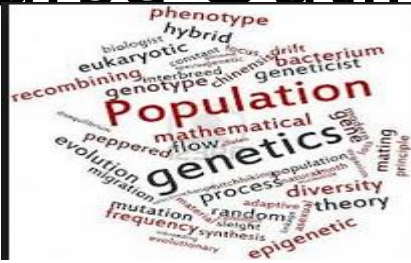




# Ethics in the Gaol

Finding curriculum outcomes so you  
can start ethical conversations in  
prison education.

# Course Outline and Program Planning and Ethics

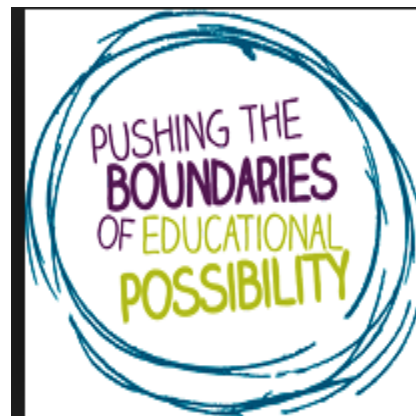


By the end of this presentation it is hoped that you will want to:

- ✓ Find challenging and personally relevant ways to include ethical discussion in class activities.
  
- ✓ See ethics as fitting in within the curriculum.

# Are there reasonable objections to teachers discussing ethical behaviour with inmates?

- No, as long as you do not discuss their crime.
- Keep your own personal boundaries in mind.
- Research shows that individuals make the greatest gains in ethical reasoning when they discuss issues with their peers.



# General types of questions asked.

How do I decide what I ought to do?

What is right and wrong?

How is one to lead a good life?

What ought I to do?

What makes something right or wrong?



# What is the ethical reasoning age of offenders?

- Early primary school.



# Define “morals” and “ethics”

- Morals are a person’s standard of behaviour that defines what is and is not acceptable.
- Ethical reasoning is about values, principles, human action and interaction.
- In ethics, we think about suffering, well-being, individual responsibility, consequences and circumstances.



# Two moral awareness issues.

- Primary Ethics and Gaol Ethics works at two broad thinking style errors:
  - Acceptance of moral authority – where people believe that might is right.
  - Acceptance of moral relativism – where people believe that most things are alright.



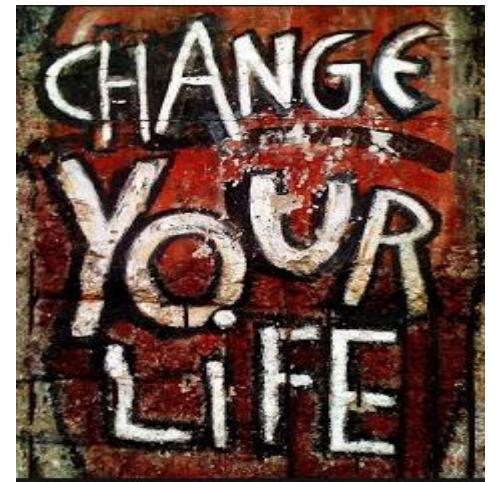
# Moral authority and Moral relativism

- Two areas of reasoning to challenge in offenders:
  - The acceptance of moral authority, that is doing what anyone says without question.
  - The acceptance of moral relativism which involves ignoring or accepting whatever anyone else does.



# But first, why?

- Studies of the moral development of violent offenders places their moral development at stage 1 or 2.
- This means that they are at the same stage as an early primary school child.



# Does Cognitive Behaviour Programs Make a Difference to the Moral

## Development of Offenders?

- Frederick Buttell, in a National Association of Social Workers article, “Exploring the relevance of moral development as a treatment issue in batterer intervention” (2003), says that it does not. There is only slight gains in ethical reasoning in violent offenders who have undergone cognitive behaviour therapy.
- Moreover, organisations like the St John Ethics Centre have, when asked, encouraged the presenter to include ethical discussions in communication units. They have even supplied with me articles and feedback on tasks that were going to be given to inmates.

# Because....

- Raising the level of moral reasoning results in less criminal activity.



# Strong empirical evidence about ethical development tells us that:

- The stages of ethical growth are universal.
- Moral education programs are effective in teaching ethical reasoning.



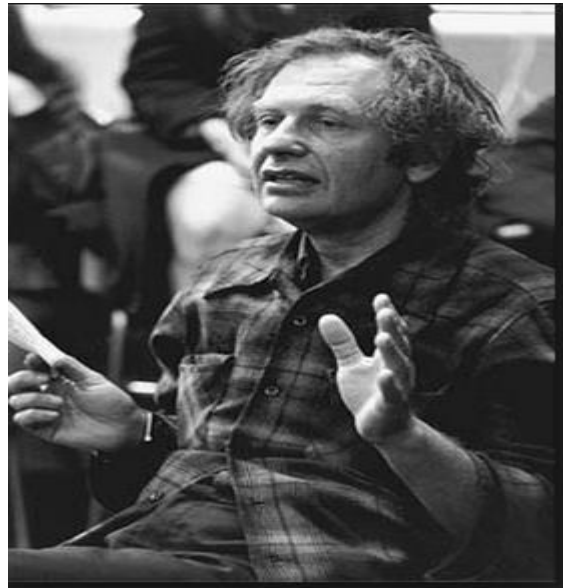
# Ethics and Offenders

- Offenders who commit violent crimes use minimisation, denial and blame to excuse aggressive behaviour.
- Lessons in ethics probe issues so that the rights of others are not reduced.



# Who told us about the stages of moral development?

- Lawrence Kohlberg, October 25, 1927 – January 19, 1987 was a psychology professor from the psychology department of the University of Chicago and the Graduate School of Education at Harvard University.



Moral thinking as a basis for ethical reasoning.



# Let's Try the Heinz Dilemma

- A woman was near death from a special kind of cancer. There was one drug that the doctors thought might save her. It was a form of radium that a druggist in the same town had recently discovered. The drug was expensive to make, but the druggist was charging ten times what the drug cost him to produce. He paid \$200 for the radium and charged \$2,000 for a small dose of the drug. The sick woman's husband, Heinz, went to everyone he knew to borrow the money, but he could only get together about \$1,000 which is half of what it cost. He told the druggist that his wife was dying and asked him to sell it cheaper or let him pay later. But the druggist said: "No, I discovered the drug and I'm going to make money from it." So Heinz got desperate and broke into the man's store to steal the drug for his wife. Should Heinz have broken into the laboratory to steal the drug for his wife? Why or why not?



# Heinz Dilemma

- **Stage one** (*obedience*)
- **Stage two** (*self-interest*)
- **Stage three** (*conformity*)
- **Stage four** (*law-and-order*)
- **Stage five** (human rights)
- **Stage Six** (universal human ethics)



# Certificate II in Skills for Work and Training

- NSWTCOM207B Demonstrate Interpersonal Communication Skills has:
- 1.3 Identify and interpret communication cues relating to a range of cultures.
- 2.1 Identify attitudes, values and beliefs of others
- 2.2 Identify appropriate behavioural conventions for a range of audiences that build positive relationship and reflect empathy



# Range Statement

- Can include characteristics of body language such as: eye contact, gesture, facial expression etc.
- Cultures cover aspects of gender, age, sexual preference, ethnic background, culture.
- Attitudes, values and beliefs include cultural practices, work practices, family and religious obligation
- Positive relation may include relationships where trust and respect are demonstrated
- Relationships where desired
- Repairing communication breakdown.

### Task 1 Description:

How responsible can people be? To what extent can we require that people "pull themselves up by their own bootstraps?" If a school student is raised in a neighbourhood where study is not fashionable, and they didn't study, to what extent are we obligated to provide "remedial" training in college?

Write down your view on these issues. Write your views so that they appear in an interview between you and the person required to "pull themselves up by their bootstraps". Your interview should go for a page and a half. You can ask questions of the person and provide answers. The final sentence will need to contain a decision as to how responsible the person in the scenario needs to be.

**Hand in: 1 to 2 pages with your interview.**

Your answer needs to show efforts that are not in excess but are necessary to maintain a positive relationship which includes empathy, through:

Dialogue where trust and respect are demonstrated.

Relationships where desired communication is achieved.

Use of active listening skills.

Showing intercultural sensitivity

# NSWTRDG201B Read and Respond to Routine Texts

- 1.1 Identify the main features of selected text
- 1.2 Identify intended audience and purpose.
- 2.1 Use a range of reading strategies to interpret meaning.
- 2.2 Interpret text features at word and text level.



Australian  
Human Rights  
Commission

*everyone, everywhere, everyday*

# DISCRIMINATION IN EMPLOYMENT ON THE BASIS OF CRIMINAL RECORD

## On the Record: Information Brochure

Can an employer refuse to employ me because of my criminal record?

Under the AHCR Act, it is not discrimination if your criminal record means that you are unable to perform the 'inherent requirements' of this job. This means that an employer can refuse to employ you, or can dismiss you from employment, if your criminal record is relevant to the particular job.

For example, fraud convictions may be relevant to a job in financial management. If you make a complain of discrimination and the employer claims that the criminal record is relevant to the job, the Commission will investigate the complaint and make a decision on whether the employer's actions are justified by the inherent requirements exception.

# An example of a complaint to the Commission



## An example of a complaint to the Commission

Ms C applied for a job as a bartender at a casino. She declared her prior conviction for stealing two bottles of alcohol when she was 15 years old. She was refused employment on the basis that the inherent requirements of the job required her to be trustworthy and of good character.

Ms C made a complaint to the Commission. The Commission agreed with the casino that it was an inherent requirement of the job that a barperson be of good character and trustworthy. However, it disagreed with the casino that Ms C's criminal record meant that she could not meet these requirements. It said that many factors were relevant to an assessment of Ms C's character including

- she was 15 when the conviction occurred
- the conviction was eight years old

# NSWTRDG Read and Respond to Routine Texts

1. What is the purpose of this brochure?
2. Who is the intended audience?
3. What text type is the brochure?
4. Name three possible acts of discrimination that a person with a criminal record could face in the workforce?
5. In order to avoid making a nuisance complaint, what additional facts could an individual look to when deciding whether or not he has been discriminated against under the act?
  - Refused a job
  - Dismissed from employment
  - Denied training opportunities
  - Denied promotion
  - Subject to less favourable working conditions
  - Harassed at work
  - Denied an employment related licence or registration



## Task 2 Description:

Regarding the broader topic of welfare: General issues of responsibility are raised. When is helping someone really helping them, and when is it rescuing them and enabling their own self-defeating behavioural patterns? Can beggars be choosers? Are any "rights" implicitly forfeited by someone who receives charity? (This varies in different cultures!) For example, if offered work, is the person who is given welfare obligated to accept that job, even if they don't like that work? What if the decision as to a job being not acceptable is viewed as trivial or unworthy by others?

Take opposing sides of the argument on the topic of welfare

Hand in 1 to 2 pages which state both sides of the topic of welfare.

# Tying Ethics indirectly into course content by looking at what is popular among inmates.

- At MSPC2, thrillers are a popular genre from the inmate library, so I have called on excerpts from the movie, “Crimson Dawn” in order to generate discussions on leadership which is also a theme in a couple of Certificate II modules
- The following scene can start discussion about age, culture, race in power discussions. As well as providing a major ethical dilemma is when an employee no longer represents himself or herself and instead represents the employer. Some might say one always represents himself or herself.

# Provide Leadership in Routine Contexts NSW TINT 201B

- Range Statement:
- Leadership traits include: integrity, flexibility, internal locus of control, ability to build trust by collaboration, team building.
- Interpersonal skills include: speaking clearly, recognising problems with stereotyping, using strategies for resolving conflict, using inclusive language, using positive body language.

# Ethics in power relations:

**Navy officers disagree on who the real enemy should be during warfare, and the ethicality of using nuclear bombs.**

**[Moveequotes.blogspot.com](http://Moveequotes.blogspot.com)**

# Opportunities for team teaching in ethics.

- There are a number of ways of harming others while using a computer.
- These were put into positive terms as this has a lasting effect on the way people think – rather than “Thou shalt not harm others with a computer” and comments of this type, we came up with other positive messages.



# Positive Computer Use



Rewriting of the Ten Commandments of Computer Use into positive terms.

- We will stop and ask ourselves if something we're about to do will cause harm to another person.
- We will ask ourselves if we would be able to defend what we're about to do to someone whose opinion matters to us.
- We will ask ourselves if it breaks another person's trust.
- We will ask ourselves if it takes away from another person's dignity or self-esteem.
- We will ask ourselves if we are using the computer to gain at another person's cost.
- We will ask ourselves if we have used the computer to take the ideas of others.
- We will ask ourselves if we are trying to get someone else to pay for a computer resource that we're using.

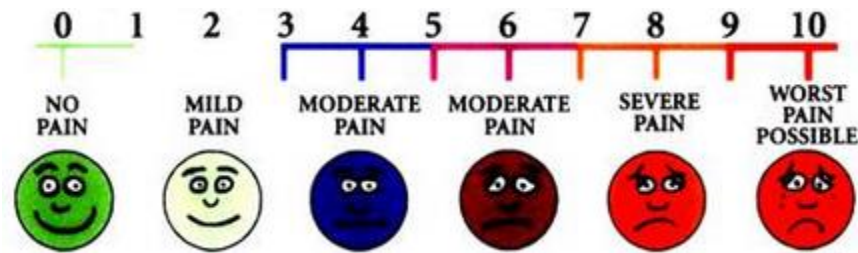
**We will stop and ask ourselves if something we're about to do will cause and harm to another person.**

Scenario: John has been released from gaol. He doesn't know that a hacker has infected his computer with a virus so that he can't open his files with his resumes and scanned copies of transcripts on them. Later, when John goes to log onto the internet, he finds that the hacker has changed his password so that he can't even get onto his own internet account and he can't access his Centrelink benefits.



# How to get inmates to think about harm.

- 1. For the given scenario, inmates were asked to show on the diagram how much hurt was done.



- 2. They were then asked to name the ethical issue and then to name the computer security issue. This was then put into their folders as evidence.

Hope that you will take away new ideas on how to include ethical discussions:

- By including reading matter that has ethical issues as a theme.
- By asking inmates to write passages where they demonstrate empathy.
- By taking opportunities for team teaching.