

CRIME, PRISONS AND COMMUNITY: A CHRISTIAN APPROACH

*Inter Church Criminal Justice Taskforce,
October 2010*

Senior Victorian Anglican, Catholic, Churches of Christ, Salvation Army, Uniting Church and Baptist leaders recently released a public statement saying that focussing only on punishment, imprisonment and longer sentences is not the best, or most effective, way to reduce crime and increase community safety.

This publication further considers issues of criminal justice from a Christian perspective. Greater focus on families, education, mental health, decent employment, accommodation and the needs of victims is required to build strong and safe Victorian communities, where prison is a last resort.

Christians and the justice system

'Justice' means more than simply 'punishment'. Scriptural justice is based on the restoration of 'right relationships'. Prison by itself does little to achieve this; for victims or offenders. God's justice demands much more.

From Old Testament prophets extolling justice, mercy and compassion for the poor and oppressed (Zechariah 7; Isaiah 61) to New Testament injunctions to 'remember those who are in prison as though you were in prison with them' (Hebrews 13:3; Matthew 25:31-46), Christians are expected to care for the 'last and least' members of society. Victims and families affected by crime deserve our utmost compassion. Remembering that we are all interrelated, Christians are challenged to extend compassion to both victims and offenders to heal our broken communities and break the cycle of harm.



Orthodox theologian Bishop Kallistos Ware, reminds us that we are all interrelated: 'no one is saved alone' but 'no one falls alone' either. 'Our faith in God's love makes us dare to hope that all will be saved' (Kallistos Ware, 'The Inner Kingdom')

Filippo Lippi (1457 – 1504), St. Paul Visiting St. Peter in Prison

'We are members of one another' The Apostle Paul, Ephesians 4:25

Victims of crime

God's love and compassion for those who are victims of crime is profoundly shown in the Parable of the Good Samaritan (Lk 10:25-37). Restorative justice principles (restoration, reconciliation, restitution involving the offender, victim and community) are fundamental Christian precepts.

While our criminal justice system aims to provide punishment which will give victims restitution, the legal process often leaves them feeling powerless and dehumanised, compounding the injury. Victim impact statements and evidence help judges and offenders understand the effect of an offence. However in the adversarial court environment with 'winners' and 'losers' and communication through

lawyers, there is little chance to build understanding, provide real reparation, right wrongs or find possible closure. In contrast Restorative Practices have been shown to enable some to move from 'victims' to 'survivors' of crime.



The Good Samaritan, George Frederic Watts, before 1904.

Tasmanian 'U-Turn' program allows young offenders to get training and restore crime-damaged vehicles for victims of motor vehicle crime. (See, www.uturntas.com.au)

Prison a last resort

'.....there will always be a place in our society for some prisons to keep the community safe'
(*'A Safer Victoria: An open letter to Victorian Parliamentarians and election candidates'* by a range of senior Victorian Christian leaders)

While many Australians believe harsher penalties for crimes are needed, they also have a well founded lack of confidence in the prison system to rehabilitate prisoners. Yet a common political and media response is to call for tougher sentences with less judicial discretion. However, a recent study (NSW Bureau of Crime and Justice Statistics) added to the evidence against this approach. It found that among offenders who had previously been to prison, those who received a prison sentence reoffended substantially quicker than those who received a suspended sentence.

While there is a need to imprison some people, there are better ways to make our community safer than the use of harsher sentencing, by exploring evidence-based prevention and rehabilitation programs.

Stronger communities are safer communities

Emeritus Professor Richard Wilkinson, of the Equality Trust (<http://www.equalitytrust.org.uk/>), has observed that those nations with the biggest gap between rich and poor (and greater fear across the social hierarchy or less empathy) also have higher levels of violent crime and imprisonment. Australian social researcher Tony Vinson has found Victorian postcodes with high levels of social connectedness or cohesion have remarkably lower levels of imprisonment. 25% of the Victorian prison population come from 14 postcodes (out of a total of 647).

God's justice demands the inclusion of the poor and disadvantaged (Lk 14:15-24) and sharing of wealth (Lk 16:19-31, 19:1-10). Addressing income inequality at the national level can reduce violent crime and increase trust in communities. Communities displaying cohesive relationships between people tend to have lower levels of crime.

Investment in families, education and mental health services

'Expenditure on imprisonment is often at the cost of expenditure on other areas, such as education, employment programs, welfare, and post-release services'
(Emeritus Professor David Brown)

Victoria will spend an extra \$126 million over four years on an additional 244 prison places (around \$113,000 per bed). There are more effective ways to make our community safer, through family support, education and mental health services.

Around 70% of Victorian female prisoners have dependent children (Equal Opportunity Commission Victoria). For women a jail term often means their children will be placed in care or scattered among extended family for the duration of their prison term. So a sentence given to a mother will adversely affect the lives of her children. Prison sentences are intended to punish offenders, not their children.

Effective education programs have a key role to play in enabling young people to build lives without crime. Analysis shows educational attainment is associated with better employment prospects and higher income and a drop of 24%-28% in the rate of repeat offending is associated with involvement by offenders in vocational education and training programs (Callan and Gardner, UQ).

The increasing numbers of people with mental health problems in our prisons reflects an increasing prevalence of mental illness, a failure of health services to intervene



'It was education, plain and simple, that changed the way I think. It changed the way I look at the world. It probably changed the way the world looks at me. I know it's not for everybody – you can't walk into a prison and say education is going to change everything – although I think it would go a damn long way towards it' (Vicki Roach, an inspiring Indigenous Australian woman who finished a master's degree and the first year of her PhD in prison - all without the use of the internet!)

before the illness causes social harm and inadequate prevention or early intervention within the justice sector. (Because Mental Health Matters, Victorian Government)

A step in the right direction is the new Assessment and Referral Court (ARC) List at the Magistrates' Court of Victoria, designed to assist defendants with a cognitive impairment, intellectual disability or mental illness and reduce reoffending. Research shows programs that address a prisoner's holistic needs, including their mental health, are highly effective in reducing reoffending rates. (Up to 70% reduction) (Because Mental Health Matters)

Norway – a country with a different approach to criminal justice

Incarceration rates vary widely around the world: for example, in the United States there are 748 prisoners per 100,000 people, 155 in England and Wales, and 134 in Australia.



Scandinavian countries tend to have lower rates of imprisonment than Australia: in Norway, there are 71 prisoners per 100,000 population.

We should be open to developments that are shown to have worked in other countries. Norway enjoys a very small gap between rich and poor which correlates with lower rates of imprisonment. Time magazine recently profiled a humane prison in Halden Norway. Prison officers and inmates enjoy good relationships, regularly playing sport and eating together.

Although the statistics are compiled differently, only 20% of Norway's prisoners reoffend, compared to U.K. and the U.S. figures between 50% and 60% (Time Magazine). The Norwegian model could provide inspiration for effective Australian prison reform.

'When they arrive, many of them are in bad shape. We want to build them up, give them confidence through education and work and have them leave as better people' (Are Hoidal, prison Governor, on drug dealers, Halden prison)



Jesus' descent into hell is recited in the Apostles' Creed. There are many depictions in early religious art of Christ descending into hell to give hope to the just who had gone before him.

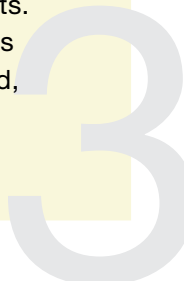
Just solutions in the justice system

Successful justice innovations adopted in Victoria (Drug Courts, Koori Courts and the Neighbourhood Justice Centre in Collingwood) can facilitate effective alternatives to prison.

Drug Courts have been introduced in various Australian jurisdictions; these oversee sentences and supervise the treatment of serious offenders with drug or alcohol dependency. For those who complete programs, reoffending is significantly reduced. Participants in the NSW Drug Court Completion Program were found to be 37% less likely to be reconvicted during the follow up period (NSW Bureau of Crime and Justice Statistics).

Koori Courts provide greater participation by the Koori community in the court process in a 'round table' atmosphere. An evaluation of two Victorian Koori courts found reductions in rates of reoffending, in breaches of community corrections orders, and in Koori defendants missing scheduled court appearances. (Department of Justice)

In Victoria, the Neighbourhood Justice Centre (NJC) adopts a community focussed approach providing a range of services for local residents. It includes a Magistrate's Court dealing with low-level crime. Offenders processed at the NJC were 14% less likely to reoffend than those processed at other courts. Just over one-third (34%) of the NJC group was convicted of a further offence during this period, compared with 41% of the comparison group (PricewaterhouseCoopers and others).



Prison population and profile

Reoffending rates are reducing in Victoria, but prisoner numbers continue to increase. The number of men imprisoned in Victoria reached a record high of 4,312 in 2010, and the women's prison population in Victoria has grown at double the rate of men in recent years (Corrections Victoria). Increased imprisonment 'has been attributed to changes in sentencing practice and a generally more punitive approach reflecting strong community pressure for law and order' (Victorian Ombudsman). More than 20% of people in Victorian prisons have a most serious offence involving property, while drug offences account for another 12%.

Support on release – decent employment and accommodation

Research shows that employment contributes to the termination of criminal activity (Przybylski, RKC Group). Ex-prisoners who are able to gain stable employment and accommodation are more able to establish good adult networks and so are much less likely to offend in the future. For rehabilitation



to occur post-release, ex-prisoners require decent employment and life opportunities so they can feel part of the community. Initiatives such as Corrections Victoria's Judy Lazarus Transition Centre have been shown to be effective, and should be expanded.

FIND OUT MORE AND TAKE ACTION

Go to <http://www.vcc.org.au> for information and links on prison reform in Victoria.

Go to Smart Justice to find a range of fact sheets on the justice system in Victoria: <http://www.smartjustice.org.au>

Contact

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This flyer includes information derived from a wide range of sources. Please go to <http://www.vcc.org.au> for a full listing of all material used for this publication

Note: Front image picture, graffiti by Norwegian graffiti artist Dolk in Halden prison, Norway (Creative Commons Attribution 2.0 Generic license).

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A prison story

Tim, 25, was convicted of murder at 19, and is expected to finish his sentence at age 30. His mother was a substance abuser and conflict with his stepfather led him to be homeless at age 12. During his years in prison, he has gradually lost all contact with family and friends. His only friends now are fellow prisoners. He is a genuinely friendly young man; grateful for a chat when people take the time to listen. He says he will never return to prison after release; but, sadly the institutionalized nature of prison life will make this hard. The outside adult world of work and everyday challenges are unknown to him. There is little chance of a planned and controlled release.

Prison chaplains say that this kind of life story is very hard to turn around. When Tim leaves prison he will probably have few friends other than other ex-prisoners. If he doesn't overdose on drugs (as many do soon after release) he will try to get a job; but no one will want to offer him one (would you if you had another equally good applicant without a criminal record?). It will be hard to get any accommodation, even for the first night out of jail. Without family, friends, a job or a home, it will be difficult for Tim not to reoffend and return to jail.