

Harold Hood Lecture

A Place of Redemption - 10 Years On

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Introduction

As the relatively new Liaison Bishop for Prisons, may I thank you for inviting me to give this lecture. There is much to celebrate in the work of PACT, in the work of our Catholic chaplains serving the Prison community and in all that is being done by an increasing number of people to offer support to those leaving custody as they face the many challenges that present themselves as they begin to find their place in society once again.

Crime – the violation of the individual, the violation of society

In 1967, my parents awoke to find the back door open. My father went to turn on the transistor radio, but it wasn't there. Closer inspection showed that three handbags were missing from my parents' bedroom, along with a pair of my father's trousers. My watch had gone from my bedside cabinet. We had had a visitor during the night, who had gained access by standing on the window ledge of the kitchen and putting his hand through an open fanlight. The details of this event are clear in my mind 46 years later and what stays in my mind more than anything else is the fact that someone had been in my bedroom – and that of my parents – while were fast asleep. Our space had been invaded, carefully, silently and with some skill. We felt as if our home had been violated.

My mother's handbags were found, emptied of any contents, in different gardens further down the quiet road in which we lived. My father threatened to buy a German Shepherd, but nothing came of that.

In the grand scheme of things, this was petty crime. I have been at the receiving end of other small burglaries – in presbyteries and in my present house in Hampshire while I was away on holiday. Again, petty crimes and nothing of great value – monetary or otherwise – was stolen. I have, thankfully, never been the subject of offences more of any greater magnitude.

Our society, like many others, has a strand of criminal activity flowing through it. This is not as things should be, but it is a fact. Criminal activity is present at many levels of society and takes many forms: violent crime, sexual crime, crime driven by drug abuse, financial crime, computer and IT crime, industrial crime, the list is endless.

Crime is never right – although the history of the person involved and the circumstances pertaining at the time will often have an effect on the level of guilt – and each one of us will have in our minds experiences from our own lives, or examples drawn from others, of crimes heinous and petty that have caused suffering and distress.

A Place of Redemption

It is coming up to ten years ago that *A Place of Redemption* was published. It is a landmark document, presenting a coherent approach to Punishment and Prison, rooted in the Gospel. As we look to 2014 and the tenth anniversary, we would do well to take another look at the yardstick that the document provides and consider whether lessons have been learned and fresh approaches taken.

Retributive Justice

As a society and as individuals, we have a right to restitution for the crimes perpetrated upon us.^[1] We live in a country where, over centuries, a complex system of sentencing has grown up and where the custodial sentence has been a commonly used instrument in the repertoire of justice. The country needs prisons. That is not at issue. There will be those for whom a custodial sentence is an appropriate measure. It will always be important for any criminal justice system to review sentencing policy on an ongoing basis and the judiciary must always have the independence and power to ensure that prison sentences are used appropriately and justly.

This country imprisons a high proportion of offenders and the number of people being sent to prison has risen in the years following the Second World War. In 1946, the prison population stood at around 15,000. By 1993 it stood at a little over 44,246, rising to 86,048 by 2012.^[2]

As of last week, the prison population stood at 85,241, of whom 3,983 were women. As is to be expected, the prison population rises and falls. There are 1042 less people led in prison than one year ago, although the population has risen by 614 in the last month. According to Howard League figures, the prison population has fallen at a rate of 1.2% in the last year.

There has been a significant decline in the number of children in prison of 60% in the last five years. This must surely represent real progress, with the work of Youth Offending Teams having a major impact. However, numbers might still be considered high. In August of this year, there were 1,239 children in prison. Of this number, 50 were girls and there were 44 children aged 10-14 in Secure Training Centres, resourced by the Youth Justice Board.^[3]

The number of people held in prison, in comparison to other countries, remains very high. A decline in crime figures will have much to do with the fall in the prison population and the decline over the last 12 months has still not impacted on prison overcrowding. Currently, our prisons are holding 7,488 men and women above capacity.^[4] The effects of lead to a

reduction in supervision and a heightened risk to prisoners and staff. Shortage of space leads to prisoners being located far from home, increasing pressure on families who are less able to visit. Against this backdrop, the great efforts of many staff must be recognised, as they see to engage with prisoners under increasingly difficult conditions.

While acknowledging the significant drop in the number of young people amongst the prison population, it must surely be the case that there has been little real change in the number being held in prison since the publication of *A Place of Redemption*.

In particular, the use of prison sentences for women is worthy of fresh consideration. The impact on children of a mother in prison is hugely significant. Family members, such as grandparents, are often the carers for children and the imprisonment of a mother puts further strain on already stretched social services.

Chrissie, a grandmother aged 60, has the following story to tell:

Chrissie, who suffers from arthritis and is registered disabled, is raising her twin 12-year-old granddaughters after her daughter, Selina, and her son-in-law were convicted for illegal importation of goods when the girls were just 8. Chrissie believes Selina is innocent but she actually received a stiffer sentence than her husband (16 years compared to 13) because she pleaded not guilty. Chrissie and her daughter were led to believe that she would be found not guilty so it was a huge shock when the verdict was read out. 'Each day of the trial, Selina had come home to the girls and then on the last day, she didn't come back – I just thought, "Oh my god, what am I going to tell the kids".'

Nobody spoke to Chrissie during the trial about the girls. They lost their mother, their home, their school and their friends all in one go. "Nobody gave a damn – I just wanted someone at the court who I could talk to and who could explain where we could go to for help."

Afterwards, Chrissie wasn't assigned a social worker. 'All I ever heard from anyone was - "It's a private arrangement, it's a private arrangement!", says Chrissie. She finally organised a Residency Order but has had no financial support apart from £50 towards extra bedding 'and I had to fight for that'. It took 6 months before she could even claim Child Benefit. Chrissie has sleepless nights worrying about how she's going to pay for everything, from new school uniforms, to petrol and food.

The girls have been very badly affected. At first, Chrissie tried to explain how long their mum would be away by adding up the number of Christmases and birthdays they would spend without her, but at this early stage the reality didn't sink in. Later, they began to have tears at bedtime, sleepless nights and bullying at school. 'They'd say over and over again, "I want my mummy, I want my mummy!' They are very clingy with Chrissie and if she ever goes to court over their care, they worry that she won't return either. One of the twins has now been referred to CAMHS for help with her emotional problems.

The girls' mother has now had her original sentence reduced, has home visiting rights and hopes to be released in just over a year. The family are lucky because she has been placed in prisons fairly close to where they live. 'But it is just luck', says Chrissie.

'There isn't anything in place in the system to make sure mothers are sent to a prison as near to their children as possible.'

Chrissie feels there is no support from the authorities for grandparents in her situation: 'If a mother has done something, she must be punished but more has to be done to think about the impact on the children. There should be more financial help and what about the grandparents who simply aren't capable of caring for their grandchildren – what happens to those kids?'

Children and the wider family become additional victims of crime, as is clear from the case of Cassie, aged 45:

In 2007, Cassie's sister stabbed her partner to death and was convicted of manslaughter. The couple had a history of alcohol abuse, domestic violence and child cruelty. The sister's three children - a teenage girl and boy from a previous relationship and a 17-month daughter from that relationship - had already been removed from their care and were living with Cassie on an unofficial basis. Cassie says that from the day of the murder onwards she got absolutely no co-operation from the Courts or Social Services and has had to fight tooth and nail for a Special Guardianship Order to raise the youngest child, which she was finally granted in 2012 – a full five years after the children's mother was imprisoned. 'I was offering a forever home', says Cassie, 'but they made it so very hard for me to do that.'

Cassie says the welfare of the children was completely ignored throughout the court case. She believes that both she and the children were treated badly by the authorities because they were the family of the perpetrator and not the victim. At the same time, she feels that, until she finally got the SGO, both her sister and Social Services had far too much parental power. At first, Social Services placed a Care Order on the little girl which gave Social Services and the mother joint power over any major decisions – this meant that Cassie couldn't take her on holiday once when the mother refused to give her consent and an operation that the child desperately needed to remove her tonsils almost got cancelled when Social Services delayed giving permission.

Prison visits with the little girl were also traumatic because 'the way she was treated was so horrible' – she routinely had her nappy and the inside of her mouth checked for drugs.

The mother has now chosen to stop all contact with the children and has developed 'a deep-seated hatred' of Cassie but yet, despite this, the family has never been consulted or informed about arrangements for her custody. This means that she is currently allowed unsupervised visits to their local town and both Cassie and the children are terrified that, with the mother's history of violence, she may 'turn up on the doorstep one day with a knife'.

Cassie feels strongly that the courts and judiciary system have never taken the needs of her nieces and nephew into consideration in any way. 'I don't remember there ever being mention of children even being involved in this case throughout the entire court proceedings.'

These are not isolated examples. They speak of a system which struggles to meet the needs of families whose mothers are given custodial sentences. It is clear, too, that the family members of the prison population – and in particular their children – become victims of crime themselves. Their space, their dignity, is violated by the crimes of their parents.

There will be those who will argue that the thought of the effect of crime on family should be a deterrent to crime. This may well be true, but when a crime is committed, is it right that more innocent people – the most vulnerable in our society – should suffer as a result? What more can be done to ensure, at least in a far great number of cases, that a mother can remain with her children and pay her debt to society without the need for a custodial sentence? Where prison is the right course of action, the accessibility of the prison to family should be taken into account in every case, so that children can keep contact with their mother.

The Gospel as the basis for our action

The Gospel message makes it an imperative for us to view justice in far wider terms than those of retribution alone. This stems from the innate dignity of the human person, as someone created and loved by God. St. Paul, writing to the Romans reminds us of the ever-present love of God for each and every one of us, regardless of our actions:

“I am certain of this; neither death nor life, no angel, no prince, nothing that exists, nothing still to come, not any power, of height or depth, not any created thing can ever come between us and the love of God made visible in Christ Jesus our Lord.”^[5]

At the last analysis, our dignity arises from the fact that we are loved by God. This impacts on society at every level and we forget, at our peril, that the society in which we live is grounded in the Gospel message. The Scriptures, and the Gospel in particular, provide the foundations for our Society, even in an age which is often described as ‘post-Christian’ and at a time when many would deny that very foundation of our society.

“Respect for the human person entails respect for the rights that flow from his dignity as a creature. These rights are prior to society and must be recognised by it. They are the basis of the moral legitimacy of every authority: by flouting them, or refusing to recognise them in its positive legislation, a society undermines its own moral legitimacy.”^[6]

The key to progress in criminal justice lies in the recognition of the dignity of the person – a dignity that is inviolable, no matter what a person may have done. The failure to recognise that dignity will lead to the worst possible consequences for individuals and for society as a whole. Respect for the other and for self will be lost – potentially leading to a rise in crime. Society will become increasingly dehumanised, the criminal confirmed in his or her sense of alienation and rehabilitation become a lower priority.

Conversely, the acknowledgement of the dignity of the person will reduce crime and, for those who have committed crime, the possibility of rehabilitation will become a reality. Resources will be committed to enable our prison population to develop their skills and talents and to take their rightful place in society.

A Place of Redemption spells out the consequences of Catholic Social Teaching for the offender:

“In a system of penal justice which is in line with human dignity...the primary purpose of the punishment which society inflicts must both defend public order and ensure people’s safety, while at the same time offering the offender an incentive and help change his or her behaviour and to be rehabilitated. This does not mean punishment first and the rehabilitation if there are resources, time of the political will. It requires both, as an integrated purpose.”^[7]

It should be noted here, too, that *A Place of Redemption* does not equate punishment with prison. A prison sentence is but one option and, in a number of cases will not be the best one. Where rehabilitation is not, in practical terms, a priority, the system is failing not just the offender, but society as a whole. Wherever inmates are unable to get to their courses because of shortage of staff, the criminal justice system is becoming unbalanced and is failing. The possibility that an individual is unable to get parole because courses have not been completed – and this is due to failings in staffing and in the day-to-day management of offenders – the system is failing.

The role of the Community of Faith

Catholic Social Teaching, based as it is in the Gospel, has something very special to offer in the field of criminal justice. Not only does that teaching provide a basis for our understanding of the human person and their rights and responsibilities. It provides the basis for action and I should like to address this action under a number of headings:

Restorative Justice

One of the positive developments in criminal justice in recent years has been the openness of both the legislature and the judiciary to restorative justice. Restorative Justice, where perpetrator and victim are brought together, is no easy option. The practice in enabling an offender to face the effects of his or her crime, alongside the one they have offended, is grounded in dignity. It will enable the offender to recognise the human cost of their offence and can be a moment of closure for the victim. This is bound up with repentance, for the offender faced with the true effects of his or her actions, may well be drawn to repentance and a moment of real conversion. This is deeply Christian and enables all parties concerned to engage in a process that recognises the dignity of the human person.

The new sentencing provision provides an option for restorative justice and it can be used to secure earlier releases from prison. Good beginnings have been made and we look to a time when the restorative approach becomes a normative part of sentencing.

The Church should be at the forefront of such initiatives – whether it be through encouraging people to train as facilitators in this process; providing venues where meetings can take place; persevering in proclaiming Social Teaching.

Parishes as welcoming communities

Parishes are places of mercy. The celebration of the Sacrament of Reconciliation; the celebration of the Eucharist are those precious moments of mercy, healing and strength that sustain and build our parishes and enable us to live out our Christian lives.

In recent years, a number of dioceses have engaged in programmes aimed at making parishes truly welcoming communities. This has been especially the case in respect of those living with disabilities and with difficulties in mental health. *A Place of Redemption* called for such action, but there is still much to be done.

Basic Caring Communities – one of PACT's key initiatives – are a wonderful way forward and we must look to a time when every parish in the land has a group of people, properly trained and mentored, to provide support for those leaving custodial sentences.

Some years ago, I was walking down the road near Wandsworth Prison. A man came up to me, having been released only moments before, and asked me where he could find the nearest bus stop. I didn't know, but helped him to find it. I have often wondered where he would have gone on that bus. There was no one to meet him as he stepped out of the prison. Did he have a family? Has he re-offended? What a difference it would have made if someone had been there to meet him and, with others, to provide that initial support that is key to breaking the habit of offending. Especially when a sentence has been long, or one of a number of succeeding offences, offenders can become institutionalised. Prison can seem a better option. Such issues will only be heightened by a struggling economy and poor job prospects and especially by the breakdown of families.

The Basic Caring Community can break that cycle and it is incumbent on the Church to live out the consequences of the Gospel in this regard. The growing cooperation between PACT and SVP is to be greatly welcomed and I cannot encourage strongly enough their on-going collaboration. Basic Caring Communities are working well in London, Manchester and Bristol, with Winchester making a beginning – there is still a long way to go and resources are needed.

I take this opportunity to call on the Dioceses, Deaneries and Parishes of this country to engage with this process. Enabling ex-offenders to find their place in society and in the life of a welcoming community will make all the difference. It provides, too, an opportunity for people to come to know the God who loves them, through the care and support of others.

Family life

It goes without saying that the support and strength of family life is vital for us all. When a husband, father, wife, mother, child becomes involved in crime, family members, as we have already seen, become victims too.

Much support is needed for families when a member is in prison. The Church across this country does much to support and sustain family life. Nationally, it is a major work of the Bishops' Conference through the Marriage & Family Life Project. Families, like parishes, are places of mercy –but in too many cases, the home has ceased to be that place of mercy.

When a family member is in prison, the family experiences something of a “hidden sentence”. Life becomes increasingly stressful. Children are often bullied at school and lives are lived out in fear. Much is needed to support families when a loved one is in prison. There is still much to be done to overcome stigma and to enable families to maintain their dignity and place in the local community. Parish communities should be places of support, not judgement for families of offenders.

When a family member returns home, things will have changed and it will not be easy for the mother, father or child to find their place in the family once again. This problem will be exacerbated when work cannot be found. Here, too, the community of Faith has so much to offer, based on our very clear understanding of family and the value that we give to it. That esteem for family life must be lived out in the way in which we are called to support families at such a vulnerable time.

Looking to the Future

So, ten years on from *A Place of Redemption*, we might ask ourselves if very much has changed. Many of the fundamental questions raised by that document are as relevant today as they were then. Some have them have simply not been answered at all.

There are signs of hope – the reduction in the number of young offenders serving custodial sentences; the developments in restorative justice. These must surely be developed further, with attention to women facing custodial sentences being, I would suggest, a priority.

Pope Francis, in visiting the young in prison and washing their feet has led the way for the Church in our outreach to offenders. His example is not one of condemnation. It is an example of service.

Our task, then, is to serve. It is to make our parishes places of welcome and mercy, for those returning from prison, for their families. Our task is to develop a greater network of Basic Caring Communities, with PACT and the SVP as the major players in this. Our task is to continue to proclaim the Gospel message and the Church's social teaching. Prisoners' Sunday provides is a major opportunity for us and Prisoners' Sunday takes place on the 12th October next year – the new date fixed by the Bishops' Conference of England & Wales to enable a higher profile to be given to the day.

We are about to begin the 10th anniversary year of *A Place of Redemption*. Perhaps, one year from now, we shall be able to reflect on a new piece of theological reflection on the Church's response to the needs of our prison community. This year should be a time when we re-double our efforts to love out the Lord's call to us: "You were in prison and you came to see me."^[8]

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^[1] CBCEW, *A Place of Redemption*, London, Burns & Oates, 2004, n.65. (Hereafter *APR*)

^[2] MINISTRY OF JUSTICE, *Story of the Prison Population:1993-2012 England & Wales*, 2013, p. 5.

^[3] THE HOWARD LEAGUE, www.howardleague.org/weekly-prison-watch/

^[4] *Ibid.*

^[5] Rm. 8:38-39.

^[6] *Catechism of the Catholic Church*, 1994. n. 1930.

^[7] *APR*, n.81.

^[8] Mt.25:36.