



# Churches' Criminal Justice Forum General Election Position Paper

April 2010

The Churches' Criminal Justice Forum came into being as an expression of Christian concern for all matters relating to the Criminal Justice system and out of the recognition that our concerns are treated with much more respect when we speak with one voice. CCJF provides a platform for the Churches to receive and respond to the various initiatives that come from sections of the Criminal Justice system or from Government. Since the beginning, the key purpose has been "to uphold Christian values in the field of criminal justice". This leads CCJF to consistently urge that offenders, victims and communities be treated with the dignity and respect that Christianity commands, and to accept that there is always the possibility of redemption.

This paper seeks to highlight concerns that might be addressed to candidates of all parties in the forthcoming election.

**Criminal justice policy** should not be isolated from other policies due to competition between the departments. The inevitable result of this is a disjointed policy that fails to address the important issues. There is an overwhelming need for 'joined up thinking' within the Criminal Justice system. Prison sentences, including life sentences, continue to increase. Due to the government change of focus, much good work that was done in the past has not been valued and the knowledge of good practice is lost.

**Reduced use of imprisonment:** Despite the fact that prisons are used as a last resort, the number of people in prison is steadily increasing and re-offending rates remain far too high. Whilst the National Offender Management Service has focused on 'reducing re-offending', the reality for the majority of prisoners on release is that they walk out of the prison with a £46 discharge grant, and no support from the State in terms of their resettlement or rehabilitation. The rhetoric is simply not matched by the reality. The Probation Service has been converted from a social welfare service to an offender supervision agency. Inevitably, any error of judgement or mistake which results in a murder or very serious crime results in politicians casting around for scapegoats. Meanwhile, what remains of the Probation Service becomes increasingly demoralised, de-skilled, and besieged. The voluntary sector, community chaplaincy and faith-based schemes are valiantly attempting to fill the gap. But the buck-passing must stop. The government, opposition parties, civil society and people of faith share a duty to work together for 'the common good.' CCJF wishes to emphasise the focus on individual people's need and not on statistics in a target driven culture.

**Effective rehabilitation.** Although education and training for work are important, the focus of Government policy on rehabilitation as well as family support or other types of community based projects is declining and instead the focus is almost exclusively on employment. CCJF wishes to emphasize the importance of alternatives to prison including diversion, restorative justice and rehabilitation. Crimes committed by ex-prisoners cost society an estimated £11 Billion per annum, and untold misery.

Christians of all denominations share with many other faiths a profound understanding of the vital importance of 'community' or 'fellowship.' In secular academic thinking, the term 'social capital' is well-understood, by organisations from across the political spectrum. At a fundamentally deep human level, we all understand that our attitudes, thinking and behaviour is shaped by our relationships with others, our sense of identity, culture, faith.

We call upon political parties, civil society, and people of faith, to acknowledge this self-evident truth, and to develop policy, services, and support so that people leaving prison are better enabled to form and sustain healthy human relationships, as parents, as partners, and with others. Christians believe in the 'innate dignity' of every human being. We seek recognition that human relationships are fundamentally important, and that maintaining family ties; developing relationship and parenting skills; and initiatives to offer alternative models of community or social capital should be placed at the heart of criminal justice policy. We ask the politicians to reflect on their own experience as human beings, and use this to inform policy. Without real human relationships, a sense of identity and self-worth, and the support of 'community', we believe the other 'pathways to reducing re-offending' are simply dead ends.

### **Employment & Education**

Programmes to support prisoners' education, training and employability are vitally important, and should continue post-release. Government rhetoric encouraging employers to recruit ex-prisoners is seldom matched by its own practice. We hear of one or two good practice examples within the Private Sector being cited again and again, and yet the State, Local Authorities and statutory agencies are the largest employer by far, and have thus far failed to practice what they preach.

We call upon politicians to develop a fresh approach, and to offer supervised post-release employment programmes for ex-offenders, in programmes of work or projects where there is a clear public benefit, and to set clear targets for the employment of ex-offenders by Government Departments and local authorities to drive forward change. We acknowledge that in a period of rising unemployment, this will require careful communication to the public. It must not be seen as a 'reward' or 'perverse incentive.' We believe that a compelling case can be made on the basis of the reduction in re-offending that can be achieved, the reduction in benefit dependency, the benefit to ex-offenders' children of positive parental role models, and the benefit to the public in terms of the fruits of their labours.

**Needs of Children:** Children and youngsters in custody are not properly assessed. As with adults, little account is taken of mental health problems that may have led to the offending behaviour. Early effective intervention within the family/school situation is preferable to eventual imprisonment. Little is done to help children of those who are in prison find more appropriate adult role models and alternative ways of living. CCJF wishes to outline the need for better provision and support for children who have a parent in prison or who are at risk of getting involved in the Criminal Justice system service.

**The needs of people with mental health issues and the need to identify the wide spectrum of mental health issues.** An 'accommodation outcome' is not a home. This, coupled with the need to form and maintain good human relationships, has a profound affect on mental health, even for those with no identifiable mental illness. For too many ex-prisoners who lose contact with their family, or whose relationship has broken down, a bed & breakfast in an unfamiliar area, a hostel frequented by drug dealers, or someone's sofa, makes legal employment almost impossible, and results in re-offending within days or weeks of release. For people whose crimes have been triggered by mental illness, the prospects are often worse; sometimes resulting in loss of contact with health services, street homelessness, suicide, or untreated conditions giving rise to further offending, and prison.

We call upon politicians to invest in supported accommodation schemes, and to engage in real dialogue with faith communities about what we can do together to ensure a home is available for all prisoners on release, including those who have mental illness, have been institutionalised, or lack independent living skills. This requires courage, commitment, and vision. Without it, we will simply build ever more prisons, and see re-offending continue at its current rate.

**The needs of the victim:** Victims of crime need to know that whatever they have suffered has been taken seriously by the wider community. Above all they need to feel that justice has been done and that they have been heard.

When criminal justice issues are discussed in public, it is common for strong punitive attitudes to be expressed towards the treatment of offenders. The occasional suggestion that capital punishment should be reintroduced brings loud applause; it is often said that "life should mean life; and prisons are commonly described in the tabloid press as holiday camps' (though we have yet to find any journalist trying to take advantage of the facilities). there is a 'culture of blame' in our society, strong and sometimes unreasonable, which has been directed not just at offenders against the law but at bankers and more recently at MPs.

On the other hand, there are equally strong tendencies to make excuses, to find reasons not to be held responsible for things that have gone wrong or not to be penalised for personal errors. Much of public life seems to be an exercise in avoiding or shifting blame – a "culture of excuses" – but we all do it.

Not all victims want to see the offender locked up. Many really want to understand why s/he committed the crime in the first place and, if given the opportunity, will engage with

victim/offender mediation. This can be part of the process of restorative justice and can lead to a far healthier outcome for victim, offender and the wider community than simply locking up the offender. The aim of reducing re-offending is not about meeting targets but about creating fewer victims of crime in the future.

Victim/offender mediation is not suitable in every case. If the victim is so traumatized that a meeting, however well supervised, would cause further damage then it is inappropriate. If the offender has significant mental health issues it may also be inappropriate. This indicates the need for 'joined up thinking' by all the agencies involved.

## **Restorative Justice**

Here are two definitions from the Restorative Justice Consortium, a national charity promoting restorative justice, which CCJF seeks to promote, which builds on the sense of community:

*"Restorative justice seeks to balance the concerns of the victim and the community with the need to reintegrate the offender into society. It seeks to assist the recovery of the victim and enable all parties with a stake in the justice process to participate fruitfully in it."*

*"Restorative Justice is a process whereby:*

- (1) All parties with a stake in a particular conflict or offence come together to resolve collectively how to deal with the aftermath of the conflict or offence and its implications for the future, and*
- (2) Offenders have the opportunity to acknowledge the impact of what they have done and to make reparation, and victims have the opportunity to have their harm acknowledged and amends made."*

Restorative justice is not a panacea: it does not always work. But it does recognise the need which most of us have, as victims of hurt or crime, for recognition of the harm done to us. It can be a powerful experience for the perpetrator which leads many to accept responsibility for the consequences of their actions and allows them to make positive changes.

It is a practical process providing the real possibility of healing for victims, offenders and the community; and of recognising apology, forgiveness and reconciliation as part of that healing.

**In conclusion**, from the story of the Fall onwards, the biblical writing portray the human tendency both to blame others and to make excuses for one's own conduct. The truth is that both blaming and excusing have a role to play in human life, and the criminal justice system has to take account of both. Offenders must be held responsible for their breaking of the law and their violation of others' lives, but there are many circumstances in which their responsibility is affected by various factors and where they need help in overcoming their personal problems in order to stay out of trouble.

Interestingly, opinion surveys which try to probe these issues rather than asking simplistic questions suggest that the public is less punitive and more understanding than often appears. They tend to agree that offenders with a drug habit need most of all to be helped, and they

recognise that children who get in trouble must be cared for. There are also signs that the huge mental health problems of offenders are beginning to be taken seriously.

A Christian approach to crime must get beyond mere blaming or mere excusing to promoting ways of dealing with offenders that both hold them to account and try to meet the needs that have contributed to their offending. The aim, in the vast majority of cases, should be to welcome offenders back into society rather than excluding them. At the heart of our faith is Jesus' identification with law-breakers, in life and death, not to excuse them, still less to blame them, but to rescue them and help them on the path to a new life. Two thousand years later, his followers are still called to that task.

Churches' Criminal Justice Forum  
Executive Committee  
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