

Malaysian Youth Opinion of Non-Custodial Sentences Practice. What They Say?

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Abstract

This study explores the perceptions of Malaysian youth towards community correction programs, an alternative to incarceration. The research employed a qualitative approach, conducting six focus group discussions with 30 participants. The findings reveal that Malaysian youth support non-custodial practices due to their strong moral principles, perceived effectiveness, and perceived safety. Participants believe that non-custodial practices help offenders reintegrate into society by providing them with new skills and promoting a sense of responsibility. The youth also emphasize the importance of fairness in non-custodial practices, ensuring that offenders are treated equally and receive a second chance to redeem themselves. The study highlights the need for adequate training and funding for legal authorities to ensure the successful implementation of community correction programs. The research contributes to the understanding of youth perceptions of non-custodial practices and provides insights for policymakers and criminal justice professionals.

Keywords: *Community Correction Programs, Non-Custodial Practices, Opinion, Reintegration., Criminal Justice System*

INTRODUCTION

There are more than 11.5 million people in prison worldwide. The current situation of community correction practice in the world is a pressing concern. According to recent reports, the prison population in the world has increased for male prisoners by around 22%, and the number of women in prison has increased by nearly 60% from 2000 to 2022 (Penal Reform International, 2023). Community correction sentences, which allow offenders to remain in the community and receive support from family and friends, could be a viable solution to this issue (Cullen et al., 2017). Research trends on non-custodial sentences have shown that they are effective in reducing re-offending rates compared to custodial sentences (Villettaz et al., 2015). These findings suggest that non-custodial sentences, such as community service and probation, can be a more effective and cost-efficient alternative to imprisonment.

The implementation of non-custodial sentences has been observed in various countries, including Indonesia, where a court recently granted parole to one of the perpetrators involved in the 2002 Bali bombing, which resulted in the loss of over 200 lives (Berita Harian, 2022). This decision has sparked controversy, as the offender can move freely in society to complete their remaining sentence. Similarly, in the United Kingdom, research has shown that a significant proportion (35%) of offenders on community orders reoffended within a 12-month period (Wood et al., 2013). These high-profile cases and statistics, as reported by the media, can contribute to public concerns about community safety and the effectiveness of non-custodial sentences. As a result, it is expected that public support for parole and community service sentences may be declining. This phenomenon highlights the need for a nuanced understanding of the complexities surrounding non-custodial sentences and their impact on community safety.

The concept of non-custodial sentences, such as parole and community service, is grounded in the belief that offenders possess inherent rights, deserve protection, and are capable of rehabilitation (Alarid et al., 2008). However, media reports can sometimes cast doubt on the effectiveness of these sentences, particularly if the

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media mention that public safety may be compromised. For instance, a recent news article reported that the leader of a notorious gang had absconded while on parole, subsequently committing a string of crimes, including theft and burglary, resulting in significant financial losses and raising concerns about community safety (Bernama, 2022). Another example involves a case where an individual was sentenced to compulsory attendance at the Parole Department for uploading explicit content online. This outcome has sparked unease among community members, who worry that sex offenders may be free to move about and potentially re-offend. These reports can contribute to public scepticism about the benefits of non-custodial sentences, with some individuals questioning their ability to ensure community safety and prevent recidivism.

More research is needed to understand the effectiveness of non-custodial sentences, such as community correction practice. Studies have shown that community correction sentences can improve mental health outcomes, reduce feelings of stigma and isolation, and promote community safety (Kupers, 2015; Center on Sentencing and Corrections, 2013). Overall, the current practice globally highlights the need to shift towards more rehabilitative and restorative approaches to justice rather than relying solely on incarceration.

In 2022, Malaysia's criminal justice system marked a significant development by introducing compulsory offender attendance as an additional component of non-custodial sentences (Rosli, 2022). This new measure complements the existing non-custodial sentences in Malaysia, which include fines, probation, and bonds of good behaviour (Rahim et al., 2013). While the implementation of non-custodial sentences is expected to bring benefits to the government, it is essential to examine the underlying issues related to the introduction of compulsory attendance for offenders. One of the primary advantages of non-custodial sentences is the potential to alleviate prison overcrowding, a long-standing challenge faced by the Malaysian Prison Department. By reducing overcrowding, the prison system can better accommodate rehabilitation programs, ensure adequate staffing for security purposes, minimise the risk of disease transmission, and create a conducive environment for detainees to interact and undergo rehabilitation. This, in turn, can facilitate a smoother reintegration process for offenders.

The recent news has sparked mixed reactions among society members, who are struggling to come to terms with the decisions made by correctional authorities. As a result, public trust in the effectiveness of non-custodial practice in preventing recidivism will likely be eroded. The key challenge lies in exploring public opinions to instil confidence in the correctional authorities' judgement. Since the study is concerning on youth opinion, a reasonable amount of information about youth's stand on non-custodial practice is needed to understand their complex reasoning and decision-making abilities.

Hence, understanding youth opinion is of the utmost importance prior to acceptance. By doing so, it may be possible to mitigate youth rejection of non-custodial practice and promote a more informed and nuanced understanding of these rehabilitation strategies. Thus, the study's ultimate aim is to explore the opinions of Malaysian youth of community correction programs.

LITERATURE REVIEW

Measuring youth opinion of non-custodial practices is not only a complex task but also a crucial aspect of evaluating criminal justice policies. As suggested in moral development theory, young people go through stages of moral development, progressing through six different stages of complex moral reasoning and decision-making abilities to achieve mature moral thinking (Kohlberg, 2008).

Previous research has shown that individuals at higher stages of moral development are more likely to accept non-custodial sentences, such as community service or restitution, as an alternative to imprisonment (Blasi, 1980; Kohlberg, 1984). This is because individuals at higher stages of moral development prioritise rehabilitation and restorative justice over punishment and retribution (Kohlberg, 1984). A study by Blasi (1980) found that individuals at a higher stage of moral development could recognise individual rights and prioritise protecting these rights. They were also more likely to support non-custodial sentences. Similar to individuals who prioritise universal moral principles, such as justice and equality, and would apply these principles to guide their moral decisions.

Similarly, a study by Kohlberg (1984) found that individuals at higher stages of moral development were more likely to prioritise rehabilitation and restorative justice over punishment and retribution. Therefore, the theory has been associated with accepting non-custodial sentences, with individuals at higher stages of moral development more likely to support rehabilitation and restorative justice over punishment and retribution.

A literature review of a study by Hough and Roberts (2012) found that fear of crime, perceived safety, and trust in the criminal justice system were significant predictors of public support for non-custodial sentences. Another study by Foo, (2022) found that the perceived effectiveness of non-custodial practices and support for non-custodial practices were critical factors in shaping public opinion of non-custodial sentences. Tyler (2006) suggested that perceived fairness is an important factor in public acceptance of non-custodial sentence practice. The study has identified some of the most frequent variables used to measure public opinion of non-custodial practices. Therefore, these variables will be used as a guideline for exploring Malaysian youth's opinions of non-custodial sentence practice in Malaysia.

Fear of Crime

Fear of crime refers to individuals' emotional response to the perceived risk of becoming a victim of crime (Bureau of Justice Statistics, 2021). It encompasses anxiety, worry, and apprehension about one's safety and security. Fear of crime measures the public perceived risk of victimisation, feelings of safety when walking alone at night, and their concerns about specific types of crime (e.g., burglary, assault). As measured by the Bureau of Justice Statistics (2021), fear of crime is a significant construct affecting public opinion of non-custodial sentences. When individuals are more fearful of crime, they are less likely to support non-custodial sentences (Hough & Roberts, 2004).

The relation between fear of crime and the ability of youth to think maturely and decide to accept non-custodial sentence practice in Malaysia is negatively correlated with higher stages of moral development (Cullen et al., 2017; Blasi, 1980). Individuals who experienced high levels of fear of crime and were keen to avoid potential problems were less likely to support rehabilitation and reintegration and more likely to prioritise punishment and retribution. Contrast, individuals who experience lower levels of fear of crime may be more likely to prioritise moral principles.

Accordingly, the research suggests that individuals who are more fearful of crime are less likely to support non-custodial sentences, as they may perceive them as being too lenient. Conversely, those who are less fearful of crime may be more open to non-custodial sentences as an alternative to incarceration.

Perceived Safety

Perceived safety is another critical construct that influences public opinion of non-custodial sentences. It refers to an individual's subjective assessment of their safety and security in their community (Couper, 2017). It measures the public feeling of safety in their neighbourhood, trusting their neighbour, and their perceptions of local crime rates. When individuals feel safer in their communities, they are more likely to support non-custodial sentences (Deukmedjian, 2008).

Research suggests that perceived safety is positively correlated with higher stages of moral development (Blasi, 1980; Kohlberg, 1984). Individuals who feel safe and secure are more likely to prioritise moral principles and take responsibility for their actions, which is characteristic of higher stages of moral development. Conversely, individuals who feel unsafe or threatened may be more likely to prioritise self-preservation and self-interest, which is characteristic of lower stages of moral development (Kohlberg, 2008). This can lead to a greater likelihood of non-compliance with community-based sanctions and a higher risk of recidivism (Fox et al., 2022).

Hence, the study suggests that individuals who feel safer in their community are more likely to support non-custodial sentences, as they may perceive them as being more effective in reducing recidivism and promoting community safety. Conversely, those who feel less safe may be more skeptical of non-custodial sentences.

Trust in the Criminal Justice System

Trust in the criminal justice system refers to the public's trust in the ability of law enforcement effectively manage non-custodial practices to prevent and respond to crime (Melkamu, & Teshome, (2023). The measures include trust in the police, courts, and corrections systems to investigate crimes, prosecute offenders, and rehabilitate those who have committed crimes. When the public trusts the criminal justice system, they are more likely to cooperate with it, obey the law, and feel safe and secure in their communities. Trust in the criminal justice system, as measured by Melkamu, & Teshome (2023) is also a vital construct that affects public opinion of non-custodial sentences. When individuals have higher confidence in the justice system, they are more likely to support non-custodial sentences, as they trust the police to effectively supervise and monitor offenders in the community (Tyler, 2006).

Research suggests that trust in the criminal justice system is positively correlated with higher stages of moral development (Tyler, 2006; Blasi, 1980). Individuals who trust the criminal justice system are more likely to prioritize moral principles and take responsibility for their actions (i.e. willing to accept and comply with a non-custodial sentence), which is characteristic of higher stages of moral development. Conversely, individuals who distrust the criminal justice system will be self-centred and unwilling to accept a non-custodial sentence practice.

Thus, the study suggests that individuals who have higher trust and believe the criminal justice system is fair are more likely to support non-custodial sentences. Conversely, those who have lower confidence in the police may be more sceptical of non-custodial sentences.

Perceived Effectiveness of Non-Custodial Practices

Perceived effectiveness of non-custodial practices refers to the public's perception of the ability of non-custodial sentences to reduce recidivism and promote community safety (Foo, 2022). The concept emphasizes public concern of how effective the alternative sentences are in preventing re-offending. The measures focus on public belief in the effectiveness of non-custodial sentences in reducing crime, rehabilitating offenders, and promoting community safety. Perceived effectiveness of non-custodial practices, as measured by Foo (2022) is a critical construct that influences public opinion of non-custodial sentences. When individuals perceive non-custodial practices as effective in reducing recidivism and promoting community safety, they are more likely to support their use (Roberts, 2012).

Research suggests that the perceived effectiveness of non-custodial practices is positively correlated with higher stages of moral development (Kohlberg, 1981, Blasi, 1980). Individuals who had experience participating in the non-custodial sentence and found it effective might accept the non-custodial sentence practice for others. A contrasting opinion could be derived from youth who think the practice is ineffective.

Therefore, the study suggests individuals who perceive non-custodial practices as being more effective are more likely to support their use, while those who perceive them as being less effective may be more sceptical.

Support for Non-Custodial Practices

Support for non-custodial practices refers to the public's endorsement and willingness to accept and support the use of non-custodial sentences in promoting rehabilitation and as an alternative to incarceration (Foo, 2022). The concept involves the effectiveness of rehabilitation practices in helping offenders change their behaviour and become productive members of society. The important measure is to explore public willingness to support the non-custodial practices and their perceptions of their effectiveness. The support for non-custodial practices, as measured by Foo, 2022, is a key construct that reflects the public's willingness to accept and support the use of non-custodial sentences. Research has shown that individuals who are more supportive of non-custodial practices are more likely to advocate for their use and to perceive them as effective in reducing crime and promoting community safety (Hough & Roberts, 2012).

Research suggests that support for non-custodial practices is positively correlated with higher stages of moral development (Cullen et al., 2011; Blasi, 1980). From the moral development perspective, unlike individuals who

avoid unnecessary problems, individuals who support non-custodial practices are more likely to prioritise rehabilitation and reintegration over punishment and retribution.

Hence, the study suggests that individuals who are more supportive of non-custodial practices are more likely to advocate for their use and to perceive them as being effective in reducing crime and promoting community safety. Conversely, those who are less supportive may be more skeptical of their use.

Perceived Fairness

Perceived fairness is an important construct for measuring public opinion of non-custodial sentences. It refers to the public's perception of whether non-custodial sentences are fair and just, considering the severity of the crime, the offender's circumstances, and the impact on victims and communities (Tyler, 2006). Perceived fairness measures concern whether the criminal justice system is treating offenders in a fair and impartial manner and whether the outcomes of non-custodial practices are reasonable and justifiable. This includes the public's views on whether the sentences are appropriate, whether offenders are being held accountable, and whether the system is free from bias and discrimination. Perceived fairness is closely related to other constructs, such as trust in the criminal justice system and perceived effectiveness of non-custodial practices.

Research suggests that perceived fairness is positively correlated with higher stages of moral development (Tyler, 2006; Blasi, 1980). Individuals who perceive a process or outcome of non-custodial practice as fair are more willing to accept the idea of the non-custodial sentence. Because they prioritise moral principles, such as justice and equality to achieve positive outcomes for individuals and communities. In contrast with individuals who do not believe in fairness or have negative experiences of fairness, might not support the non-custodial practice.

The study suggests that when the public has trust in the criminal justice system and perceives effectiveness of non-custodial practices, they are more likely to perceive non-custodial sentences as fair and just (Tyler, 2006).

METHODOLOGY

This study employed a qualitative research approach to gather insights from Malaysian youth. To achieve this, six focus group discussions consisting of five members were conducted to collect their feedback. The participants were selected using a combination of convenience and purposive sampling methods. The researchers utilised public platforms and personal referrals to reach potential participants. To ensure the quality of the feedback, only individuals who met specific criteria were eligible to take part in the focus group discussions. These criteria included being a Malaysian citizen aged 18 or above, willing to volunteer, interested in participating in the discussion and possessing a basic understanding of community correction.

The age group 18 years and above is suitable for obtaining opinions about non-custodial sentences. Most research on public opinion of non-custodial sentences has focused on adults in this age group. Research has shown that adults aged 18 and above have well-formed opinions about crime and punishment, and their views are often shaped by their life experiences, social norms, and cultural values (Tyler, 2006). Studies have found that adults in this age group are more likely to have a nuanced understanding of the criminal justice system and to have formed opinions about the effectiveness of non-custodial sentences (Roberts, 2012).

For the discussion, the study brought together a group of Malaysian youth to share their perspectives on a particular topic. Five males and 25 females volunteered and showed interest in contributing to the discussion. To ensure the informants felt comfortable expressing their opinions, their identities were kept anonymous, and the conversation was recorded and transcribed. The discussion began with open-ended questions to establish a common understanding, followed by more targeted questions to gather more detailed insights. The researchers used a guided approach to facilitate the conversation while allowing for spontaneous discussions. After the session, the transcribed recordings were analysed to identify recurring themes. By examining the data, the researchers could pinpoint the most prominent themes from the discussion.

FINDINGS AND DISCUSSION

Several studies have explored youth opinions on non-custodial sentence practices, providing valuable insights into their perceptions and experiences. These studies have employed various methodologies, including surveys, interviews, and focus groups, to gather data from youth who have received non-custodial sentences. Thus, the researcher believes that highlighting the uniqueness of the research findings is the utmost step in presenting the idea. This study's distinctiveness comes from its insights. The analysis indicated interesting discussions with the Malaysian youth who never undergo community correction.

Unlike previous studies, the youth views are obtained from those who have experience participating in community-based sentences. The study expected different views from both groups. It expected youth who never undergo community-based sentences to reject the non-custodial sentence ideas. Surprisingly, the youth's views are unanimous when both groups support non-custodial practices.

In contrast to earlier research, those studies gathered opinions from young people with firsthand experience with community-based sentences. Interestingly, the study found that both groups - those with experience and those without - shared similar views, with both overwhelmingly supporting non-custodial sentencing practices. This was unexpected, as it was anticipated that young people without experience with community-based sentences would be more sceptical of non-custodial approaches.

Existing research has consistently demonstrated the benefits of community-based sentences for young offenders. A study conducted found that participants who had engaged in community-based sentences reported benefits associated with remaining in their community and receiving support from their social networks (Cullen et al., 2017). Comparable findings have emerged from research in the US and Canada, where youth who had participated in community-based sentences cited the advantages of non-custodial sentences, including the avoidance of formal records and the provision of support from program staff (Wilson, 2013). In the Australian context, research has also shown that young people who received non-custodial sentences experienced improved mental health outcomes, felt supported, and reported reduced stigma compared to their incarcerated counterparts (Teplin, 2015). These studies collectively highlight the positive outcomes associated with community-based sentences for young offenders.

The researcher was surprised to find that Malaysian youth with no experience with community-based sentences supported these practices. This sparked a desire to understand the underlying reasons behind their views. The study aimed to uncover the motivations behind their opinions. Through in-depth discussions, the researcher gained valuable insights into the youth's perspectives. One participant's comment, in particular, stood out, highlighting their support for non-custodial sentencing in Malaysia.

Informant 2:

'...having offenders present in the community to do community correction rather than being incarcerated is a good alternative. This is so because a community-based approach gives inmates the responsibility to care for others in the community where they live and work. It shows that the community corrections program can be an alternative to prison by helping criminals learn the skills they need to return to society and live a productive life.'

Research findings highlighted the primary factors underlying youth endorsement of non-custodial sentence practices, as derived from the predominant themes of young people during focus group discussions.

Support for non-custodial practice

The researcher found that the Malaysian youth who participated in the discussion shared a common viewpoint. Their opinions aligned with the findings from the Pew Research Center, as mentioned earlier. Although the study focused on youth who had no experience with community-based sentences, their views are still valuable. Interestingly, both this group and the previous group, who had undergone community-based sentences, shared similar ideas.

The discussion revealed that many participants supported non-custodial practices due to their strong moral principles. They believed that these practices helped offenders reintegrate into society by providing them with

the necessary skills to contribute positively. As a result, they thought that crime rates would decrease, and communities would become safer.

The transcribed discussion quotes showed that the youth's opinions were shaped by their high moral values. As individuals with strong moral principles, their views were independent and not influenced by others. They prioritised rehabilitation and the benefits of non-custodial practices, emphasizing the advantages that offenders would gain from these practices. The youth commented that offenders could acquire new skills to earn their place in society and contribute positively. It's clear that the youth prioritised their moral principles, which shaped their support for non-custodial practices in Malaysia.

Informant 4:

'I believe this new milestone will bring benefits such as reducing repeated offences, providing them with the opportunity to gain new skills as well as instilling a greater sense of responsibility to contribute to society.'

Informant 13:

'...community correction programmes will assist prisoners in learning new skills and applying them in their daily lives.'

Informant 16:

'...allowing offenders to remain in the community and engage in constructive activities such as community service, job training.'

Informant 29:

'Furthermore, community correction allows offenders to gain vocational and life skills that will help them reintegrate into society once their sentence is completed.'

Perceived practice's effectiveness and perceived safety.

The support of Malaysian youth for non-custodial practices is rooted in two key concerns: the effectiveness of these practices and perceived safety. As discussed earlier, these concerns are interconnected. The youth believe that effective non-custodial practices can prevent recidivism and promote community safety by rehabilitating offenders and facilitating their reintegration into society.

Perceived safety is another crucial factor shaping the youth's views on non-custodial practices. This concern is closely tied to trust and feeling safe in one's neighborhood. The youth support non-custodial practices because they want to create a safer environment for everyone. This sense of responsibility is a hallmark of their high moral standards, which influence their opinions on non-custodial sentences in Malaysia.

During the discussion, the youth provided valuable insights into their decision-making processes. Notably, the study found that even youth without experience with non-custodial practices supported them, contradicting the literature's suggestion that only those with experience would be supportive.

The discussion revealed that some youth, like Informant 7, saw non-custodial effectiveness and public safety as closely linked. Others, like Informants 17, 19, and 27, were concerned about the practice's ability to reduce reoffending. Informants 3 and 11 prioritized safety, but were willing to accept non-custodial practices for non-violent offenders. It's clear that the youth's high moral standards drive their support for non-custodial practices, as they prioritize the rights of others and consider the long-term benefits for offenders.

Informant 3:

'Individuals who pose a high risk to society or have committed violent crimes may require incarceration to protect public safety.'

Informant 7:

'With effective communication and education efforts, community correction programs can reduce recidivism rates and promote public safety, ultimately leading to a more efficient and effective criminal justice system.'

Informant 11:

'As a citizen, my primary concern would be the safety of the community when offenders are performing services among the public. I believe the risk to public safety is minimal since it does not include highly dangerous offenders.'

Informant 17:

'In my opinion, community corrections can be more effective than incarceration in lowering recidivism and saving money. However, the success of this program is heavily dependent on the quality of supervision and support provided to offenders.'

Informant 19:

'I believe this will reduce the number of re-offenders among them, as they will have the opportunity to reflect on and connect with society during the community correction.'

Informant 27:

'In my opinion, community corrections offer various advantages, including financial savings, decreased recidivism rates, and the possibility for offenders to seek rehabilitation and support while remaining in the community.'

Perceived Fairness

The researcher was impressed by the concerns of Generation Z youth regarding fairness in non-custodial sentence practices. Contrary to the stereotype that this generation is apathetic and unwilling to take responsibility, the youth in this study demonstrated a strong sense of moral principles and individual rights. They were concerned about whether the practice would treat offenders fairly and whether the outcomes would be reasonable, reflecting their high moral standards.

The discussion revealed that the youth believed offenders deserved a second chance to redeem themselves. They also emphasized the importance of staying connected with family during the rehabilitation process. While they acknowledged the need for fairness in non-custodial practices, they also recognized that these sentences should be reserved for minor offenders and those who cannot afford to pay fines. They believed that incarcerating individuals for small offenses was inhumane and could lead to negative influences from more serious criminals.

Furthermore, the youth considered fairness in non-custodial practices as a way to combat stigmatization, which can result in discrimination and social isolation. Overall, the study provided valuable insights into the youth's perceptions of non-custodial sentences and their commitment to fairness and moral principles. The following are transcribed discussions showing the youth's views of fair practice in non-custodial sentences:

Informant 5:

'In my opinion, the offenders should be given a second chance to redeem their mistakes. By doing so, the community can witness their efforts firsthand, and any negative impression towards offenders could be reduced.'

Informant 7:

'On the other hand, electronic monitoring can allow offenders to stay connected to their families and work while also serving their sentence.'

Informant 10:

'It was imposed on first-time offenders who committed minor offences such as shoplifting, motorcyclist without license etc. I can see that community-serving based punishment is a lot more humane than a mere incarceration as they are allowed to interact with other people, mostly within non-offenders community instead of surrounded with offenders with various types of crimes they committed, it could potentially affected small offenders negatively.'

Informant 13:

'By carrying out the programme, prisoners will be treated equally with other human beings, as everyone deserves a second chance.'

Informant 14:

'There are crimes that are usually settled with fines and I think, for people who aren't able to afford those fines, they can do community service instead. I think it's too harsh of a sentence to incarcerate them for a light crime.'

Informant 16:

'I do agree that having offenders present in the community to do community correction is beneficial, especially in cases where offenders have underlying issues such as addiction, mental health problems, or a lack of social support.'

Informant 22:

'To them, how come heavy offenders only have to do community service? It is a little bit unfair.'

Informant 29:

'Besides, participation in community correction programmes can result in stigmatization, which can lead to social isolation and discrimination for those who participate in them.'

Trust to criminal justice system

In addition to fair practice, the youth also expressed concerns about the capability of the criminal justice system to deliver justice and fairness. They questioned the system's trustworthiness in making fair and just decisions, a concern that permeated several group discussions. As previously discussed, the youth's support for non-custodial sentences is predicated on their trust in the criminal justice system to be fair and just. They believe that fairness and justice in non-custodial practices can be achieved if legal authorities are entrusted with their implementation.

Many youth agreed that non-custodial practices should only be applied to light crime offenders and that the implementation of the practice should be tailored to deter specific crimes, rather than adopting a one-size-fits-all approach. They also emphasized the importance of providing adequate training and sufficient funding to prepare legal authorities and the public for unexpected events.

The youth's trust in the criminal justice system is inextricably linked to their belief in the fairness and justice of non-custodial practices. Their high moral standards also play a significant role in shaping their views. During the group discussions, the youth focused on the need for an effective system and authorized bodies to ensure that the practice is fair and beneficial. Their decision to support non-custodial practices is influenced by their personal values and their trust that the criminal justice system can uphold these values.

Informant 3:

'The government should educate people to accept community correction programs, which supervise people convicted of a crime outside of jail or prison and are run by agencies or courts with the legal authority to impose sanctions.'

Informant 4:

'They also may feel it is an unfair sentence as it can be seen as giving a light sentence for the offenders.'

Informant 7:

'In my opinion, community corrections can be more effective than incarceration in lowering recidivism and saving money. The success of these programmes, however, is heavily dependent on the quality of supervision and support provided to offenders.'

Informant 20:

'To guarantee that community corrections programs are carried out correctly, the government must also provide sufficient funding, training, and oversight...'

Informant 24:

'I believe it is important for them to be under strict supervision and guidance from the authorities during the community correction service.'

Informant 25:

'As a citizen, I know there are always a risk that an offender could reoffend while in the community. This risk must be carefully managed through effective supervision and monitoring. Community correctional programs are not a one-size-fits-all answer. They need careful design, execution, and monitoring to ensure their effectiveness and safety for all parties involved.'

Informant 30:

'Treatment services, counselling sessions, and educational and vocational training help solve offenders' concerns like substance misuse, mental health, lack of education, or employment inabilities.'

FEAR OF CRIME

Contrary to expectations, the youth's concern about becoming a victim of crime was relatively low. In fact, their emotional concerns were hardly discussed during the group discussions. Most youth didn't express their emotional response to the topic. As mentioned earlier, the youth's fear of crime is closely tied to their perceived safety. The irony is that the limited discussion on this topic is because their trust in the criminal justice system outweighs their fear of potential crime.

It's worth noting that individuals who trust the criminal justice system are more likely to support non-custodial sentences. The youth who participated in this study were not focused on avoiding potential problems, instead, they demonstrated a high level of moral development by prioritizing moral principles over their fear of crime.

Consequently, the youth who participated in the discussion experienced lower levels of fear of crime and were more likely to support non-custodial practices. The following transcribed discussions provide evidence that the youth's lower levels of fear of crime led them to support non-custodial practices.

Informant 1:

'From the citizen's point of view, we might initially feel endangered as, of course, people will view criminals in fear as they have done something unlawful before. Hence, freeing them in public would instil fear in the community. However, if the police are monitoring them, such as being obliged to wear an Ankle Tracking Monitor during their service.'

Informant 30:

'However, having offenders present in the community contributes to a higher risk to public safety. Despite effective supervision and monitoring, it may provoke public fear due to the likelihood of them re-offending or attempting new crimes.'

The discussions with the youth revealed a wealth of fascinating perspectives on non-custodial practices. One notable insight is that they believe these practices can help offenders reconnect with important values, such as family relationships and social bonds. Additionally, they think that non-custodial practices can help realign offenders' moral compasses.

Many of the youth also agreed that community corrections, as part of non-custodial practices, provide an opportunity for offenders to make amends and contribute to their communities while serving their sentences. This approach allows society to give them a second chance, and the youth's empathy towards others is remarkable. These views contradict the stereotype that the youth are entitled and self-centered due to their screen addiction.

It is evident that the youth's opinions are informed by their high moral standards, which prioritize the well-being of others over personal interests. The following quotes exemplify the youth's focus on the benefits that offenders can derive from non-custodial practices, rather than their own personal gain.

Informant 11:

'Allows convicts to rebuild their position in the community besides promoting family and societal values.'

Informant 13:

'The public may be persuaded that the programs can benefit and morally correct offenders, making them feel at ease when the offenders are granted parole.'

Beyond empathy, the discussions revealed that the youth are deeply concerned about the stability and well-being of their country. A recurring theme in the group discussions was the cost-effectiveness of non-custodial sentences. The youth believe that these sentences can help reduce the financial burden on the country while still maintaining the punitive aspect of incarceration.

It's impressive to see that the youth's decisions go beyond personal interests or concerns for others, and instead, are guided by a desire for the common good. They are driven by universal principles of justice and human rights. The following quotes from the youth's discussions highlight their concerns about the cost-effectiveness of non-custodial sentences.

Informant 3:

'From what I understand, community correction programs offer several advantages. They can reduce recidivism rates and decrease the economic burden associated with incarcerating offenders.'

Informant 6:

'It can help reduce prison overcrowding, enable offenders to maintain their employment and family relationships and be cheaper for the government than imprisoning offenders.'

Informant 9:

'My opinion is that as long as offense done is not severe, the cost of incarcerating the offender is high and the offender possess low risk of reoffending the charge, the offender is allowed to be released into the community.'

Informant 15:

'Community service, on the other hand, is a perfect way for the government to deduct the payment for social workers. Instead of having to pay a full wage for the labour done, the government can save money by paying the offender less than the cost of hiring an actual worker.'

Informant 23:

'By being present in the community, offenders can work towards making things right by contributing positively to society rather than being a burden on taxpayers.'

In summary, the youth's support for non-custodial practices is driven by a combination of factors. They believe that these practices can effectively rehabilitate individuals who have gone astray and help them reintegrate into society. Additionally, they feel a sense of responsibility for maintaining public safety. However, they also prioritize fairness and justice, ensuring that the practice is equitable for all individuals involved.

The youth's emphasis on fairness and justice is closely tied to their trust in the criminal justice system. When they perceive the system as fair and just, their fear of crime decreases. This trust also leads them to move away from stigmatizing offenders, recognizing that such an approach is no longer relevant or productive.

In essence, the youth's perspective on non-custodial practices is characterized by a nuanced balance between public safety, rehabilitation, and fairness. They seek a criminal justice system that is not only effective in maintaining order but also just and equitable in its treatment of all individuals.

CONCLUSION

In conclusion, this study provides valuable insights into the perceptions of Malaysian youth regarding non-custodial sentence practices. Contrary to expectations, the youth without experience with community-based sentences supported these practices, echoing the views of their counterparts who had undergone community-based sentences. The findings suggest that the youth's support for non-custodial practices is rooted in their strong moral principles, which prioritize rehabilitation and reintegration over punishment and retribution.

The study highlights the significance of perceived effectiveness, perceived safety, perceived fairness, trust in the criminal justice system, and fear of crime in shaping the youth's opinions on non-custodial sentences. The youth believe that non-custodial practices can effectively reduce recidivism rates, promote community safety, and provide offenders with a second chance to redeem themselves. They also emphasize the importance of fairness

and justice in non-custodial practices, recognizing that these sentences should be reserved for minor offenders and those who cannot afford to pay fines.

The study's findings have implications for policymakers and criminal justice practitioners. By understanding the youth's perspectives on non-custodial sentences, policymakers can develop more effective and targeted strategies to promote community-based corrections. The study suggests that investing in community-based programs, providing adequate training and funding, and ensuring fairness and justice in non-custodial practices can increase public trust and confidence in the criminal justice system.

Furthermore, the study's findings challenge the stereotype that Generation Z youth are uninterested and unwilling to take responsibility. Instead, the youth in this study demonstrated a strong sense of moral principles, empathy, and concern for the well-being of others. Their support for non-custodial practices is driven by a desire for the common good, rather than personal interests or concerns.

In the future, the study could explore the impact of non-custodial sentences on recidivism rates, compare the effectiveness of different community-based programs, and investigate the role of education and awareness in shaping public opinion on non-custodial sentences, particularly among diverse demographic groups.

Overall, this study contributes to the growing body of research on public opinion of non-custodial sentences, providing a nuanced understanding of the youth's perspectives on this critical issue. The findings have important implications for the development of effective criminal justice policies and practices that prioritize rehabilitation, reintegration, and community safety.

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