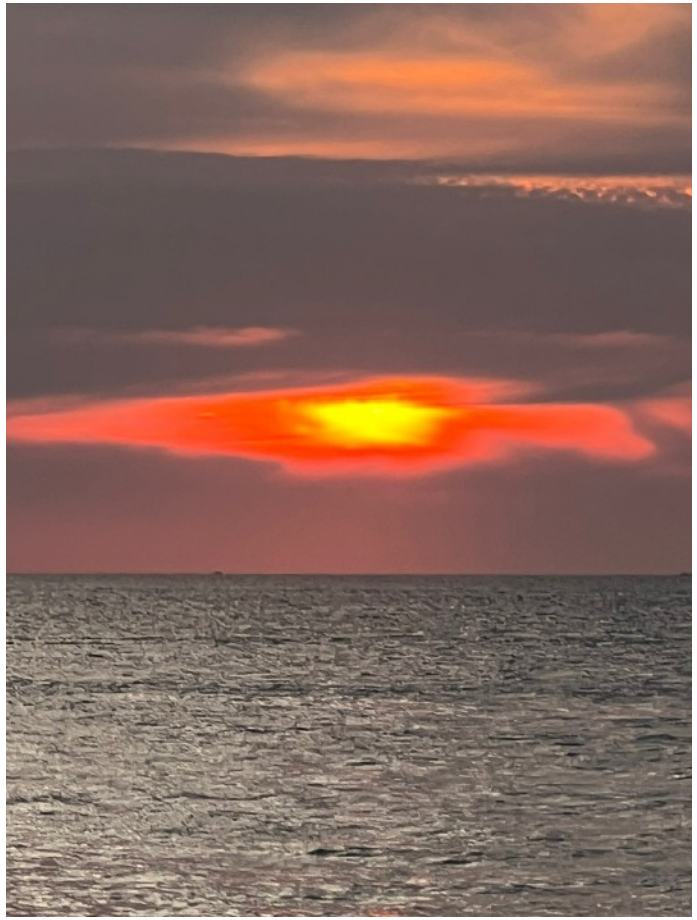
# QICJ – Where Are We Now?

Mike Nellis - Leeds 2023



- In “dark times”…….
- … hope, yes: optimism, maybe
- “The good people left” is true, but an over-rated argument – we need systemic change, somehow …..
- Avoid “retrotopia” (tech, including AI, precludes it)
- Helen Minnis (2022) helps: Swarthmore Lecture” *Perceiving the Temperature of the Water*

# The Entrenched Dysfunctionality of the Criminal Justice "System"

- Police – crisis of "culture" and efficiency, **R**ecruitment and **R**etention
- Legal aid – cuts, loss of defence solicitors
- Crown Prosecution – low conviction rates for rape, backlog, staffing
- Courts – pre-Covid closures, backlogs, shortage of judges
- Probation – post-privatization, reduced to risk management, R&R
- Prisons – expanding, underesourced, harmful, R&R
- Victim Services – eg loss of Vera Baird at MoJ (over human rights)
- CJ Third Sector – underfunding, closures, cuts to service
- Restorative Justice remains marginal…..

# Crime, Violent Men and "Agency Failure"

- Crime in the community is a serious problem …….
- Low level crimes (eg bike theft) under-investigated by police
- New – technology-based, online crime – scamming, paedophilia
- Hate crime - online and off
- Organised drug crime and child exploitation.
- Violent crime (esp against women & girls)
- Fear, anger & anxiety fuel public demands for punitiveness
- Migrants now coexist with criminals as "folk devils"/hate figures

(SFO Reviews)

- **Joseph McCann** (34) spree of sexual attacks on 11 strangers, all ages.
- **Damien Bendall** (32) – murder of his partner, her two young children and a child sleeping over
- **Jordan McSweeney** (29) rape and murder of a lone young woman, no weapon
- **Jake Davison** (22) – killed his mother and four strangers, then himself with a shotgun
- All known to CJS: all but JD had served some time in prison, since adolescence.
- Violence like this is NOT inexplicable and early therapeutic interventions can make it less likely. *Are services doing this?*

# The Canadian YM Minute 93 from 1981 Ruth Morris's work warrants attention



**We approve the following Statement on Friends Response to Crime:**

Friends, partly through their own experiences in the prisons of the seventeenth century, became concerned about the treatment of the accused or convicted. Friends witnessed to their concern for the Divine Spirit in humans by seeing prisons as an alternative to corporal or capital punishment. Subsequently, they worked for reform of these prisons. Today, Friends are becoming aware that prisons are a destructive and expensive failure as a response to crime. We are, therefore, turning our efforts to reform prisons to efforts to replace them with non punitive, life-affirming and reconciling responses.

The prison system is both a cause and a result of violence and social injustice. Throughout history, the majority of prisoners have been the powerless and the oppressed. We are increasingly clear that the imprisonment of human beings, like their enslavement, is inherently immoral and is as destructive to the cagers as the caged.

The challenge before us is to use alternatives based on economic and social justice and on the fulfillment of human needs. Some alternatives to prisons have already been developed and more are needed to bring about reconciliation and healing within the community. Friends need to seek out, develop and support such programs. At the same time, we need to foster awareness in ourselves and others of the roots of crime and violence in society to ensure that our lives do not unintentionally reinforce these evils.

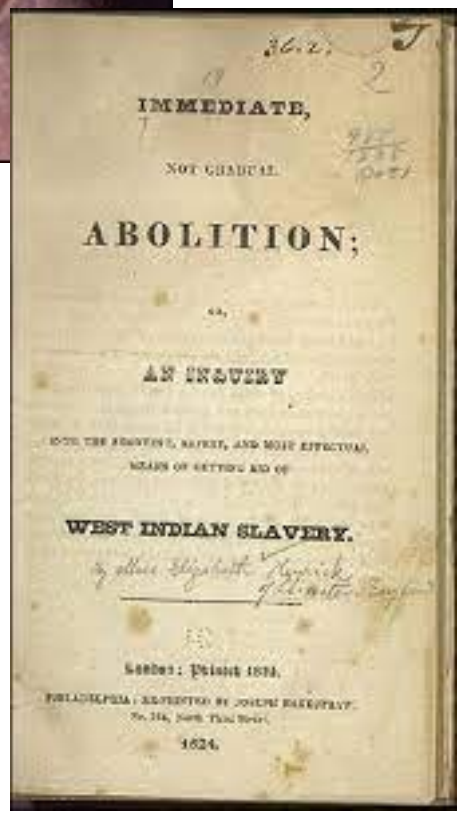
Prison abolition is both a process and a long-term goal. In the interim, there is a great need for Friends to reach out to and to support all those affected: guards, prisoners, victims and families.

We recognize a need for restraint of those few who are exhibiting dangerous behaviour. The kind of restraint used and the help offered during this time must reflect our concern for that of God in every person."



# *Resources for hope: more to Quakers and penal reform than Elizabeth Fry …..*

Elizabeth Heyrick


IMMEDIATE,

NOT GRADUAL.

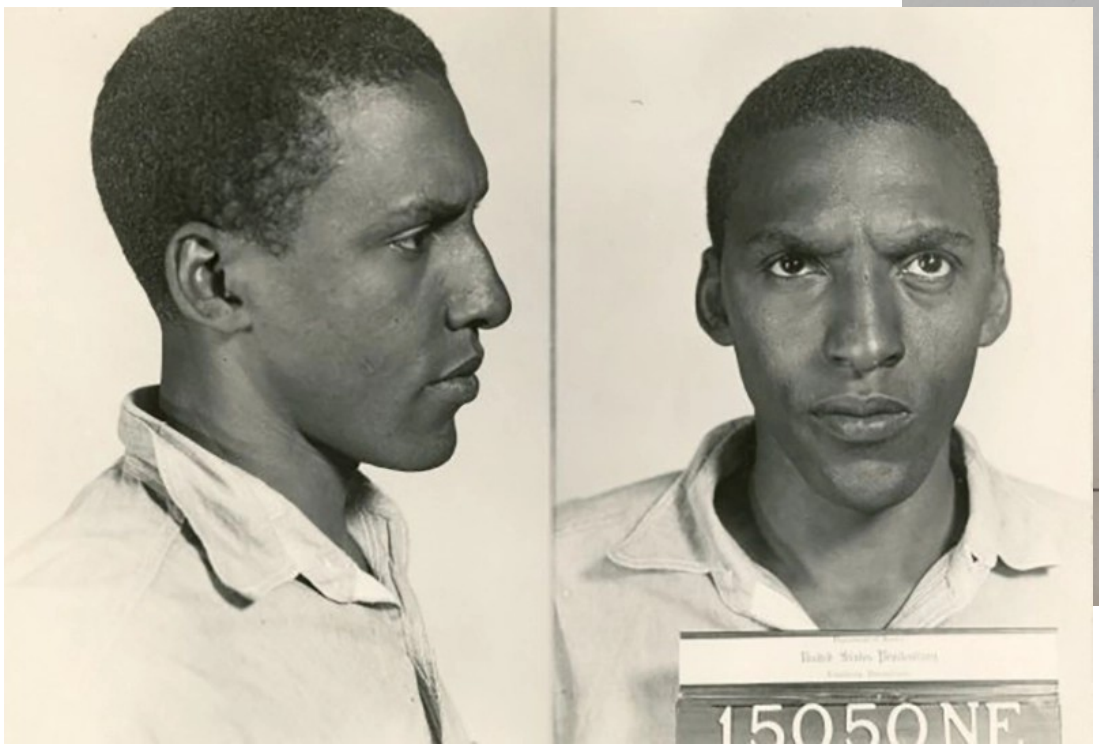
ABOLITION;

AN INQUIRY

WEST INDIAN SLAVERY.

1824.

Bayard Rustin





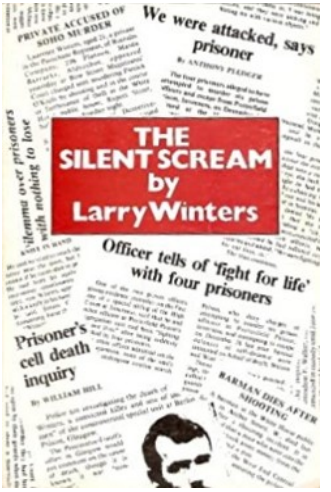
# “English Prisons Today” – 1922 (centenary last year)

- Labour Research Group and Fabian Society set up a Commission to expose English prison conditions
- Mostly used experiences of imprisoned WW1 conscientious objectors.
- Quaker Stephen Hobhouse & Socialist Fenner Brockway compiled it
- Some C0’s spoke of need to “abolish prison”, meaning …?
- Influence of Tolstoy & Kropotkin
- G.B Shaw’s flawed abolitionist preface
- Radical beginnings, with moderate consequences in late 20’s/30s



# The **Barlinnie Special Unit**, Glasgow

1973-1994/6 **Fiftieth Anniversary** of opening




- A small unit for Scotland's most violent criminals (hardmen/
- gangsters) after institutional brutality had failed to break them.
- Unexpectedly, inadvertently, spectaculary successful – a therapeutic community (drawing on HMP Grendon), liberal visiting, + arts
- Jimmy Boyle (1977) A Sense of Freedom. London, Pan Macmillan
- Massive hostility from tabloids and Tories – its liberal regime disrupted common sense about what a prison should be – and defied expectations that "bad men from bad areas" could not change for the better.
- Ken Murray, Peter Whatmore, Joyce Laing, Richard Demarco, Joseph Beuys, Bill Beech, Kay Carmichael, Sara Trevelyan, Daphne Brooke
- "So successful they closed it down". ….. but civility in SPS survived
- Claimed by everyone as "progress", even abolitionists like Joe Sim.

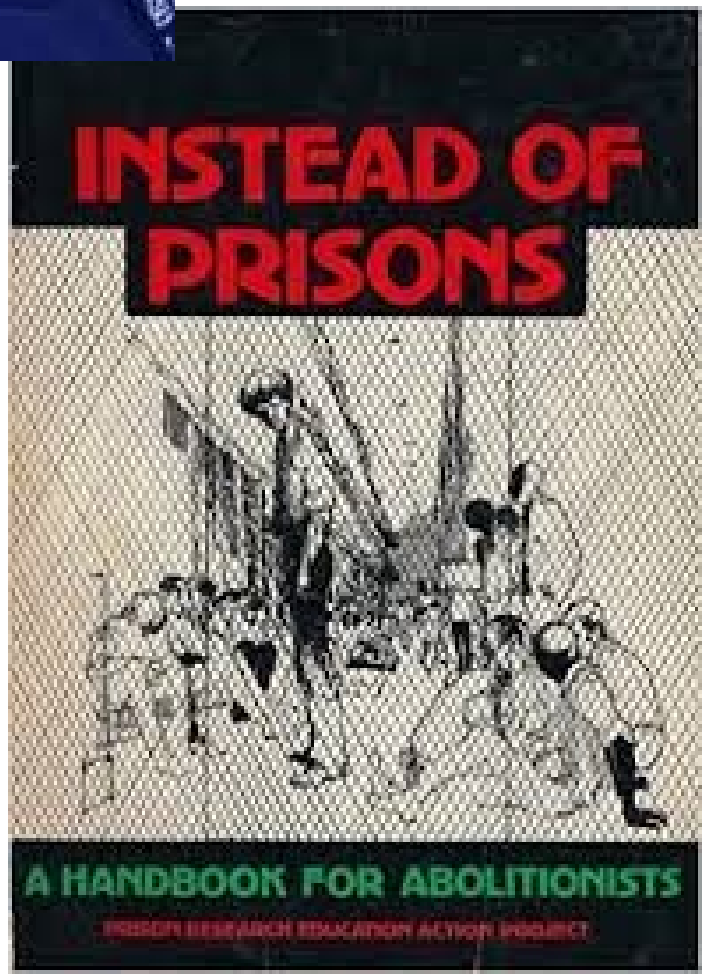
# Quakers IN Criminal Justice
# but not OF criminal justice

- Abolition is a horizon, a moral compass, an honourable hope – we should not collude with (or work to improve!) persistently harmful institutions. The aim is less harm/ nonviolence.
- The CJS is not “broken”: its suits powerful interests to extract wealth, make poor people suffer, erode public services and use criminal justice destructively.
- Hard, complicated practical-ethical questions “on the ground” cannot be evaded.
- Humanitarian “relief work” with offenders, victims and communities remains vital
- Without serious reductions in economic inequality, nothing much will improve in the CJS – *and may deteriorate further* (with/without ”automation”).
- Not all Quakers need to be abolitionists, but there needs to be room in the Society of Friends for those who are.
- The sentiment matters more than the word, but the word sometimes helps.
- Whatever we do, do it in dialogue, coalition and alliance **with others**.

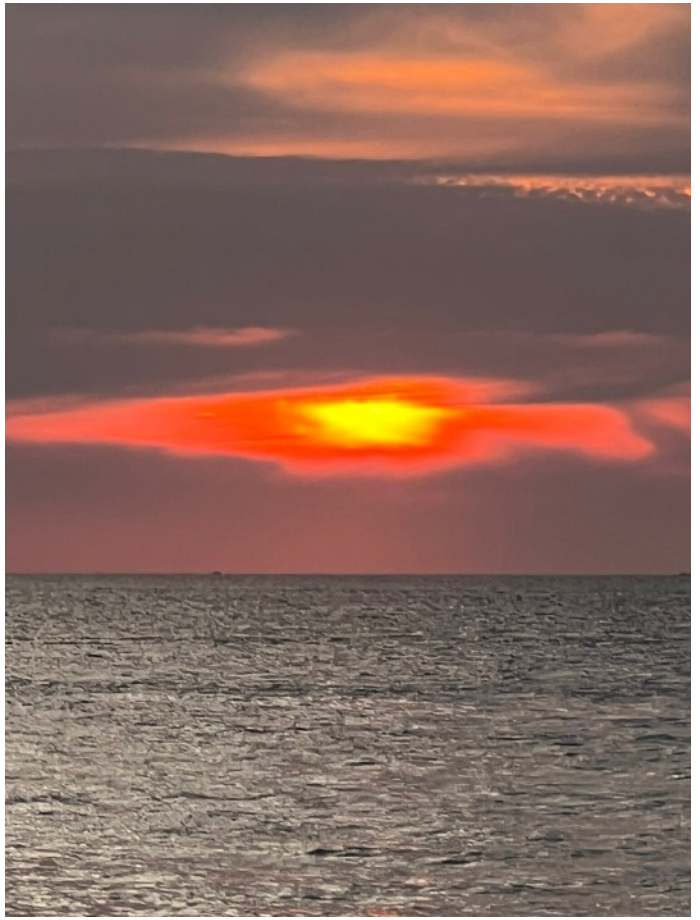


# A Personal Conclusion

Fay Honey Knopp (1918-1995), her book (1976), RJ and “Alan”





# Explanation 1

- I first came across *Instead of Prisons* when I was involved with Radical Alternatives to Prison (RAP) in the late 1970s, the first British abolitionist group. It was produced by a working group of the New York State Council of Churches. Fay Honey Knopp, a Quaker and prison visitor to COs during the Vietnam war and John Reiger, the Mennonite leader of the NYSCoC, are usually credited with being the lead authors on the committee that produced it. I was not a Quaker then and it would have meant nothing to me to know that Honey (as I gather she was known) was one, tho when I discovered this it I subsequently thought it providential. *Instead of Prisons,* which stands for a modest form of abolitionism, was hugely influential on my thinking as social worker in criminal justice, tho' I did not always call myself an abolitionist.

# Explanation 2

- I was working as a social worker with young offenders at the time I found this book. Among other things, I first learned about restorative justice from it – the Mennonite probation officers who created the the Victim Offender Reconciliation Project in Kitchener. Ontario.  I made use of this with a young man, “Alan”, I was then supervising, who was remorseful regarding the violent offence he had committed. The novelty of RJ at the time may – against the odds - have persuaded the Crown Court judge not to  give Alan  a custodial sentence. From that day on Alan made determined efforts to reform and flourish. He now runs a successful business and aged 50, contacted me to say so. We remain friends.  The sunset is a photo from his holiday hotel in the tropics, which he sent me over Christmas. Thanks, Honey Knopp