

1. PRISON ISN'T WORKING *DRAFT by the Justice Interest Group*

*NOTE from Melanie Jameson – what follows simply captures some initial thoughts and aims to open up the conversation within QICJ and the wider family of Friends. Hopefully it will be followed by a second document **There is another way**, which will focus on ways forward, such as justice reinvestment.*

Our prison system is now so dysfunctional that any attempts at reform can be no more than a sticking plaster and have no chance of achieving any lasting improvements. At the heart of the system are the Prison Governors. A press release by the Prison Governors Association, in February, speaks of a Prison Officer recruitment and retention crisis as just one of the factors leading to the 'toxic environment' of increased disorder, violence and self-harm. As a result, they declare that it is not possible to provide a 'safe, decent and rehabilitative environment'.

The whole statement is reproduced at the end of this document

It is well worth revisiting the 1981 Canadian Minute on prison abolition, which includes the phrase *the prison system is both a cause and a result of violence and social injustice*.

Vast numbers of people suffering from mental illnesses, addiction problems, and mostly from deprived areas, are being warehoused in overcrowded conditions for increasingly long periods of time, with more frequent recalls to further inflate prison numbers. To this population the government plans to add newly criminalised migrants and climate activists, as current legislation comes into force.

We believe that the problems that lead to imprisonment are largely driven by government choices that strip services and welfare from a society where inequality, with all its associated disadvantages, has grown exponentially while wealth continues to be concentrated in the hands of the few.

Turning things around is a long-term project. Family programmes such as SureStart, mental health services, the treatment of addiction as a medical not criminal issue, the re-establishment of youth clubs and measures to tackle poverty and deprivation would be a good beginning. Preventing the drift of many so-called 'looked-after' children and excluded pupils into delinquency would be another positive step. The recognition of the damage caused by a whole range of Adverse Childhood Experiences and the subsequent mal-adaptive behaviour would go even further.

There will always be some people from whom society needs protection, but with prison numbers greatly reduced once those who require appropriate support have been diverted, these 'dangerous few' could be held in therapeutic wings following the pattern of HMP Grendon.

As Quakers with a concern for CJ we are now moved to declare that the prison system is irremediably broken, and to consider the abolition of the current system. The term 'abolition' calls out a social evil, in the same way as slavery, child labour and capital punishment came to be seen as social evils. There is another way. And Quakers, with our wealth of experience throughout the sector are well placed to suggest what it might look like. Restorative Justice will play an important role, with its unique ability to provide the space for mutual respect and understanding and bring some closure for victims.

This consideration will be a long-term project.

Back in 2007, Quakers in Criminal Justice composed a Minute to encapsulate how we perceived the CJS. An extract follows:

“Our experience tells us that our current system of justice which tends to demonise, label and punish the weak and vulnerable is deeply unhealthy and misguided.

We want a transformed and transforming justice which:-

- *Recognises the harm and pain and puts things right as far as possible*
- *Meets the needs and responsibilities of all concerned*
- *Allows compassion, healing and forgiveness*
- *Learns from experience.”*

We discern the time may now be right for the Society to call out the current state of our prisons and articulate a transformed and transforming justice as a witness in the world.

Reference resource for proposed follow-up: 2. There is another way

The Canadian Friends Service Committee have produced *Justice is Possible, Compassionate Response as the Foundation of Public Safety* as Minute 79 at their 2010 Yearly Meeting.

It concludes:

This then is our vision: Justice is done when those most affected by crime are satisfied that things have been made as right as possible, when the affected communities learn from the past and are confident in their ability to undertake with compassion, expectancy, faith, and hope the task of building and sustaining peace.

PRESS RELEASE from the Prison Governors' Association 15 Feb 2023

PRISON CAPACITY AND OVERCROWDING

On the 30th of November 2022, the Prison Governors' Association (PGA) released a statement in response to the commencement of Operation Safeguard, the use of police cells due to the prison system reaching near capacity with a population of 83,000. Three months later, and Government does not have a plan in place to address this dangerous crisis and the population continues to grow.

The prison population is rising exponentially week on week and the system is now full. This constant upward trend is driven by several factors, including an increase of 23,000 police officers, an increase in custodial sentences, an increase in length of sentences and an increase in recalls into prison who stay for longer. The remand population is the highest it has been since records began; there are now insufficient spaces to meet demand.

For several years, the PGA has voiced concern over Government's "tough on crime" agenda and the impact on an already stressed system, which has suffered from lack of investment for well over a decade. Many of our prisons are not providing a safe, decent, and rehabilitative environment; under-invested prisons do not work to reduce re-offending and protect the public from crime.

A rigorous process was carried out in 2022 to look at the maximum number of prisoners any establishment can hold to maintain safety, decency, order and control. This maximum number is called the operational capacity and when filled, a prison is full. Currently most of our prisons are full, and we are now using police cells for the overflow. Where there are spaces, it is in the lower category open prisons, and Government policy has made it much more difficult to move prisoners into these conditions.

Any further increase in overcrowding will have significant ramification on the health and safety of those working and living in prisons. We have a prison officer recruitment and retention crisis, with a current shortfall of 1,500. To increase prisoner numbers against this backdrop will lead to an increase in austere regimes, resulting in more disorder, violence, suicide, and self-harm; loss of accommodation due to concerted indiscipline is a real threat in these circumstances. The health and well-being of staff will be further compromised in such a toxic environment.

The PGA are clear that they are totally opposed to increasing overcrowding in prisons. Our members must not be put in a situation where they are told to hold more prisoners than it is safe to do so. This dangerous situation is due to reactive Government policy which has failed to ensure sufficient prison places for the demand they have created. The political rhetoric, rather than being tough on crime, has created a situation where further overcrowding will turn our prisons into little more than warehouses of despair, danger, and degradation, with staff refusing to work due to their health and safety being compromised. Government is failing both the people prisons hold and community they serve.