural Consultation and Therapy*, 2013, Vol 8, No 3-4, 31.

McNeill, Fergus, 'A Desistance Paradigm for Offender Management' (2006) 6 *Criminology and Criminal Justice* 39

McNeill, Fergus, *Towards Effective Practice in Offender Supervision* (Research Report 01/09, Scottish Centre for Crime and Justice, 2009)

McNicholas, J and G M Collis, 'Dogs as Catalysts for Social Interactions: Robustness of the Effect' (2000) 91 *British Journal of Psychology* 61

Maguire, Mike and Peter Raynor, 'How the Resettlement of Prisoners Promotes Desistance from Crime: Or Does it?' (2006) 6 *Criminology and Criminal Justice* 19

Maller, Max and Richard Lane, 'A Risk Assessment Model for Offender Management' (Paper presented at Probation and Community Corrections: Making Community Safer Conference, Perth, 23–24 September 2002)

Marston, Linda C and Pauleen C Bennett, 'Reforging the Bond—Towards Successful Canine Adoption' (2003) 83 *Applied Animal Behaviour Science* 227

Marston, Linda C, Pauleen C Bennett and Grahame J Coleman, 'What Happens to Shelter Dogs? An Analysis of Data for 1 Year from Three Australian Shelters' (2004) 7 *Journal of Applied Animal Welfare Science* 27

Marston, Linda, 'Innovative Australian Shelter Dog Program Dramatically Increases Rehoming and Reduces Returns' *Shelter Research* (Anthrozoology Research Group, Monash University), Summer 2007

Maruna, Shadd and Thomas P LeBel, 'The Desistance Paradigm in Correctional Practice: From Programs to Lives' in Fergus McNeill, Peter Raynor and Chris Trotter (eds), *Offender Supervision—New Directions in Theory, Research and Practice* (Routledge, 2010)

Maruna, S, T P LeBel and C S Lanier, 'Generativity Behind Bars: Some 'Redemptive Truth' About Prison Society' in E De StAusbins, D P McAdams and T Kim (eds), *The Generative Society*, American Psychological Association, 2004) 131

Melson, Gail F and Aubrey Fine, 'Animals in the Lives of Children' in Aubrey H Fine (ed), *Handbook on Animal Assisted Therapy* (Elsevier, 3rd ed, 2010) 223

Messent, P R, 'Correlates and Effects of Pet Ownership' in R K Anderson, B L Hart and L A Hart (eds), *The Pet Connection: Its Influence on Our Health and Quality of Life* (University of Minnesota, 1984) 331

Messent, P, 'Social Facilitation of Contact with Other People by Pet Dogs' in A Katcher and A Beck (eds), *New Perspectives on Our Lives with Companion Animals* (University of Philadelphia Press, 1983)

Miele, M et al, 'Animal Welfare: Establishing a Dialogue between Science and Society' (2011) 20 *Animal Welfare* 103

Milekic, Slavoljub, 'Disneyfication' in Marc Bekoff (ed), *Encyclopedia of Animal Rights and Animal Welfare* (Greenwood Press, 1998) 133

Mulcahy, Claire and Diedre McLaughlin, 'Is the Tail Wagging the Dog? A Review of the Evidence for Prison Animal Programs' (2013) 48 *Australian Psychologist* 369

Naylor, Bronwyn, 'Criminal Records and Rehabilitation in Australia' (2011) 3 *European Journal of Probation* 79

Normando, Simona et al, 'Effects of an Enhanced Human Interaction Program on Shelter Dogs' Behaviour Analysed Using Novel Nonparametric Test' (2009) 116 *Applied Animal Behaviour Science* 211

NSW Legislative Council, 2001, Select Committee on the Increase in Prisoner Population Final Report, Sydney, New South Wales Parliament

Olson, P et al, 'Pet Overpopulation: A challenge for Companion Animal Veterinarians in the 1990s' (1991) 198 *Journal of the American Veterinary Association*, 1152

Pachana, Nancy A, Bronwyn M Massavelli and Sofia Robleda Gomez, 'A Developmental Psychological Perspective on the Human–Animal Bond' in Christopher Blazina, Güler Boyraz and David Shen-Miller (eds), *The Psychology of the Human Animal Bond* (Springer, 2011)

Paluch, J., Jr. *A Life for a Life: Life Imprisonment: America's Other Death Penalty* (Roxbury, 2004)

Petrie, Lesley-Anne, 'Companion Animals: Valuation and Treatment in Human Society' in Peter Sankoff and Steven White (eds), *Animal Law in Australasia* (The Federation Press, 2009)

Porporino, F, 'Bringing Sense and Sensitivity to Corrections: From Programmes to 'Fix' Offenders to Services to Support Desistance' in J Brayford, F Cowe and J Deering (eds), *What Else Works? Creative Work with Offenders* (Willan Publishing, 2010) 61

Raina, P et al, 'Influence of Companion Animals on the Physical and Psychological Health of Older People: An Analysis of a One-Year Longitudinal Study' (1999) 47 *Journal of the American Geriatric Society* 323

Regan, T, 'Broadie and Pybus on Kant' (1976) 51 *Philosophy* 471

Rehn, Therese and Linda J Keeling, 'The Effect of Time Left Alone on Dog Welfare' (2011) 129 *Applied Animal behaviour Science* 132

Robins, D, C Sanders and S Cahill, 'Dogs and Their People: Pet Facilitated Interaction in a Public Setting' (1991) 20 *Journal of Contemporary Ethnography* 3

Rosenthal, R and L Jacobson, *Pygmalion in the Classroom* (Irvington, expanded ed, 1992)

St. Pierre, D W, 'The Transition from Property to People: The Road to the Recognition of Rights for Non-Human Animals' (1998) 9 *Hastings Women's Law Journal* 255

Serpell, J A, 'Beneficial Effects of Pet Ownership on Some Aspects of Human Health and Behaviour' (1991) 84 *Journal of the Royal Society of Medicine* 717

Serpell, J, *In the Company of Animals* (Cambridge University Press, 1996)

Serpell, J A et al, 'Welfare Consideration in Therapy and Assistance Animals' in Aubrey H Fine (ed), *Handbook on Animal Assisted Therapy* (Elsevier, 3rd ed, 2010) 481

Serpell, James A, 'Anthropomorphism and Anthropomorphic Selection—Beyond the "Cute Response"' (2003) 11 *Society & Animals* 83

Siegel, Judith M, 'Pet Ownership and Health' in Christopher Blazina, Güler Boyraz and David Shen-Miller (eds), *The Psychology of the Human–Animal Bond: A Resource for Clinicians and Researchers* (Springer, 2011)

Singer, Peter, *Animal Liberation: The Definitive Classic of the Animal Movement* (Harper Collins, updated edition, 2009)

Sterngold, J, 'In Los Angeles, a Traveler's Best Friend', *The New York Times* (New York), 21 March 2002

Stretzer, S, 'The State of Social Capital: Bringing Back in Power, Politics and History' (2002) 31 *Theory and Society* 612

Sunstein, Cass R and Martha C Nussbaum (eds), *Animal Rights—Current Debates and New Directions* (Oxford University Press, 2004)

Tedeschi, Philip, Aubrey H Fine and Jana I Helgeson, 'Assistance Animals: Their Evolving Role in Psychiatric Service Applications' in Aubrey H Fine (ed), *Handbook on Animal Assisted Therapy: Theoretical Foundations and Guidelines for Practice* (Academic Press, 2010) 421

Tuber, David S et al, 'Dogs in Animal Shelters: Problems, Suggestions, and Needed Expertise' (1999) 10 *Psychological Science* 379

van IJzendoorn, Marinus, 'Attachment, Emergent Morality, and Aggression: Toward a Developmental Socioemotional Model of Antisocial Behaviour' (1997) 21 *International Journal of Behavioral Development* 703

van IJzendoorn, M H et al, 'Attachment Representations of Personality-Disordered Criminal Offenders' (1997) 67 *American Journal of Orthopsychiatry* 449

Ward, Tony and Shadd Maruna, *Rehabilitation: Beyond the Risk Paradigm* (Routledge, 2007)

Ward, T and M Brown, 'The Good Lives Model and Conceptual Issues in Offender Rehabilitation' (2004) 10 *Psychology, Crime and the Law* 243

Ward, Tony, Joseph Melder and Pamela M Yates, 'Reconstructing the Risk-Need-Responsivity Model: A Theoretical Elaboration and Evaluation' (2007) 12 *Aggression and Violent Behavior* 208

Wells, Deborah L and Peter G Hepper, 'The Influence of Environmental Change on the Behaviour of Sheltered Dogs' (2000) 68 *Applied Animal Behaviour Science* 151

Wood, L (ed), *Living Well Together: How Companion Animals Can Strengthen Social Fabric* (Petcare Information & Advisory Service Pty Ltd and the Centre for the Built Environment and Health, University of Western Australia, 2000)

Wood L, B Giles-Corti and M Bulsara. The Pet Connection: Pets as a Conduit for Social Capital? (2005) 61 *Social Science & Medicine* 1159

Zasloff, R Lee, 'Measuring Attachment to Companion Animals: A Dog is Not a Cat is Not a Bird' (1996) 47 *Applied Animals Behaviour Science* 43

B. Cases

Garrett v The State of South Australia [2012] SADC 167

Saltoon v Lake [1978] 1 NSWLR 52

C. Legislation

Animal Welfare Act (NT)

Animal Welfare Act 1985 (SA)

Animal Welfare Act 1992 (ACT)

Animal Welfare Act 1993 (TAS)

Animal Welfare Act 2002 (WA)

Correctional Services Act 1982

D. Other

Angola Rodeo <www.angolarodeo.com>

Animals Australia, Are Rodeos Cruel? <http://www.animalsaustralia.org/take_action/ban-rodeo-cruelty/>

Animals Australia, Save Greyhounds from Cruel Export
<http://www.animalsaustralia.org/take_action/save-greyhounds-from-export/>

'Birdman of Alcatraz', Alcatraz History <<http://www.alcatrazhistory.com/stroud.htm>>

Blair, Leonardo, 'Pope Francis Says There's a Place for Pets in Heaven, While Conservative Catholics Preach Animals Have No Souls', *The Christian Post* (online), 12 December 2014 <<http://www.christianpost.com/news/pope-francis-says-theres-a-place-for-pets-in-heaven-while-conservative-catholics-preach-animals-have-no-souls-131124/>>

Coalition for the Protection of Racehorses, Horse Racing Kills
<<http://www.horseracingkills.com/>>

‘Convergent evolution’, *Reference terms—from Wikipedia, the free encyclopaedia*, Science Daily <www.sciencedaily.com/articles/c/convergent_evolution.htm>

Department of Justice, ‘The Real Birdmen of Beechworth Have Their Lives reflected in Film’ (Media Release, Monday 19 May, 2004)

Dhindsa, Gurvir, ‘Prison Program Gives Dogs, Inmates 2nd Chances’, *MyFox Atlanta* (online), 14 November 2013 <<http://www.myfoxatlanta.com/story/23955160/prison-program-gives-dogs-inmates-second-chances#axzz2rBd16Ybz>>

Farm Animal Welfare Council, *Five Freedoms* (16 April 2009) <<http://www.khq.com/story/24400577/pairing-prisoners-with-puppies-a-look-inside-spokanes-pawsitive-dogs-program>>

Ironside, Robyn, ‘Perks for Inmates Anger Prison Guards’, *The Courier Mail* (online), 28 March 2008 <<http://www.couriermail.com.au/news/queensland/guards-appalled-by-prison-perks/story-e6freoof-1111115916400>>

Jervis, Rick, ‘Prison Rodeos Provide Escape From Routine’, *USA Today* (online), 30 October 2009 <http://usatoday.com/news/nation/2009-10-29-prison-rodeo_N.htm>

Keane, Bernard, ‘Yes, I Hate the Cup—and for Damn Good Reason’, *Crikey* (online), 4 November 2014 <http://www.crikey.com.au/2014/11/04/yes-i-hate-the-cup-and-for-damn-good-reason/?wpmp_switcher=mobile>

Kelley, Shamiyah, ‘Angola Rodeo Blurs Line Between Fun, Exploitation’, *The Daily Reveille* (online), 22 October 2013 <http://www.lsureveille.com/entertainment/angola-rodeo-blurs-line-between-fun-exploitation/article_92faa0a8-3aaa-11e3-bb51-001a4bcf6878.html>

Louisiana State Penitentiary Museum Foundation, *Angola Prison Rodeo*, Angola Museum <<http://angolamuseum.org/?q=RodeoHistory>>

Mitchell, Kirk, 'Second Chances for Dogs, Inmates', *Denver Post* (online), 22 October 2007 <http://www.denverpost.com/news/ci_7244614>

NPR, 'Caring Makes Us Human', *Driveway Moments*, 28 September 2008 (Troy Chapman) <<http://www.npr.org/templates/story/story.php?storyId=95088503>>

Nsubuga, Jimmy, 'Jumpy the Dog Performs 20 Stunts in a Minute-Long Video', *Metro* (online), 3 April 2013 <<http://metro.co.uk/2013/04/03/jumpy-the-dog-performs-20-stunts-in-brilliant-one-minute-video-3581755/>>

Ohio Department of Rehabilitation and Correction Agricultural and Farm Services <http://www.drc.ohio.gov/web/ag_farm.htm>

Oxford University Press, *Oxford Dictionaries: Dictionary, Thesaurus and Grammar* (24 July 2014) <<http://www.oxforddictionaries.com>>

'Pairing Prisoners with Puppies: A Look Inside Spokane's Pawsitive Dogs Program', *KHQ* (online), 9 January 2014 <<http://www.khq.com/story/24400577/pairing-prisoners-with-puppies-a-look-inside-spokanes-pawsitive-dogs-program>>

Panaman, Roger, 'Descartes and Animal Rights' (2008) *How to Do Animal Rights* <<http://www.animaethics.org.uk/descartes.html>>

Park, Ashley, 'Prison Training Program Teaches Inmates to Train Shelter Dogs', *News12* (online), 30 January 2014 <<http://www.kxii.com/home/headlines/Prison-training-program-teaches-inmates-to-train-shelter-dogs--242675761.html?ref=761>>

People for the Ethical Treatment of Animals, *Animal Rights Uncompromised: Zoos* <<http://www.peta.org/about-peta/why-peta/zoos/>>

People for the Ethical Treatment of Animals, *Rodeo: Cruelty for a Buck* <<http://www.peta.org/issues/animals-in-entertainment/animals-used-entertainment-factsheets/rodeo-cruelty-buck/>>

Prison Photography <<http://prisonphotography.org/tag/angola/>>

‘Prison Pup Released’, *In My Community* (online), 9 December 2013 <<http://www.inmycommunity.com.au/news-and-views/local-news/Prison-pup-released/7654164/>>

Prison Trained Dog Program: Dogs Eligible for Release <www.coloradoci.com/serviceproviders/puppy/index.html?intro>

Ratnam, Reshni, ‘Bonds of Fellowship Between Prisoners and Abandoned Animals’, *The Courier Mail* (online), 9 December 2013 <<http://www.couriermail.com.au/questnews/south/bonds-of-fellowship-between-prisoners-and-abandoned-animals/story-fni9r1nj-1226777276605>>

Rhoades, Rebecca, *Sentence for Salvation* (2001) Petfinder <<https://www.petfinder.com/animal-shelters-and-rescues/volunteering-with-dogs/prison-dog-programs/>>

Royal Society for the Protection of Animals, *Dogs* <<http://www.rspca.org.au/facts/annual-statistics/dogs>>

Rubinzstein-Dunlop, Sean and Lesley Robinson, ‘Doping, Cruelty and Collusion Claims Dog Greyhound Racing Industry’, *7.30* (online), 15 October 2013 <<http://www.abc.net.au/7.30/content/2013/s3869813.htm>>

State Government of Victoria, ‘Corrections, Prisons & Parole’ (10 April 2015) *Department of Justice and Regulation* <<http://www.corrections.vic.gov.au/utility/home/>>

Stunt Dog Productions <<http://www.stuntdogshow.com/>>

The Humane Society of the United States, *Crate Training* (31 October 2014) <http://www.humanesociety.org/animals/dogs/tips/crate_training.html>

The Greens, 'NSW Parliament Runs Cover for Racing Industry Despite Outrage Over Horse Deaths' (5 November 2014) <<http://greens.org.au/node/6422>>

'Tough Prison Inmate Raises Dog, Watch What Happens When He Says Goodbye', *The Daily Megabyte* (online) <http://last-goodbye.dailymegabyte.com/tough-prison-when-says-goodbye/>

Training Package Details < <https://training.gov.au/Training/Details/RUV04> >

Warden, Ian, 'Gang-gang: Dogs Get Their Day', *The Canberra Times* (online), 4 September 2014 <<http://www.canberratimes.com.au/act-news/ganggang-dogs-get-their-day-20140904-10c60j.html>>

Womach, Dave, *Performing Pets* <<http://www.davewomach.com/#!performing-pets/crb2>>

<<http://nsw.psnews.com.au/Page>>

<<http://research.vet.upenn.edu/cias/publication/tabid/1918/default.aspx>>

<<http://www.aact.org.au/greyhounds.htm>>

<<http://www.npr.org/templates/story/story.php?storyId=95088503>>

<<http://www.theguardian.com/world/2013/oct/23>>