

Enhanced Rehabilitation: a More Perfect Unity Between Prison Policy and Practice

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In Australia, the United Kingdom and many other countries, crime figures are decreasing yet the public believes otherwise and responds positively to “crime and punishment auctions” at every general election. In NSW, this has two outcomes. First, while correctional services policies generally emphasise rehabilitation and reducing recidivism, the Government spends the greater percentage of its resources reacting to the public cry to lock people up: we build new prisons, and employ more “correctional” staff than “rehabilitation” staff. Second, the widespread fear associated with a perceived rising crime rate leads to harsher penalties and the perception that “evil people” must be punished.

In NSW, policies emphasise rehabilitation but practice emphasises retribution. However, recent signs of a possible change in attitude are very encouraging. First, in December, 2008, the *Sydney Morning Herald* ran a series of articles over more than a week exposing some of the problems in the state’s correctional services. Second, the NSW shadow Attorney General promised change. On 8 January 2009, the *Sydney Morning Herald* reported:

For the past 20 years, come election time, our politicians have fallen over themselves promising to spend millions on more police, more weapons, more jails, longer sentences - anything, in fact, that assuages voters' fears about law and order being out of control. So the undertaking by the Opposition's shadow Attorney General, Greg Smith, to end such an unseemly and wasteful buying of votes is certainly a welcome and desired development.

Mr Smith gave an indication that the Opposition was shifting position last month when, amid reports of record prisoner numbers, he suggested rehabilitation might be a better way to spend money than jails. He wanted funding to concentrate on post-release programs and keeping young offenders out of prison. Now he has also criticised his own side of politics for its part in hyping punitive policies on law and order.

Community Justice Coalition

On 4 February 2009, Kep Enderby Q.C., Elizabeth Evatt A.C., John Dowd A.O., Q.C. Kevin Cook, Wendy McCarthy A.O., Anne Deveson A.O., Joan Bielski A.O., and Brett Collins called a public meeting to form the Community Justice Coalition.

Purposes

- *to make the criminal justice system not just punitive but through greatly enhanced prisoner education and rehabilitation programmes, educative and restorative;*
- *to ensure better results for the money spent;*
- *to create a fairer, safer community;*
- *to oppose privatisation of the State’s prisons.*

Rationale

- *In the last decade, after years of ongoing media ‘law and order’ campaigns, political posturing and increased expenditure on prisons and police, the number of adult prisoners in NSW has risen by 50%. There are now 10,000 prisoners in the state’s jails, each costing taxpayers over \$70,000 - almost \$1 billion each year.*
- *The return rate to prison is 44% within two years. This makes a mockery of any claims of rehabilitation.*

- *Indigenous people are being jailed at 14 times the rate of the general population, way out of proportion to their numbers in the population.*
- *Women prisoners, in most cases mothers of dependent children, are growing at the fastest rate. This is destructive of family ties and may lead to further anti-social behaviour by children who are institutionalised and deprived of family relationships.*
- *Prisons have become holding centres for the mentally ill who need professional services rather than isolation, but the present prison health services are grossly inadequate.*
- *Many prisoners are young, semi-literate and innumerate. The inadequate provision of remedial education services is a lost opportunity to upgrade their skills. Instead they become institutionalised and dependent rather than developing a capacity to support themselves and their families and to make a contribution to society on their release.*

Privatisation of prisons

- *The protection of society from the threat of crime, from internal or external danger is the duty of government. Privatisation of prisons is an abrogation of government responsibility and against the public interest. It originated in the United States where the prison system is a disgrace.*
- *There is no convincing evidence that management based on the profit motive improves prison systems or makes them more enlightened, humane, reformative or a less expensive option than Government-run prisons.*
- *Leading international expert, Stephen Nathan, has said: “privatising prisons requires more people in the criminal justice system for longer and is squarely at odds with the public good.” (Independent Monitor March 2008)*
- *The Victorian Government resumed public control of the Metro Women’s Correctional Centre in 2000 after widespread drug use, deaths in custody, poor training and cover-ups were exposed by the Armytage Inquiry.*
- *A UK report disclosed in the Independent Monitor in March 2008 placed ten of the UK eleven private prisons in the bottom quarter of the performance register of all UK prisons and showed they are consistently worse than their publicly run equivalents.*

(NSW has one privately run gaol at Junee. The Government recently announced they would hand over the running of two existing gaols to private enterprise.)

A More Perfect Unity Between Prison Policy and Practice

Jesus said, Blessed are the merciful (those “*who are compassionate to everyone in need*” Andrews 2008 p7). NSW correctional policies indicate awareness of the need to offer rehabilitation to wrongdoers, that is, to act with compassion. It is probably easier to do this when you’ve never been a victim of crime. Gladys Staines, the missionary whose husband and sons were murdered in India, acted with grace and compassion when she publicly forgave those responsible for their deaths. Grace, compassion and forgiveness: three elements essential for healing and reconciliation of individual and community relationships. A more perfect unity between policy and practice – possible? An imperative? Something with which the Wellspring Community should be associated?

In the film, *I’ve Loved You So Long*, a teacher who had taught in a gaol shared this insight: he realised that there was a very fine line between him and those he was teaching.

I encourage you to become aware of the state of health of your state/territory’s correctional system. Pray for justice for all involved: the victims; the offenders - their family, friends and neighbours; and all those working within the criminal justice system. Pray that grace, compassion and forgiveness will

characterise all decision making. Pray for positive outcomes for the NSW Community Justice Coalition.

Further Reading

Andrews, Dave. *Plan B*. Milton Keynes: Authentic, 2008

Andrews, Dave. *People of Compassion*. Blackburn: TEAR, 2008

Marshall, Christopher. *Beyond Retribution: A New Testament Vision for justice, Crime, and Punishment*. Grand Rapids: Eerdmans, 2001