VISION FOR A CRIMINAL JUSTICE SYSTEM

A view from the Quaker Peace & Social Witness Crime, community and justice sub-committee

As Quakers we believe in that of God in everyone, no matter what they have done.

> *We are not for names, nor men, nor titles of Government, nor are we for this party nor against the other ... but we are for justice and mercy and truth and peace and true freedom, that these may be exalted in our nation, and that goodness, righteousness, meekness, temperance, peace and unity with God, and with one another, that these things may abound.* Edward Burrough, 1659. Quaker faith & practice[1] 23.11

Quakers have a long tradition of concern with crime, community and justice and we believe this gives our voice particular value which may fruitfully be added to others saying similar things. Arising from a long and careful process of discernment we, the Quaker Peace & Social Witness (QPSW) Crime, Community and Justice Sub-committee (CCJS) have encapsulated our own view of a criminal justice system in these two sentences:

> *Justice should be compassionate, forgiving and healing – restorative, not retributive. We want to change attitudes and encourage the criminal justice system to move towards this vision of justice.*
> QPSW Crime, Community and Justice Sub-committee, 2009

Following the example of Edward Burrough, we now articulate for ourselves what we 'are for' and what we 'are against' in the British criminal justice system for adults as measured against this vision.

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[1] *Quaker faith & practice is the book of Christian discipline of the Yearly Meeting of the Religious* Society of Friends (Quakers) in Britain. The full text is available at. http://qfp.quaker.org.uk

Victims

We are for giving care and support to the victims of crime, making sure their needs are met so that their equilibrium can be restored.

We are for helping the people around both victims and offenders to support them so that healthy relationships can be restored.

Offenders

We are against the simplistic concept of good victims and bad criminals.

We are for treating offenders as people who need help to take responsibility for themselves and their actions.

We are for helping offenders understand their actions and move into a useful, happy and constructive life.

We are for recognising that many offenders are also victims.

Women offenders

We are against women being sent to prison for reasons other than would be applied to male offenders, such as 'for their own good' or 'to teach them a lesson or for 'their own safety'.

We are against women being sentenced more harshly than men in similar circumstances.

Where prison is necessary for a woman, **we are for** provision which takes account of the fact that women prisoners' physical, mental and emotional needs differ from those of men.

We are for the promotion of integration between the various government departments responsible for meeting the needs of women who offend or are at risk of offending.

Treatment of drug users

In the same way as it is inappropriate to imprison some people who have a mental illness, it is counter-productive to use imprisonment as a means of rehabilitating drug abusers. Diversion to treatment recognises the dangers of drug use and mis-use as primarily a public health issue.

Where drug dependency is a factor in other criminal behaviour **we are for** properly resourced and voluntary drug treatment being provided as an alternative to criminal justice sanctions.

‘Vulnerable’ adults

We are against provisions and practices that act as a barrier to vulnerable adults being properly heard.

We are against attitudes and behaviour towards people with mental illness, emotional disturbance, Specific Learning Difficulties, physical disabilities or addictive behaviour which prejudice their right to fair and respectful treatment.

We are for appropriate professional assessment and diagnosis of the mental and emotional state of people caught up in the criminal justice system.

We are for appropriate support being available to all vulnerable people in the criminal justice system whether as victim, offender, witness, or family member.

We are for both the assessment and the support being initiated as early as possible in the process.

We are for good quality training to make police, courts and judiciary aware of the variety of ways in which a person can be ‘vulnerable’ and how their specific needs can be met.

Sentencing

We are against sentencing being based on the principles of retribution or reflection of public anger.

We are against the assumption that further crime is prevented through punishment. A criminal sentence should have a positive purpose, and is more likely to be effective if the expected outcome is clearly identified.

We are for measures to help sentencers be aware of the effect of their decisions upon everyone affected: the offender, their family (particularly any dependent children or others for whom the offender is the primary carer), the victim and their family, and the wider community.

We are for all sentencing saying clearly what its purpose is and the actions needed to achieve that purpose.

We are for a criminal justice system that allows for a variety of ways of responding to criminal behaviour to be considered.

We are for measures which aim to persuade and enable offenders to reflect on their acts and change their future behaviour.

We are for the availability of restorative justice processes throughout our criminal justice system.

Punishment

We are against punishment for its own sake: Jesus taught us to forgive and try to help the wrongdoer.

We are against a criminal justice system based primarily on deterrence and retribution.

We are against an assumption that only a punitive outcome matters.

We are against criminal sentences which disengage people further from the society which imposes them.

We are for holding offenders accountable for their actions and for balancing wrongdoing by reparation.

We are for a response to crime based on making things better for the victim and the offender, and thus for society. Punishment alone disengages people further from the society that imposes it.

We are for offenders attaining reintegration and acceptance.

Use of prison

We are against the use of prison as a default response to offending when other penalties have not been adequately explored and properly rejected.

We are against a prison system that seeks to detain people for longer than necessary, whether this be for profit or political expediency: either motive is morally repugnant.

We are for the use of prison **only** when there is no reasonable alternative. Only offenders who pose a genuine, immediate and/or violent threat to society need to be incarcerated. When prison is truly the only reasonable response, it should be compassionate and rehabilitative.

We are for non-custodial measures wherever possible.

Prisoners

We are against practices and behaviour in prison which undermine the dignity of prisoners.

We are against a prison service that uses a profit motive or public expenditure cuts to treat prisoners in any way that fails to meet their basic needs as human beings.

We are for supporting prisoners and treating them with respect, whilst holding them accountable for their behaviour.

We are for a prison service which treats people with respect and humanity.

Prisoners' families

We are against treatment of prisoners' families that undermines their dignity and shows indifference to their needs.

We are for helping to keep prisoners' families together.

We are for prisoners being held as close to their families and friends as possible.

We are for the provision of visitors' centres where information, practical support and pastoral care are available and which include visiting facilities for the children of prisoners.

Prison experience

Being sent to prison is itself the punishment. The deprivation of liberty and all that goes with it should not be exacerbated by bad treatment inside prison.

We are against punitive regimes and degrading conditions.

We are against long periods of incarceration without meaningful activity.

We are for the provision of education, training and useful work whilst in prison.

We are for the provision of activities which will nurture mind and spirit as well as physical well-being.

We are for the provision of health care, addiction treatments and nutritious food that will lead to the good physical and mental health of the offender.

We are for these things being provided for all prisoners regardless of the length of their sentence.

Prison staff

We are against prisons being understaffed or staffed by people who are not properly paid, trained and supported.

We are against either profit motive or public expenditure cuts being the rationale for decisions that adversely affect maintaining high standards of service in the prison estate.

We are for treating prison staff with respect and supporting them in their difficult role.

We are for adequate staffing in all prisons, with appropriate recruitment, training, pay, supervision and professional support.

We are for holding prison staff at all levels accountable for the way in which they carry out their responsibilities.

Rehabilitation

Rehabilitation services need to be well planned, resourced and integrated. This will necessarily be expensive, but the saving in the long term will pay back dividends and the benefit to society will be beyond measure.

We are for measures which will help offenders avoid further reoffending and aid their reintegration into the community.

We are for open-hearted, non-judgmental mentoring which dispassionately examines the circumstances that led to offending.

We are for help to find work and accommodation in a suitable location upon release.

We are for continuing support from probation, family, one-on-one mentoring and other 'services' like Circles of Support & Accountability for as long as the individual needs it.

Restorative justice

The restorative process is challenging and a satisfactory outcome depends on good practice leading to dialogue, understanding and appropriate reparation. It can be much more demanding and difficult for both victims and offenders, and more effective than punishment and prison.

We are for the use of restorative justice being available to everyone who wants it, victims and offenders, and at all stages of the criminal justice process.

We are for giving both the offender and victim the chance to understand what happened. It is often helpful to be able to put the events into perspective, preventing what might be painful events from dominating the lives of those affected. Forgiveness can help to heal both parties: we are for providing this opportunity for it to happen.

We are for the right of victims to participate in restorative justice if they wish because it can help them to express their feelings and put a face to the crime. It can lead to their receiving an apology and reparation.

We are for enabling offenders to respond to victims and offer apology and reparation. This helps offenders understand the harm which has been done and gives them a chance of putting things right.

Community justice

Communities play an essential role in reducing criminal behaviour.

> *We are against the acceptance of a 'them' and 'us' divide, and the fostering of a blame culture.*
>
> *We are against the use of force as the default response for dealing with violence.*

We are for helping people to understand conflict and to find ways of resolving it without resorting to violence.

We are for understanding and addressing the root causes of violence and criminal behaviour and putting resources into addressing them.

We are for supporting local initiatives and partnerships in activities to achieve this.

We are for involving local communities and voluntary organisations in working with prisoners, with victims of crime, and in the criminal justice system.

We are for giving prisoners the right to vote and encouraging their sense of belonging to society.

We are for reconciliation.

Ethics of privatisation

Dealing with an offender is a public responsibility that should be the direct duty of the state: a private provider of services is responsible to its clients and its shareholders rather than to society. Thus an ethical conundrum arises over the degree of public accountability when prisons and probation services are delegated to private companies.

> *We are against a delivery of these state responsibilities that is not fully transparent and publicly accountable.*
>
> *We are against creating circumstances in which financial profit can be made by regarding people as commodities.*

We are for the state taking direct responsibility for its prisons and prisoners, as it takes responsibility for all of its criminal justice system.

We are for transparency and the provision of prisons and probation services.

We are for measures to ensure that high standards of probity are maintained.

Summary

We believe there is that of God in everyone: if I hurt another, I hurt myself and I have a responsibility with others to repair the harm.

We see the criminal justice system as society's response to a breakdown in relationships which has brought about harm.

We believe that restoring relationships to meet the needs of those affected by crime and sustain safer communities is done better through restorative justice than through punishment.

We are for a compassionate, positive, caring and non-judgemental society which helps it's weaker citizens. Only a society like that has real moral strength and can offer all its citizens a contented life with less crime and less social division.

Quaker Peace & Social Witness
Crime, Community and Justice Sub-committee
September 2015

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Quaker Peace & Social Witness (QPSW) is part of the central organisation of the Religious Society of Friends (Quakers) in Britain. It's Crime, Community and Justice Sub-Committee (CCJS) supports and represents Quakers in the area of crime and community justice.

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May 2016