

Good afternoon Ladies and Gentlemen,

Slide 1

Today's presentation will show you how and why ethics should be taught in gaols. By the end of this presentation, it is hoped that you will want to include content in your lesson delivery that encourages ethical reasoning.

I'm going to work from the assumption that there isn't a lot of experience amongst us in teaching ethics, so I'll start with defining terms.

Slide 2

Is ethics relevant when teaching literacy and communication? The AEET curriculum gives us a broad range of possibilities for teaching thinking of this kind: in the unit criteria and in the employability skills statements at the back of each unit, you will find descriptors that are tools for ethical discussions. We will look in greater detail at elements of the curriculum later on.

Slide 3.

But first, what stage of ethical and moral development are offenders? Wide ranging research of offenders has found that they use the reasoning of skills of 9 year olds. The trouble is that research has also shown that the cognitive behaviour programs which offenders are required to do in treatment does not increase their age of ethical reasoning. So, the offender who is released after months of CBT still has a reasoning style that has in the past connected them with acts of violence.

Frederick P. Buttell, "Exploring the relevance of moral development as a treatment issue in batterer intervention"

Slide 4.

Our morals tell us what is good or bad and our ethics tell us how to behave as a consequence of our beliefs. As an example, I could reason that because I believe that violence is wrong, I will not use physical force against someone else. Another example is that I might believe that the earth has a value of its own therefore I will not pollute it. Alternatively, you can think that theft is ok when it doesn't involve hurting people you know, so you find yourself in gaol for credit card fraud.

The point is that having particular moral beliefs - or in fact never even thinking about what is right or wrong - flows onto certain behaviours. And that is when we say that someone is or isn't ethical in their behaviour. The trouble is that offenders do not have the language for discussing moral decision making, nor have they discussed how others might feel during their formative years.

[www.primaryethics.com.au/resources.html](http://www.primaryethics.com.au/resources.html)

Slide 5

Many studies have universally proven that offenders solve problems and approach life with the pre-conventional stage of reasoning which means they do not question people they perceive to be in authority. Here, we're not talking about the voice of the law or doctors or teachers who hopefully advise people the best they can, instead we're talking about young men and women being under the influence of peer groups and families, for example, where aggression and violence is condoned.

#### Slide 6

Moral relativism is used to justify things that aren't exactly in our back yard. An example of that would be, "it's ok for whaling to occur, it is part of their culture."

Moral authority and moral relativism are the two thinking strategies that offenders use to justify their crime. "She asked for it." "It didn't hurt her that much." Both belong to the moral authority and moral relativism types of thinking.

W. Wesley Tennyson and Sharon M. Strom Beyond Professional Standards: Developing Responsibility

#### Slide 7

Let's come back to the nature of offenders. We know that their moral reasoning is not strong and yet on release they will be faced in the community with difficult decisions. They will need to find a job and they will need to undergo a criminal record check. How we prepare inmates for this will be about equipping them with a sense of ethical duty to themselves and to others. Where they look after their entitlement to confidentiality and yet are sufficiently open with authorities.

#### Slide 8

In the particular goal that I work in, most of the inmates are sex offenders. These are people that the community wants nothing to do with. Yet, we know that isolating these offenders is a risk factor for future offences. The convenors of the Royal Commission into child abuse are saying that building a boarding house as big Tasmania is not an option. Instead, these offenders need a way of being effective with the community and ethical reasoning could offer them this tool.

Show slide 9 and 10, Pause. Let them read and read it out.

#### Slide 11

Since ancient times, there has been a long tradition of moral reasoning throughout the history of humanity. A psychologist from the mid twentieth century, Laurence Kohlberg, formulated the stages of moral development and this scaffold for how reasoning occurs has been embraced and accepted by many branches of philosophy and psychology. The natural human desire to explore an environment and become competent in it has translated in terms of social development, into imitating role models we then look to for approval. Kohlberg observed that whether we're in a family or in another organisation that is required to fend for itself, the patterns of action and

thought concerning the relations of self, others, and the social world are the same. Furthermore, the more one is prompted to imagine how others experience things and imaginatively to take their roles, the more quickly one learns to function well in cooperative human interactions.

[en.wikipedia.org/wiki/Lawrence\\_Kohlberg](https://en.wikipedia.org/wiki/Lawrence_Kohlberg)

Slide 12

Imagining how it feels to be in someone else's shoes is the road to moral development.

Slide 13

The Heinz dilemma comes directly from the moral development quiz that Kohlberg wrote. It is used in Primary Ethics but I don't use it in the gaol because I'm not there to assess them. Instead, I've made the promise to myself to include ethical dimensions to as many activities as I can, finding that moral problem solving that is imbedded in a theme or a topic is more successful than something that is added on and is unrelated. But, to give you a taste of ethical problems solving, let's look first at one Laurence Kohlberg's famous dilemmas.

I'll give you five minutes to read and think about this one.

Slide 14

A summary of Kohlberg's findings in terms of age appropriate morality in relation to Heinz's dilemma.

Kohlberg's Stages of Moral Development

PRECONVENTIONAL

Stage 1: Punishment orientation.

Obedience to authority is considered.

Example: "He shouldn't steal the drug because he might get caught and be punished" (avoiding punishment)

Stage 2: Pleasure -seeking orientation. Action is determined by one's own

needs. Example: "It won't do him any good to steal the drug because his wife will be dead by the time he gets out of jail" (self-interest)

CONVENTIONAL

Stage 3: Good boy/good girl orientation. Action determined by the approval of their peer group. Example: "He shouldn't steal the drug because others will think he is a thief. His wife will not want to be saved by stealing" (avoiding disapproval)

Stage 4: Authority orientation. Should uphold the law at all costs. Follow social rules. Example: "Although his wife needs the drug, he should not break the law to get it. His wife's condition doesn't justify stealing" (traditional morality of authority)

#### POSTCONVENTIONAL

Stage 5: Social-contract orientation. Rules are open to question but are upheld for the good of the community. Example: "He should not steal the drug. The druggist response is unfair but mutual respect for the rights of others must be maintained ." (social contract)

Stage 6: Morality of individual principles. High value is placed on justice, dignity, and equality. Example: "He should steal the drug but alert authorities he has done it. He will have to face a penalty, but he will save a human life." (self-chosen ethical principles)

[www.iccb.org/pdf/adulted/healthcare\\_curriculum/...social.../84.pdf](http://www.iccb.org/pdf/adulted/healthcare_curriculum/...social.../84.pdf)

#### Slide 15

The units which best suit this kind of discussion are the speaking and listening units in both Cert 1 and Cert 2, as well as NSWTCOM207B Demonstrate Interpersonal Communication Skills which has the following criteria.

#### Slide 16

When we look at the range statements we can see that these units discourage students from entering communication already blinded to the point of view of others and therefore only interested in the views of random authority figures. You can see the emphasis on body language, trust, respect and repairing communication breakdowns are powerful tools of negotiation and of achieving competence in a social situation.

#### Slide 17

This task was given as part of a unit on ethics in the workplace. It required inmates to write down an interview where they spoke encouragingly to someone who was resistant to trying to improve themselves - the type of attitude that is prevalent in the gaols I work in. The point of the exercise was for inmates to consider how responsible the disadvantaged need to be to lifting themselves up. Hopefully, it would remind them of some of the programs that are available to inmates.

I got a number of responses from inmates. All of them passed and they were all encouraging and empathetic in nature. Then, of course, I had to go back and talk to them about punctuation and spelling, but they nevertheless did the exercises.

Of interest here is to mention two things: first, one inmate had been denying his guilt in his sex offence against his daughter. At the same time that he was doing this ethics class, the inmate was doing a group that prepared him for the sex offenders program. At this time, and at a cost to his own understanding of himself, he finally admitted guilt. This means that he can now go into the program that best suits him.

Another incident involved an inmate who liked splitting the group. It was when we were talking about some inmates having a poor background while others were better off that the way they could needle each other and generally cause harm came to light. So, that is something you may need to be aware of when having ethical discussions, that because you ask them to call on their own experience that sometimes you will uncover differences in social economic background amongst them that may turn into grounds for another argument back in the wing. Also, with these guys, it is hard to distinguish the truth.

Slide 18 and 19

We can use the reading comprehension points of NSWTRDG201B Read and Respond to Routine Texts to compose questions about discrimination in the workplace based on the criminal record pdf which is freely available on the internet. This document is also useful when I've been asked to talk to inmates about getting a job as part of the NEXUS program.

Slide 20

Here is a true life scenario that is printed in the Discrimination in Employment on the Basis of Criminal Record. Released offenders are empowered when they are told that they can argue around mitigating circumstances of their crime when they no longer present danger: that the offence was committed while they were on drugs and they haven't taken drugs for decades; that they committed their offence when they were only 17 years old and they have paid back to society for the harm caused.

Slide 21

These are the types of questions that I ask them about material taken from the Discrimination in Employment on the Basis of Criminal Record. It's good because they feel better armed to face the world when they have considered some of the problems they may meet beforehand.

Slide 22

Here is another writing task which could also be used as evidence for NSWTCOM207B Demonstrate Interpersonal Communication Skills. It's one which practices expositions and they often come up with interesting things that shows where they've come from. Their answers showed quite a bit of consideration for people who may have injuries and may not be suited to standing at a table and repairing machines, for example.

Slide 23

We're almost at the end here, but there is another unit of work that I want to address and that is the Certificate II unit on leadership. This also fits in well with considerations about ethics and there is a great range of really good movie which show creative insight into what it means to be a leader. This unit has descriptors about style of dress relating to role as person in charge. The movie clip I'm going to show you was chosen because it was available for use and because the book is very popular with inmates - it is frequently borrowed from the inmate library. In addition, it's a taut thriller with no parts that can make group discussion awkward.

The point that I make to the inmates is the captain has a requirement for his officers to be "yes men", that is, do what you're told to do or else. You can see that this fits in with the moral authority thinking of pre-conceptual stage.