Quakers in Criminal Justice

Shining a Light in the Darkness



Newsletter 121, Autumn 2025

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Editorial

There is a wide range of topics in this edition, for which I thank our many contributors. Thanks too to Steve and Jonathan for their invaluable work in producing the Newsletters.

We start with an overview from our Clerk, as Parliament gears up for a new Sentencing Bill heralded as follows: *This landmark sentencing reform aims to ensure that prisons never run out of space again and delivers punishment that effectively reduces crime*.

Friends, please engage with our suggestions to mark Prisons Week 2025 – Oct 12-18 in England & Wales; Scotland follows with Nov 16-23.

An important article informs us how we can support the vital ministry of Quaker Prison Chaplains, to whom I always refer as our frontline workers. Find out who is offering this service in your AM.

Two items deal with the police, and we catch up with the campaign to improve life at HMP Wandsworth. Noel Staples takes us on a tour of past Penal Policy, which sheds light on where we are today – a topic picked up by current concerns regarding Electronic Monitoring, the role of Probation and our over-use of recalls to prison.

We will also read about developing a motion on Restorative Justice for Labour's Party Conference – could we do more with our local political parties?

In my time as Clerk, I was keen to have representation from N Ireland and Scotland within QICJ, and I am pleased that this is now established with regular Updates from both areas. It would be good to hear from anyone working in Wales' prisons.

You will be pleased to hear that QICJ's Welcoming Former Prisoners initiative goes from strength to strength, continuing to move beyond Quakers and now presented to the BYM Safeguarding Network.

Melanie Jameson, Editor

***Breaking news**: As I write this piece, David Lammy has just taken over at the Ministry of Justice. His long experience in this area of policy will stand him in good stead - remember the Lammy Review on the treatment of / outcomes for ethnic minorities in the CJS?*

2. A Message from our Clerk

QICJ is just over 40 years old, and although it has been a very successful group in terms of attracting, supporting and informing its members, the penal situation outside remains bleak. England & Wales are contemplating an unprecedented prisoner population of over 100,000 people per day by 2030. Scotland is at a similar breaking point in terms of prison capacity, and is spending close to an unprecedented £1billion to replace a decrepit HMP Barlinnie with the new, 2000-bed HMP Glasgow. England & Wales and Scotland still vie with each other to top the Western European league tables for prison use, just as they did when QICJ was first formed.

Independent authorities in both countries, notably the Prison (and, in England & Wales, Probation) Inspectorate, record declining levels of service for prisoners, under-resourcing, and intolerable strains on staff. Good people continue to do good work in some places, but as a rule the lingering presence of good people in bad or broken systems does not redeem those systems, or signify that 'one day' all will become well again. PACT's recent report, 'Picking up the Pieces', sums up the sombre experience of third sector and faith groups working in prison. See

https://www.prisonadvice.org.uk/advocacy/picking-up-the-pieces/

Both England & Wales and Scotland established Sentencing Reviews to identify cost-efficient ways out of a difficult, politically-induced situation. In the former, the Gauke Report has emphasised making Probation Services more punitive, with a much greater use of monitoring technologies in supervision, in the forlorn and frightening hope that this will make sentencers use prison less. Scotland's Review is due in December 2025. Interestingly, neither punishment nor technology have figured in its deliberations to date, and it has usefully asked its consultees to consider why earlier sensible, evidence-based and necessary reforms to the penal system have been proposed, time and again, for decades, and yet never implemented. The same urgent question could and *should* be asked of England & Wales.

Back in 2008, Scotland's impressive McLeish Report set out a clear road map to reduce the daily prison population from 7500 to 5000 over ten years, warning of dire consequences for communities, crime victims and taxpayers if new approaches were not soon set in place. And so it proved.

A little-cited line in the Gauke Report (p9) – somewhat at odds with its own recommendations – says the same to our generation: “The punitive approach of recent governments is fiscally unsustainable, but it is also not keeping the public safe.”

Friends, what can we say and do? William Penn once said of us, “They have a right to censure, who have a heart to help.” We remain good at helping: our humanitarian relief work will never cease to matter. But are our current forms of complaint censure enough? Our pacifist friend Albert Einstein may not actually have said “Insanity is doing the same thing over and over again and expecting different results”, but it is true all the same, especially for penal reformers, and especially now.

Mike Nellis

“Try to discern new growing points in social and economic life.

Seek to understand the causes of injustice, social unrest and fear.”



3. Prisons Week 2025

Melanie Jameson and **Simon Ewart** report on behalf of the QICJ committee

For nearly 50 years, during Prisons Week, we have been encouraged to hold in the light prisoners and their families, victims of crime and their communities, and those working or volunteering in the Criminal Justice System. QICJ also takes the opportunity of Prisons Week to highlight some aspect of prisons and ask our members to introduce this focus into their Meetings.

This year the Committee has a dual focus, which builds on the national message from the organising Churches. This is articulated as follows: 'Prisoners' Sunday (Oct 12) marks the first day of the ecumenical Prisons Week, a week of prayer which raises awareness of the issues faced by those affected by the criminal justice system. The theme this year is ***'Jesus looked at him and loved him' (Mark 10:21), and he looks at you and loves you too.'*** The message concludes with a plea that we would amplify: Ask yourself if there is one thing you as an individual, or as a church, can do to help any of the people for whom you are praying.

In Quaker terms, this brings to mind our frontline workers, the Quaker Prison Chaplains (QPCs), who have to cope with the challenges and frustrations of a difficult environment while providing encouragement and nurturing faith. So what can we do to support them? Firstly, we ask Friends to be sure they know who the QPCs are in their AM or LM. Is there anything they need that the Meeting can help with, in addition to our faithful holding them in the Light? Maybe readers could consider their own service, such as attending as a visitor in a prison worshipping group– a very worthwhile activity that I have now been doing for ten years. The Clerk to the QPC Committee describes in more detail what she would value from Friends in the following article.

Finally, I would like to use this annual event to draw your attention again to QICJ's initiative to welcome former prisoners into Meetings, taking safeguarding considerations into account. If you have not yet read it, do take a look at the 'Welcoming All' booklet, on our home page at www.qicj.org/ , which outlines the issues involved. Now that 'Welcoming All' has been presented to the BYM Safeguarding Network, this would be a good time to raise the issue with your LM and AM because the seeds of awareness are already sown.

The next step is joining the Churches/Meetings in the Welcome Directory who have already indicated that they are prepared to open their doors to people who have been worshipping inside prison and who long to join a worshiping group on

release. The Welcome Directory website proclaims a sign-up of '474 faith communities across 10 world faiths and counting!' See

www.welcomedirectory.org.uk/

To those who question whether QICJ is forgetting the victims of crime, we would say that helping prison leavers to integrate into communities is a proven way of reducing future victims – and the focus of the 2024 Swarthmore Lecture.

PLEASE NOTE in Scotland you have 'Prisoners Week' which runs from Nov 16-23, with the theme "Crossroads: What Next?". The week focuses on raising awareness and encouraging prayer for prisoners, their families, and those working within the justice system, emphasizing moments of choice, challenge, and change. You can find resources and information about this and the very interesting Prisoners Week Charter on the

Prisoners Week Scotland website – https://www.prisonersweek.org.uk/.

PRISONS WEEK
A WEEK OF PRAYER

"Bear witness to the humanity of all people, including those who break society's conventions or its laws."

WELCOMING ALL

The Discernment of the Quakers in Criminal Justice working group looking at Quaker Meetings & safely integrating former prisoners



The Welcome Directory

A Guide to
Welcoming Prison-Leavers
into Your Faith-Community



4. How can Quakers impact INSIDE our CJS?

***Emma Roberts**, Clerk to the Quaker Prison Chaplaincy Committee, presents ten practical ideas*

As a Quaker chaplain working in prisons every week, I am all too aware of the daily experiences of those involved in the criminal justice system, and I am grateful to QICJ in upholding and supporting us. While there is much analytical and policy work that can undoubtedly be impactful, our concern as Quaker Prison Chaplains (QPCs) is to walk alongside those who are involved with, and working within, the system. From this perspective, I would like to offer some thoughts about how members of QICJ can contribute in a highly impactful way to the workings of the criminal justice system.

Here are Ten Ideas for holding the criminal justice system in the Light and offering practical support:

1. Ask your existing prison chaplains to report on their current work, and offer them support. Sometimes prison chaplains do not get as much spiritual (or practical) support as they would like from Quaker Meetings – please check in with yours, and ask how they would like further support. Could they speak about their ministry after your Meeting for Worship? Would they value the spiritual support of an accompanying elder from the local meeting? Ensure they access confidential support where needed through the chaplaincy network. Your Meeting could also help by funding their attendance at the QPC conference each autumn.
2. Ask your existing chaplains if they would value the support of some local volunteers going in to help start a Quiet Group or Silence Inside – these are set up for 'all faiths and none' – as many of those who manage chaplains are open to the possibility. Reach out to the BYM chaplaincy officer, chaplaincy committee and network for support with this. There are monthly Zoom sessions available for chat and information. We can be contacted for support with any of these ideas via chaplainsupport@quaker.org.uk.
3. Wouldn't it be a great goal to have a Quaker chaplain in every prison? Contact each prison in your geographical area without any Quaker presence, and get in touch with the Managing Chaplain and offer support. Many of them will know about the impact that Quaker Chaplains and volunteers can make, but if not, let them know that Quakers have a very active chaplaincy and would be willing to come in and support the work that goes on in the prison chapel.

Can you simply make some phone calls, even if you are not able to visit a prison yourself? Again, Chaplaincy Support from Quakers in Britain will be able to help.

4. Ask what the prison chaplaincy needs, and how we might be able to help through an ongoing supportive relationship. A small fundraising effort in your local meeting may be enough to provide some basic items that would be helpful. Usually this is not uniquely a Quaker offering, but might be some cash towards a biscuits kitty for hospitality purposes, or providing some new mugs for the kitchen. Would they welcome and accept a subscription to The Friend which came direct to the prison chaplaincy?

5. Consider afresh how your local and area Quaker meetings can support prisons locally through chaplaincy and volunteering. Is there a newish regular member or attender who has not yet heard of this ministry, and may be interested? There are some new videos publicly available, which I have recorded on Quakerology (YouTube), about Becoming a New Quaker Prison Chaplain, and The Role of the Chaplaincy Volunteer, which may arouse their interest and provide a starting point: https://youtube.com/@quakerology?si=je8BiFY3wIDn2jcj

6. There are many prisons which run Alternatives to Violence programmes, either in person, or increasingly as a correspondence course. There is an ongoing need for this work. In addition, there is also a need to raise awareness and information about this resource, which has a proven track record. Perseverance is key in working with prisons, and progress will be slow but steady. Have faith and tenacity to work with the flow of what the managing chaplain's current needs are, and what might be the next small step.

7. Other ways to help practically within the prison system, depending on your expertise and interest, are to volunteer with the Independent Monitoring Board (IMB), Samaritans, Alcoholics Anonymous or other programmes that are supporting prisoners with issues of mental illness, addiction and recovery.

8. Speak up for prison chaplains, and raise awareness of our work and our contribution to Quaker spiritual practice and witness in the world. I don't see much mention of our work in Quaker publications and communications – do you? If you would like to know more about the tension between the role of chaplain, and political campaigning for prison reform, you can watch a video interview between Catherine Todd, our Faith Advisor to the prison service, and me, also on Quakerology (see 5 above).

9. Work with us in the Criminal Justice System – apply to be a prison officer, encourage young people in your meeting to consider a career in the prison system – in the Future Prison Leader Programme, with a Yr 3 salary of £62k. Prisons are very large workplaces, and I would like to encourage all Quakers of working age to consider making a real difference to the system by working inside it. Some in your meeting may be teachers, probation officers, administrators or tradespeople in various fields, and all of these are required roles within prisons.
10. Pray for us. I have recently begun recording my reflections on working in chaplaincy in the form of a 'thought for the day' on Sunday mornings. I invite you to listen to some of the stories and reflections of working spiritually with some of the most vulnerable members of our society. Think of us all as you listen and hold us in the Light.

As I am writing this in the chaplaincy office, a man is sobbing in the chapel next door as he grieves a sudden death in his family. The joys and sorrows of life happen here as much as elsewhere, but here, away from their home and community, the support and comfort come from the officers, civilian staff and the other prisoners. Chaplaincy is thought of as the heart of the prison for a reason. I must dash, I need to get that kettle on ...

Thank you all for your continued support.

Emma



" Live adventurously. When choices arise, do you take the way that offers the fullest opportunity for the use of your gifts in the service of God and the community? Let your life speak."

5. Spotlight on HMP Wandsworth

Liz Bridge *reports on the progress of the Wandsworth Prison Improvement Campaign.*

Our Wandsworth Prison Improvement Campaign has several issues going at once. There are about seven of us who are involved: a definite five, and then several people who help in and out with issues in which they are interested.

Recently we were invited in by the Governor's team to see the improvements in the prison – and certainly there are improvements: the rats and the smells have gone; the staff seemed more confident and cheerful; there is more emphasis on getting men out of their cells for several hours a day. Some staff are trying new projects: there is a Leavers' Lounge for men released as innocent or 'time served' who often go out with nothing but broken lives; there are plans for a unit for the neurodiverse; some work has been done to some showers, and the hot water is more reliable. The Governor badly wants support, and to some extent we offer it.

But I think we all doubt that life in the (sub-basement) cells of D wing (addicts) will be much improved for some time yet.

We have attended an inquest for a man called Jaswinder Singh who hanged himself within 12 days of arriving, despite being well known to be suicidal and in pain with fibromyalgia. He received *no* assessment from the mental health team, and had his pain relief reduced *without* any discussion. Officers were *supposed* to check him twice an hour and have meaningful conversations, but CCTV revealed that checks were *not* made, and false accounts of visits were recorded. He was twice found with a ligature, once set fire to his hair, and his wife phoned Safer Custody to warn them of his deteriorating state. He spent some time in a cell with no sink, and died in a cell described as 'squalid'. His emergency bell had been activated for about 30 minutes – and unanswered – before he was found.

Whilst that was in late 2023, it reveals abject failures in the system for the care of the suicidal and mentally ill, which are cultural. Health workers described him as a faker. Officers lied in the records, and simply failed to do essential checks. Managers *knew* that their officers couldn't cope with the workload, were demotivated and were lying. We are pressuring the Governor for more CCTV checks of ACCTs records to ensure there is a proper management trail. We are also pressing to improve the system where the NOMIS records kept by officers, the System One records kept by health staff, and the ACCT records themselves, are incomplete and not visible to everyone caring for a suicidal man. Cells need to be put out of use when their condition becomes unacceptable.

Our other major issue running with the Governor is the heat in the prison. Our prison is ventilated by glass roof lights, and these cannot be opened without cutting off the gas and power to the boilers as a fire protection measure. This means our roof lights are not opened in a heat wave, and men lie on the stone floors in their pants on wet towels on the fourth (top) floors. This is a problem which should be solvable and must be worked on. We had a man die of heat exhaustion on the fours in 2022 (in December!), and it needs work.

But there is also good news. The prison is accepting things donated by the Wandsworth Prison Welfare Trust, so we have sent in £500 of wind-up radios, £500 of felt tip pens, and £2000 of Rubik cubes and fiddle toys for the neurodiverse. We have agreed £1000 for new toys for the children's area in the visits hall, and we are working on a Christmas Appeal to provide new socks, pants, and track suit bottoms for anyone leaving who needs them. We have written to Lord Timpson about the cost of telephone calls, and also about spending limits and the prison attitude to the intermediaries who offer landline services to mobile phone users.

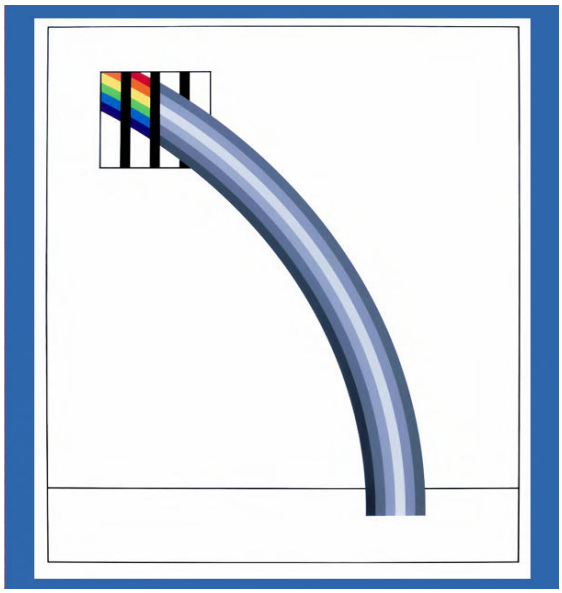
Please donate via www.wpwt.org.uk

Full details of our work on www.wandsworthprisoncampaign.co.uk



"Remember your responsibilities as a citizen for the conduct of local, national, and international affairs. Do not shrink from the time and effort your involvement may demand."

6. Scottish Quaker CJ Network



Pete Clarke *updates us on the range of activities undertaken by the Network*

The Scottish Quaker Community Justice Network (SQCJN) – note the subtle difference between Criminal Justice and Community Justice – which has been active for several years now, is made up of Friends from across Scotland who all share a concern or interest in criminal *and* community justice. It has a wide-ranging membership, from academic to practitioner. Some members *have* an academic background and interest in CJS, but of course this does not prevent those members *also* being (or having been) a practitioner. The many practitioners represent an even wider interest group, ranging from Quaker prison chaplaincy to JP to Restorative Justice practitioner.

With such a wide range of concerns and interests, it will come as no surprise that the Network is a lively debating forum. It meets online, on average once a month, and the agenda is generally decided by one of two things – ongoing activities, or concerns around contemporary issues. SQCJN is overseen by a working group of the Area Meeting, but its topics of concern remain with the Network.

Over its lifetime, SQCJN has responded to Scottish Government Consultations on a wide range of CJS issues including sentencing, prison reform and CJS focus. In this regard, the network also works with the Scottish Quaker Parliamentary Engagement Group. At the moment, the areas of concern of these groups do not closely match CJS, but it does not prevent us from acting as a key link to the Scottish Government. The Network has a core interest in raising awareness

among Friends in Scotland of issues within the CJS which are (or the Network thinks should be) a 'concern'. To this end SQCJN has held several face-to-face, online and hybrid events.

Recent Events

A trauma-based criminal justice approach

This event, held at Glasgow Meeting House and online, was initiated through SQCJN's concern for the often-brutalising nature of prisons and the apparent lack of attention to prisoners' traumatic life experiences. We included discussion on the trauma faced by prisoners' families before, during and after a prison sentence, with presentations and inputs from invited academics and Friends on the need for a trauma-based approach to imprisonment, and what form this may take – one example was the work of a Therapeutic Community. Most tellingly, it was agreed that all the traumatic approaches discussed required an environment that was based on care and love – which is sadly lacking, not only in the CJS, but in society as a whole.

The use of Restorative Justice

Drawing on Restorative Justice (RJ) practitioners and campaigners within SQCJN, this event was aimed at explaining and highlighting the work of, and need for, RJ approaches. Whilst RJ is presently victim-led and historically aimed at helping victims and their families to cope and 'make sense' of what has happened to them, the event noted the ways in which such an approach could also be used to engage offenders and the wider community in understanding and moving on from a harmful event in a positive way.

Prison Abolition

This contentious and often misunderstood subject led to interesting debate within SQCJN, culminating in a live-and-hybrid event held at Glasgow Meeting House. Academics and authors gave presentations, and held workshops at which the subject of prison abolition was examined and explained. Most of the Friends present agreed that prison was not a protection, rehabilitation or deterrence for any or all of society, and that too many vulnerable people are found in our prisons. Much discussion centred on the data which demonstrated the failure of imprisonment. We then considered the Canadian Friends Minute of some years past, which called for prison abolition (worth a read but too long for this article); opinions were expressed about the appropriateness of Quakers holding a view on prison abolition.

The most interesting discussions came around 'What could replace prisons?', where many models of non-custodial sentencing were described, and their strengths and weaknesses discussed. The overlap between Restorative Justice,

a trauma-based approach to sentencing, and prison abolition was clearly noted. Whilst many Friends remained concerned about a Quaker response to prison abolition, it was broadly agreed that prison should be reserved only for the most serious crimes and the most dangerous individuals.

I hope this very brief description of the concerns and actions of SQCJN has been informative of our work, and perhaps has stirred some reaction in the UK-wide QICJ. Implicit in this article is that Scotland exists in a different system of law and criminal justice to that of England & Wales and Northern Ireland, and that Scottish Quakers have different opportunities and limitations in their work and concerns. Nonetheless, we as Quakers share similar concerns arising from a society which many of us wish was more caring and based on the love of our fellows. The SQCJN is a forum which encourages open debate, is open to all Friends in Scotland and, when appropriate, engages with other organisations, individuals and of course politicians.

"Do you welcome the diversity of culture, language and expressions of faith in our yearly meeting and in the world community of Friends?

Seek to increase your understanding and to gain from this rich heritage and wide range of spiritual insights.

Uphold your own and other yearly meetings in your prayers."

SAVE THE DATE – QICJ CONFERENCE

Our 2026 Conference will be held at Hinsley Hall in Leeds from 20-22 March.

The theme will explore aspects of therapeutic care.

Booking forms will be circulated nearer the time.

We shall hear about art therapy, care for prison leavers and education opportunities, as well as the now popular Updates session.

7. Police Interviews of Vulnerable Suspects

Melanie Jameson *considers suspects with Dyslexia, Dyspraxia, ADHD, Dyscalculia and high-functioning Autism, which fall within the umbrella of 'Neurodivergence'*

What are the challenges of the police interview, and how will these interact with areas of difficulty now referred to as 'neurodivergence' (ND)? What guidance and provisions are in place to enable the police to pick up on ND behaviours, and not be misled?

Difficulties with fluent reading and writing are well documented in the case of Dyslexia. In the interview context, these would relate to the composition and checking of a statement. When the focus has been on grasping the import of, and responding to, questioning, there is little mental energy left for the all-important statement itself. Effort is diverted to spelling and handwriting, so does this written record reflect what the suspect intended to say? Have inaccuracies crept in relating to times, venues, sequences of events? Dictation may not be the solution if verbal fluency and accurate recall are also lacking.

The core skills of careful listening and speaking 'to the point' are also required to navigate a police interview. Inconsistency can undermine credibility, hesitations and misunderstandings may seem evasive. Coping with police questioning places heavy demands on working memory, particularly the ability to hold on to information while formulating a response. Simultaneously, the suspect must maintain concentration and block out distractions. A core problem arises for ND people who rely heavily on various items of technology in order to function – but must hand in phones and tablets before questioning. Denying them the use of these tools is essentially depriving them of disability aids.

The last in this list is stress, which exacerbates the individual's particular ND problems while dismantling their coping strategies. All these traits are symptomatic of the ND population in which I specialise, casting serious doubt on the validity of an Early Guilty plea. As the suspect struggles to cope with questioning, while experiencing mental overload and high levels of stress, anything that appears to shorten the process will seem attractive, regardless of innocence / guilt / partial guilt.

Police guidance and support options

It is to be hoped that neurodivergent suspects will come within the scope of the revised Function Test now integrated within PACE Codes of Practice. Criteria include: *Not understanding the significance of information, questions or replies; confusion; high levels of suggestibility, and tendency to compliance.*

This last item may be especially pertinent to people with Dyspraxia. Guidance in the PACE Code C states that the term 'communication' should be interpreted widely, and that the individual does not need to be suffering from a particular (mental) health condition in order to receive support. Appropriate Adults or Registered Intermediaries can be called in to assist in this vital area. The former, accredited by the National Appropriate Adult Network, and trained in the vulnerabilities and support needs of ND people, are best placed to provide support. The use of Registered Intermediaries is needed when the individual suffers from a higher threshold of communication impairment.

A health-care professional (HCP) may be called in, but they often lack training in the wider implications of ND – especially Dyslexia, which is seen as falling into the 'educational' rather than 'medical' sphere. Dyspraxia is often regarded as poor motor skills, rather than anxiety in unfamiliar situations, difficulty judging socially acceptable behaviour and in retrieving information. Speech may come out over-loud, and be mis-interpreted as 'aggression'.

Another human resource is the suspect's parents. They tend to be excluded from the CJ process when a suspect is over 18, but may often be the best placed to provide vital information.

Disability provisions and the Equality Act

How do Neurodivergence and Disadvantage link to the issue of disability? The 'protected characteristic' of Disability will often apply to ND people, as stated in this definition in the Equality Act 2010: A person has a disability if he (or she, of course) has a physical or mental impairment which has a substantial and long-term adverse effect on his ability to carry out normal day-to-day activities.' this terminology does not represent a 'best fit' for dyslexia and related conditions – the impairment would be better described as 'cognitive' rather than 'physical' or 'mental' (as in the definition)

Resources and Training

Government-supported research in 2005 concluded that almost 20% of prisoners sampled were affected by Dyslexia and related conditions, to the extent that learning and employment prospects were compromised. A similar proportion (1/5) will also relate to ND police suspects – many of whom will be unaware of the cause of their struggles. They would therefore *not* come within the provisions of the Equality Act 2010 as having the 'protected characteristic' of Disability which leads to the duty to make reasonable adjustments to remove barriers to participation. Foremost amongst appropriate reasonable adjustments is providing breaks to restore concentration.

I welcome new resources (such as the College of Policing's 2022 publication 'Neurodiversity: Glossary of Terms') and revisions to the PACE Code which place an obligation on the police to determine if someone is 'otherwise mentally vulnerable' *beyond* known diagnosed conditions. However, support for ND suspects, in the person of an Appropriate Adult or Registered Intermediary, is still not always requested or available.

There is no doubt in my mind that, until the police and HCPs receive comprehensive awareness of, and training in, Neurodiversity, and suspects are guaranteed access to trained support personnel, people with Dyslexia and related conditions will continue to be 'vulnerable' throughout criminal justice processes.

Note on terminology:

'Neurodiversity' describes the range of differences in individual brain function and behavioural traits, regarded as part of normal variation in the human population. 'Neurodivergence' is when someone differs from neurotypical (ordinary) people.



8. Membership Update

Jonathan Ranger reports on the state of our membership.

It may not yet be generally known that, since Mike Nellis has become Clerk, as Melanie Jameson has stood down after many years at the task, Simon Ewart has relinquished the job of Membership Secretary/Clerk to become Assistant Clerk of QICJ … and I have now taken over as full Membership Secretary – an appointment that will need to to be discerned/agreed at the AGM at our Conference in Leeds next March – See page 14, and get your bookings organised!

We have 186 Members and Meetings listed, and currently 9 'Extras' who receive or exchange publications and information. This includes 29 Local and Area Meetings, 6 Quaker Organisations, and 7 serving prisoners. We have gained 5 new Members since our last Spring Newsletter.

9. A Brief History of Penal Policy

Noel Staples *looks back over penal policy, tracing how we got where we are now.*

The history: Up to the 18th century, criminal law was vague and arbitrary, and harshly retributive, dominated by severe penalties and capital and corporal punishments. Due process in the form of effective legal safeguards against wrongful conviction was all but absent, while wide discretion in the hands of judges and the sovereign meant that the guilty were just as likely to go unpunished as the innocent were to be convicted and harshly punished. Such incarceration as there was, was in Bridewells or houses of correction, administered by local parishes or counties as there was no system of local government as we know it now. In the mid-18th century, there were circa 340 hanging offences, and transportation existed as a policy to get rid of the large numbers of offenders. By the late 18th to early 19th century the colonies began to reject the British judicial system's policy of exporting its rubbish, and a new solution had to be found – PRISONS! – and the early 19th century saw a massive shift from corporal to carceral punishment (Latin: carcer, a prison).

Penal theory: It was in 1764 that an Italian, Cesare Beccaria, published one of the most influential works of penal philosophy of all time, *Dei Delitti e delle Pene* (On Crimes and Punishments), in which he called for clarity in the law, and due process in criminal procedure, combined with certainty and regularity of punishment. There should be a definite fixed penalty for every offence, laid down in advance by legislature in a strict tariff. These penalties should be proportionate to the gravity of the offence, but as mild as possible in contrast to the 'useless prodigality of torments' which characterised the existing system. Once an offender was found guilty, however, the sentence should follow automatically; in the strict classicism of Beccaria, there was no room for clemency by way of pardons, reduction of sentences because of mitigating circumstances, or early release from punishment laid down. All people were to be treated as fully responsible for their own actions, including their own offences. Beccaria greatly influenced such English jurists as Romilly and Blackstone. The greatest impact of Beccarian criminology was, however, on the framing of codes of criminal law rather than on penal systems.

Benthamite neoclassical criminology: Jeremy Bentham, the utilitarian, was greatly influenced by Beccaria, but his philosophy of the greatest happiness for the greatest number led him to reductivist punishment (see item 15 below: ***Reductivism or Retributivism?***). Like Beccaria, he advocated clarity and due

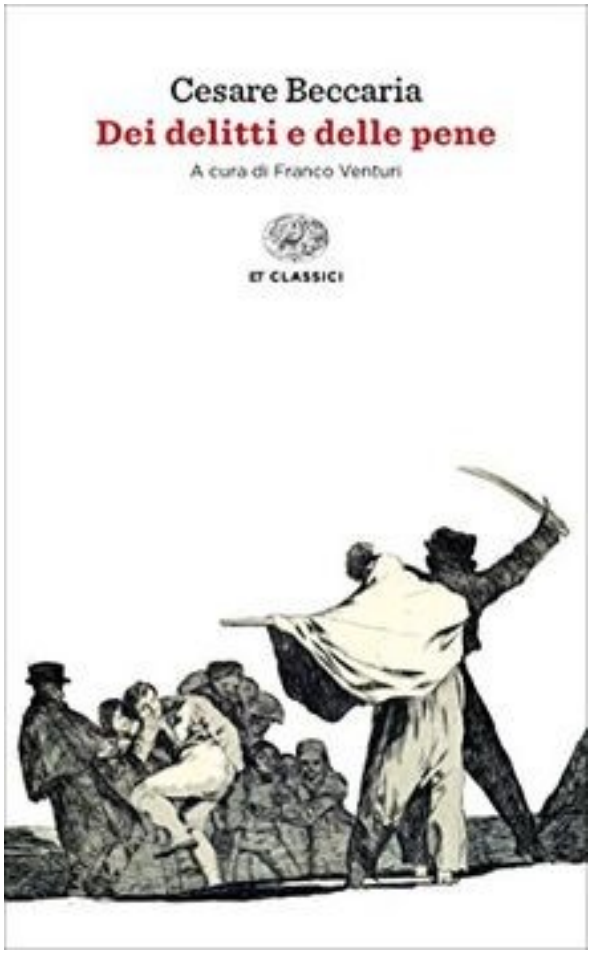
process in criminal law, a proportionate tariff of punishments, and said that punishment was justified on grounds of deterrence. He added, however, that the right kind of punishment should also be reforming - a reductivist aim. He proposed the Panopticon, where prisoners under constant surveillance were made to perform productive work in a consistent and regular manner to acquire rational work habits, to be continued after release. Unlike Beccarian total responsibility, Bentham saw criminals as having limited responsibility and rationality, and took account of mitigating circumstances like duress, infancy or insanity to reduce or even remove liability for punishment.

The other major influence on penal theory was also an Italian, Cesare Lombroso, whose book *L'Uomo Delinquente* (The Criminal Man) published in 1876 theorised that criminals were atavistic throwbacks to an earlier stage of evolution. More generally, criminological positivists like Lombroso believe in the doctrine of determinism – that humans, including criminals, have no free will, their actions being determined by some combination of biological and environmental causes. It follows that it is wrong to blame offenders for committing crimes. They simply cannot help it. Society, or their genes, or their upbringing, or some other cause, is to blame. The whole idea of punishment is therefore misguided; what needs to be done is to *cure* offenders of their criminal propensities by applying scientifically correct *treatment* as one would treat an illness. Within this *treatment model* there is (in the positivist's ideal world) little room for the seriousness of the offence to play a part in determining what should happen to offenders, since it is not a question of punishing someone for what they have done in the past, but of curing them for the future. A very minor offence could be a symptom of deep criminal propensity which requires long-term detention and painfully invasive treatment; or, on the other hand, a very serious offence such as murder could require very little in the way of treatment to cure the offender.

Much of what the Probation Service does is based on positivism, as is any rehabilitative attempt in prison. Indeterminate sentences spring from this approach, the principle being that it is necessary to see how the *treatment* goes in order to determine the length of sentence needed to effect a *cure*.

[The problem with current Indeterminate Sentences (IPPs) is that no treatment was laid down for that system, and so the accused have been detained in prison … indeterminately! Jonathan]

"Are you following Jesus' example of love in action?"



***A few notes**:*

Marquis Lombroso is regarded as 'the father of criminology', as he was among the first to study crime and criminals 'scientifically' – a change from previous ideas based on morals and religion. He gathered a 'Coffee House' group of friends into a literary society, who spent most of their time discussing reform of the criminal justice system! He theorised that criminals had recognisable physical traits and characteristics – but his research had no 'control group'. In 1913, Dr Charles Goring, a Medical Officer at HMP Parkhurst, repeated similar research with a control group, and found no such correlations, thus quashing accepted assumptions. Dangerous things, assumptions! Jonathan



"The Mock Trial" (1812) by Francis Greenway, illustrating a scene inside Bristol's Newgate Prison, with prisoners engaging in a mock trial, a seated figure acting as judge, surrounded by a makeshift jury, lawyers, and a defendant. A glimpse into English prison life during the late 18th century, before widespread reforms. Greenway, an English-Australian convict and architect, created this work based on his own experience awaiting trial for forgery in Newgate Prison. He was later transported to New South Wales, and became Australia's first Government Architect, designing notable structures like St James' Church and Hyde Park Barracks in Sydney.

10. Electronic Monitoring [EM]: What Will the House of Lords Say?

***Mike Nellis** describes his involvement in EM, looking ahead to its likely expansion*

My colleague, Professor Anthea Hucklesby from the University of Birmingham, and I were invited to give evidence on electronic monitoring ('tagging') to a closed session of the House of Lords Justice and Home Affairs Committee on Tuesday 15th July 2025. The Electronic Monitoring (EM) Service (currently contracted to Serco) is in disarray. Yet the Gauke Report on Sentencing Policy has proposed a vast expansion of EM, and the Ministry of Justice is openly canvassing more punitive uses of technology. The Committee wanted a preliminary discussion with Anthea and me about the ethics, practice and procurement of the three current EM technologies (curfew monitoring, satellite tracking and sobriety enforcement) before embarking on their upcoming enquiry into this.

Anthea started from the research base on EM, to which she has been a major contributor. I started from policy-making about EM, and particularly its relationship to policy regarding the Probation Service, which has been the main focus of my interest since I first wrote about tagging in 1991. If someone had told me then that EM would be the thing that would define my professional career as an academic penologist, I wouldn't have believed how it's turned out.

Like most people in social work and probation in the 1990s – and the then Quaker Penal Affairs Committee – I was deeply hostile to the idea of importing EM 'surveillance' from the USA, where it was first piloted. The first three articles I wrote on EM were all against it. I disliked the way EM was talked up by the Home Office as a stick with which to beat the allegedly 'lenient' Probation Service. I didn't want the future of community supervision to lie with a liberty-restricting technology, delivered by a privatised service, preferring human improvements to the 'care and control' traditionally practiced by the Probation Service.

But I changed my mind about the challenge EM posed in the mid-1990s. I realised that the Probation Service's unfairly dwindling public reputation would be further diminished if it resisted *on principle* all forms of technological modernisation. Surveys showed public opinion would tentatively accept EM as a cheaper but encouragingly controlling alternative to prison. I also met a family who were genuinely relieved when their young offender son was tagged and released early from a custodial sentence, and who appreciated his curfew restrictions. A Quaker Prison Chaplain at a QICJ conference told me a similar story, influentially.

But it was a chance encounter with a senior Home Office civil servant, Hugh Marriage, which clinched the shift. He challenged me to consider how any reasonable person – or the Probation Service – could oppose the tagging of sex offenders as a means of adding a layer of protection to the public, either as an alternative to prison or as a form of post-release supervision. I realised that such a proposition could not reasonably be rejected – now that such monitoring technology was available – and not only with sex offenders. From then on, I began arguing pragmatically that it would be better if probation's humanistic values were used to shape (and limit) the way EM developed.

For more than a decade, I diligently championed this, alongside others in probation and penal reform who had also concluded that as digital technologies were here to stay, accommodation was tactically more sensible than opposition. *Reader, it didn't work.* Close observation of successive government failure to make creative, evidence-informed use of EM to support rehabilitation and reduce prison use (which, without ever being a panacea, it might have done) has confirmed my fear that engrained official punitiveness will distort and demean any potentially progressive innovation, and that the tech industry will merely exploit the commercial potential of this.

No matter how ineffectively EM was used, no matter how badly the private contractors have performed since the turn of the 21st century, EM's official prestige has increased, and the Probation Service's has declined, all the while alongside an ever-rising prison population. The gist of what I told the House of Lords Justice Committee was that EM has never been used wisely or well in England and Wales, compared to other Western European countries, which makes current Ministry of Justice plans to use it even more extensively and more punitively all the more dispiriting. The Committee seemed attuned to this critique. I expect its report to tell the truth about EM's costly misuse, as earlier Inspectorate and Audit Reports have previously done – but not that the Ministry of Justice will take any notice.



Note from Editor: *As expected, the new Sentencing Bill refers to an 'expansion of Electronic Monitoring' supported by £100m of investment.*

11. Plain Speaking: The People's Tribunal on Police Killings

John Tranter *describes his on-going involvement in this little-known work, and challenges our commitment to plain speaking*



During the last 60 years, there have been 3,000 killings by police officers in the UK, but there have only been three successful prosecutions leading to police officers being convicted and imprisoned. This figure is one of the lowest in the world. The bereaved families have strived in vain for justice, while sustaining and gaining strength through mutual support, notably through the formation of the United Families & Friends Campaign.

Over the weekend of 5/6 April 2025, the bereaved came together to testify to an international panel at the People's Tribunal on Police Killings (PTPK). Their emotional statements were powerful and inspirational. The weekend had been in the making for over two years, and followed in the tradition of other people's tribunals first initiated by the Russell Tribunal in 1966, which examined US policy in Vietnam. The PTPK is supported by the United Families & Friends Campaign, Migrant Media, Black Lives Matter, and 4WardEver.

The purpose of the tribunal was set out in the welcoming address:

"The People's Tribunal on Police Killings calls on the ultimate reservoir of power – people worldwide – to hold the British state accountable, and demand justice for families. The People's Tribunal will create new realities for the future, reach out across the globe, and kindle hope. In the face of state denial, it is an act of resistance, a refusal to be silenced, a celebration of humanity, and an act of revolutionary love."

It is impossible within the constraints of a newsletter to provide a complete account of the background, the weekend and ongoing actions. Therefore, the following should be seen as an overview, with links to additional resources, rather than a comprehensive account.

From the outset, the term 'Police Killings' – that is, Killings by Police, not killings *of* police – was used by the tribunal rather than 'Deaths in Custody'. The reasoning resonates with the Quaker testimony of truth and plain speaking. The phrase 'Deaths in Custody' was partly rejected because the definition is too

narrow; it excludes those killed who have not been arrested, and those who had been sectioned or killed in car pursuits. The phrase also isolates the death within the confines of a single event; as such, any consideration of systematic processes that produce these violent, racist, and negligent deaths is ignored. Any 'lessons learnt' through enquiries and inquests necessarily accept the status quo, and ignore how the law, policing, prison and mental health services work within the context of the state. It is as if work on Climate Justice should ignore the context of colonialism and neoliberalism.

State-sponsored investigations, inquests, and trials act to disempower the families of those who died; the process is controlled by bodies such as the Independent Office for Police Conduct (IOPC) and the Crown Prosecution Service (CPS). The Tribunal was therefore the first opportunity for the bereaved to present their testimonies publicly, free of bureaucratic censorship, drawing attention to those aspects they felt were essential to be known. Whilst the two days of hearings from expert witnesses and families were structured around the themes of torture, language, terror, state-cover-up and Black resistance, any of the cases presented could easily have fitted into any one of the themes.

For the first time, the cases were all heard together rather than in isolation; this felt like an affirming process. The overlap and similarities of each case were powerful, from the accounts of police violence, mismanagement of evidence, and the terrorising of families by the police when they dared to challenge the official account, to the collusion of the CPS with the police. The picture that resulted was one of ongoing systematic police violence; these were not one-off deaths because of inadequate processes or individual rotten apples. The killings were a result of a system that has made police killing routine, and left those responsible at every level unaccountable. The session on Black resistance celebrated the power of individuals and communities in combating injustice.

We were reminded that the weekend did not mark the end of the Tribunal. For the families and those who supported them, this marked a beginning. Given the weight of evidence, plans are being made to bring class actions in the UK, and to hold the British State accountable through the mechanisms of the International Criminal Court and the United Nations. Recognising the interconnectedness of policing with incarceration and mental health services, further People's Tribunals are being organised.

What questions does this present for us as Quakers? Do we need to challenge ourselves in the language we use? Do the words we accept and use without a second thought reinforce systems of injustice, making us complicit in them? Should we not also be speaking plainly, and naming police killings for what they are?

In March 2023, John Tranter responded to a call for researchers to write up cases and assist with the organisation of the Tribunal. He continues to be involved.

Further resources:

Video of the Tribunal sessions is available on YouTube:

Day 1: https://www.youtube.com/live/rVzkVcSjGcc?feature=shared

Day 2: https://www.youtube.com/live/ZC1rrIn4iIU?feature=shared

'Defiance' by Janet Alder is a powerful account of her fight for justice for her brother Christopher, whose killing exemplifies themes common to all.

The Peoples Tribunal Instagram (with links to further resources in their bio): https://www.instagram.com/thepeoplestribunal?utm_source=ig_web_button_share_sheet&igsh=ZDNlZDc0MzIxNw==

The 25th anniversary annual procession of United Families & Friends Campaign, together with INQUEST, takes place on Saturday 25 October, starting 12 noon from Trafalgar Square, London – and at Bute House, Edinburgh, the First Minister's Official Residence. Members and/or other fFriends might like to get more involved with the issues raised here about state violence in police custody, prisons, psychiatric hospitals and immigration detention. Some members might remember that, at our last conference at Hinsley Hall, we covered the racist murder by police of David Oluwale in 1969 in Leeds. Over 200 people in custody in Scotland 'die' every year. 342 people died in custody in Britain last year, 10% more than 2023. Since 1990, in England and Wales, 1,936 people have died during and following police contact.
The UFFC email is: contactuffc@gmail.com
Inquest is at: https://www.inquest.org.uk



"Are you honest and truthful in all you say and do?

Do you maintain strict integrity in business transactions and in your dealings with individuals and organisations?"

12. Developing a Motion on Restorative Justice

***Tim Newell** with his local Labour Party branch advocate for Restorative Justice*

There are calls on the Government to restore confidence in public affairs. One of the most obvious failing institutions of state is our justice system, with inordinate delays in resolving prosecutions, prisons that cannot manage the population sent to them and a Probation Service recovering from government structural and ideological changes. Our local branch of the Labour Party has been advocating Restorative Justice (RJ) approaches to crime for many years, and had put motions to Party Conference in the past. We are about to do it again with a motion to introduce restorative approaches to sentencing in the adult system. To recap:

What is RJ?

- A way of approaching crime and conflict which seeks to repair harm and restore right relationships by bringing those affected into communication with each other to explore positive ways forward.
- RJ is creatively and imaginatively dealing with crime, as shown by research, funded by the last Labour Government, to reduce reoffending, improve the satisfaction of victims and bring about long-term cost savings.

Why have a motion on RJ?

- The Labour Party has a historic commitment to social justice. Restorative approaches demonstrate that commitment to a more harmonious society.
- To bring about a more restorative culture in politics and wider society through public education, development of public policy across government and to propose specific measures to reduce reoffending and help victims.
- To restore our country after the damage done by the Tories and the ugly political culture that has emerged from their time in office.
- To ensure that our justice system refocuses on the repair of harm and the restoration of broken relationships after the damage done by crime.
- To build on the work of the last Labour Government which transformed the Youth Justice system and REDUCED the number of young people in custody which at 430 in 2024 is the lowest number on record.
- RJ is being used effectively in schools, care settings and mental health. However, in criminal justice the provision is scandalously patchy, and access is difficult for those who want to take part, both victims and offenders.

What is our Labour Government doing?

- Seeking to find ways to prevent the growth of the prison population and promote more effective approaches to rehabilitation.
- Restoring the Probation Service after its demolition by the failed Grayling privatisation, by increased funding (£700 million) and the recruitment of more probation staff.

But we can do more - and what?

- Take the learning from our success with Youth Justice, and apply it to the crisis-ridden adult justice system. We know from research that RJ works even better with adults than young people.
- Develop an action plan to take RJ forward over the next 3 years, to include:
    - Commencing an education programme to inform the public and public bodies about the social and community benefits of RJ across criminal justice, health, education and housing.
    - Improving access to RJ for victims by ensuring that Police & Crime Commissioners (PCCs) properly fund and promote RJ services on websites and provide information on RJ to those affected by crime.
    - Removing barriers to the delivery of RJ by reducing bureaucracy and speeding up assessment and approval processes within the Prison and Probation systems.

In summary:

- Restorative approaches bring hope to an otherwise bleak criminal justice system. What Labour did for young people during its last period in office, it must now achieve in the adult justice system by using RJ.

Wish us well, Comrades!
Tim

"In what ways are you involved in the work of reconciliation between individuals, groups and nations?"



13. Building Pathways of Hope: Quaker Connections, N Ireland

***Kate Russell**, Volunteer and Development Manager of Quaker Connections, updates us on their work in Northern Ireland*

The past year has been one of steady growth, strengthened partnerships, and renewed commitment within Quaker Connections to support those navigating life in and beyond prison. Between March 2024 and April 2025, we expanded our volunteer base, delivered frontline services across Northern Ireland's prisons, and created renewed opportunities for community reintegration and hope.

Volunteers at the Heart

At the centre of our work are our volunteers, whose dedication makes every aspect of our service possible. This year we sustained a team of active volunteers, whilst offering an enhanced induction incorporating in-house training for befriending and Circles of Support and Accountability (CoSA), alongside guided prison tours tailored to each site. Together, this team delivered vital one-to-one support and group programmes in three of Northern Ireland's prisons, ensuring a consistent presence for those we walk alongside.

Supporting Reintegration

Our work continues to focus on strengthening pre-release support, with particular emphasis on providing post-release Circles (CoSA) for individuals facing the challenges of release after lengthy sentences. While setbacks such as recalls have sometimes disrupted reintegration journeys, our volunteers have remained steadfast – offering stability, encouragement, and a reminder that no-one has to face these transitions alone.

Partnerships as Cornerstones

Collaboration has been central to progress this year. Our ongoing partnership with the Probation Board for Northern Ireland (PBNI) has flourished, most visibly in the Intensive Support Unit where horticulture and cooking projects have been delivered. These hands-on initiatives foster teamwork, resilience, and useful transferable skills – helping participants establish sound friendships and progress toward employment as well as key personal milestones.

The Power of Stories

The impact of our work is best shown through the journeys of those we support.

One young man (among too many) entered prison isolated, without visits or family support. Through Quaker Connections, he was introduced to a Befriender who offered steady encouragement and companionship. Over time, his confidence grew, and he embraced the Making Correct Moves programme – a peer-led Alternative to Violence Programme – where he not only thrived but went on to serve as a peer mentor for others.

Upon release, this young man was supported further by Quaker Connections, Probation Services, and a local church where he began volunteer work. Within months, he secured full-time employment with a building company. Today, he continues to remain grounded in his community, building a stable and hopeful future. His journey reflects the transformative power of trust, opportunity, and *consistent* support.

Consolidation and the Road Ahead

This year has been one of consolidation and forward planning. We have strengthened volunteer systems, broadened our strategic partnerships, and deepened our commitment to person-centred support. Challenges remain – particularly in sustaining volunteer numbers and meeting increasing demand – but our values of inclusivity, resilience, and collaboration keep us steady.

As we move into the year ahead, Quaker Connections reaffirms its dedication to standing alongside individuals in prison and the community. Together, we will continue building pathways of hope – walking beside people as they rebuild their lives, nurture their relationships, and reclaim a sense of dignity and belonging.

Circles of Support and Accountability

Preventing Further Victims



PBNI Probation Board for Northern Ireland

"In worship together, we can find the assurance of God's love and the strength to go on with renewed courage."

14. Probation's Crucial Role in the Evolving Criminal Justice System

Mike Nellis *reports on the 27th Bill McWilliams Memorial Lecture by Lord Timpson (Minister for Prisons, Parole & Probation), on his vision for the Probation Service*

For many years, our Friend Adrian Smith has diligently reported on the annual Bill McWilliams Memorial Lecture in the QICJ Newsletter, but this time was unfortunately prevented by ill health. I stood in for him this year for a poignant, personal reason: Brenda McWilliams, Bill's widow, with whom I co-founded this lecture series 27 years ago, had died just a few weeks before. This was the first lecture at which she was not personally present, and the lecture series' very loyal following missed her greatly.

The present Memorial Lecture Committee had done well to persuade Lord James Timpson to relax his schedule at the Ministry of Justice and contribute to this now prestigious lecture series. He used the occasion to affirm the government's newfound conviction that the Probation Service is vital to any strategy for reducing England and Wales' reliance on imprisonment. He admitted that successive governments had under-appreciated and under-resourced Probation, roundly condemning the ill-conceived attempt at privatising it a decade ago, from which it has not yet recovered. "An unforgivable failure", he called it, which will take "many years to fix".

Timpson is not the first businessman to take up a government post, but he has better credentials than most for this particular job. His family firm has regularly employed ex-prisoners and immediately before his present appointment he chaired the Prison Reform Trust. He was at first daunted by the new job, he conceded, but, one year in, he feels inspired by the possibilities opening up for the Probation Service.

"Probation," he said, "has been prison's poor relation, and this must change," adding that "prisons and probation are actually two sides of the same coin," the coin in this instance being public protection and the reduction of reoffending. The late Bill McWilliams had a more morally exalted view of Probation's purpose, emphasising the *primacy* of rehabilitation and attention to the problems of people living in poverty: he would never have seen it as the community arm of a punitive custodial service. To give Lord Timpson his due, he toyed with the idea of linking Probation back to social work, and of returning it to local community roots; he saw some sense in encouraging both, but was ultimately not keen on

further disruptive organisational change. He suggested that "leadership" and "succession planning" were more important to steer the Service out of crisis and into its new role as "the quiet engine of our criminal justice system."

He disputed, when asked, that the problem of retaining new probation staff was any greater than "in other industries", hoping that "cultural change" to make Probation work more attractive, and using retired staff to mentor new officers, would resolve the issue. However, the last fifteen minutes of Lord Timpson's lecture were given over to the Ministry of Justice's 'party line' on the upcoming technological solutions to the penal crisis. These were mapped out in David Gauke's Independent Sentencing Review, and followed through with roundtables and an 'innovation den' with tech entrepreneurs, whose ideas Timpson liked. "We can't afford not to invest in technology," he said. He seems a true believer in using AI tools for achieving greater efficiency in back-room probation processes, and for improving the all-important task of risk assessment – plus digital assistants to optimise each officer's performance, increasing data collection, and using more advanced forms of electronic monitoring (EM – 'tagging') on a much larger scale than hitherto. He endorsed Bill Gates' ominous observation that modern societies overestimate what new technologies can accomplish in a year, but underestimate what can be achieved in ten years.

None of this actually bodes well for the kind of future Probation Service that Timpson claims to want. It was difficult to work out, from his lecture, how official expectations of greater punitiveness, and of greater use of technology, would leave room for the kind of social work that Timpson is temperamentally committed to. Gauke's Review pointedly alluded to the difficulty of introducing more high-tech interventions into the Probation Service when its existing digital infrastructure has not been upgraded since at least the turn of the century. Rumour has it that this is a larger, and more costly, problem than the MoJ cares to admit, so the future that Timpson anticipates may be less imminent than he implied. But it ***is*** coming.



"Are you working to bring about a just and compassionate society which allows everyone to develop their capacities and fosters the desire to serve?"

15. Reductivism or Retributivism?

***Noel Staples** considers the meaning behind these two terms within Criminal Justice policy*

As a society, we have never had any really workable or coherent penal policy, but have passed through phases of **reductivism** (punishment *reduces the incidence of crime* through deterrence, reformation, and pure incapacitation because of being locked up) and **retributivism** (punishment is *deserved* by the offender).

Garland and Young note that:
"deterrence and reform were joint aims which were advocated simultaneously and coherently as early as Jeremy Bentham (1748-1832) and the 1779 Prison Act; British penology and penal policy have continually oscillated between the two, at one time privileging one, at another time the other."

At present the CJS remains largely retributivist – with Labour still 'tough on crime' and sadly neglecting 'the causes of crime'.

REDUCTIVISM

Reductivism is essentially *forward-looking,* seeking to justify punishment by its alleged *future consequences:* i.e. crime will be reduced by **Deterrence** which can be Individual and/or General. **Reform**, **Rehabilitation** and **Incapacitation** also have this forward-looking orientation.

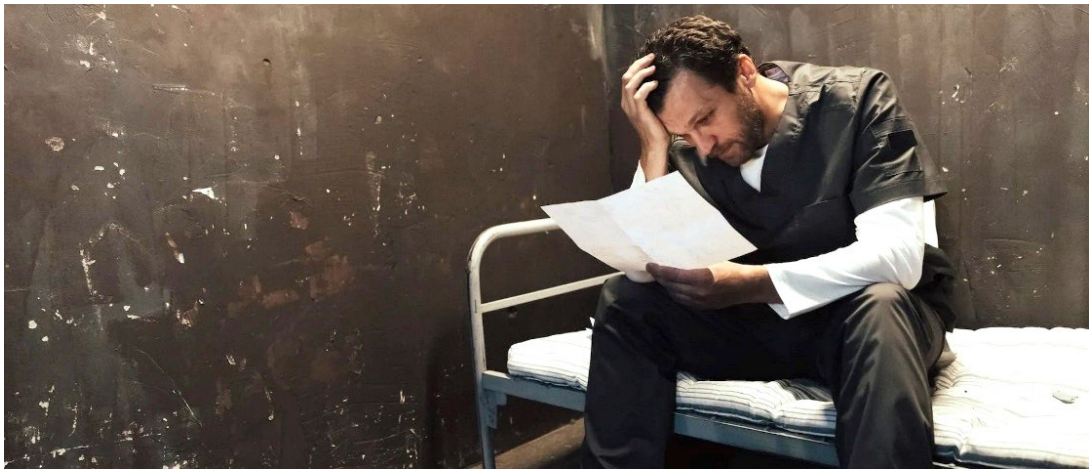
Individual Deterrence: punish someone for offending, and they will be deterred from re-offending by fear of the punishment. If individual deterrence worked, you would expect the introduction of new harsher penalties to reduce recidivism. The *short sharp shock* sentence of the early 80s was supposed to do this, but made no difference. There is some evidence that deterrence does work, but there are also anti-deterrent effects of punishment known as labelling effects. Catching and punishing offenders 'labels' them and stigmatizes them as criminals, making it more difficult for them to get jobs and conform to law-abiding life in future. Prison are schools of crime (as are bail hostels!); Self-image may change from law-abiding to deviant. Harsh punishment fosters tough 'macho' criminal self-images in the young males who predominate in criminal statistics.

General Deterrence: *pour encourager les autres*: i.e. punishing the individual, plus expecting the fear of detection to deter other people. In WW2, the Germans deported the entire Danish police force for several months, and found that the recorded rates of theft rose spectacularly (though not sexual offences). If on the spot execution were introduced for parking on double yellow lines, there might

well be a significant reduction in illegal parking. Short of such extreme situations, there is little evidence that the punishment inflicted affects recidivism. In Birmingham in 1973, a young mugger got a draconian 20 years, but the incidence of mugging was unaffected there or elsewhere, despite enormous publicity.

Reform: or rehabilitation, is the idea that punishment can reduce the incidence of crime by taking a form which will improve the offender's character or behaviour and make him less likely to offend again. There is little evidence that 'treatment models' or other rehabilitative programs reduce recidivism – unless the ex-offender *wants* to stop. At present the so-called Intensive Intermediate Treatment programmes, such as are run by the Probation Service, meet with interest rather than scepticism. This approach does not deny the offender's free will, but rather attempts to appeal to it by showing offenders the consequences and social unacceptability of their offending. At best it seems to be *worth trying.*

Incapacitation: simply means the offender is prevented from re-offending by the punishment imposed either temporarily or permanently. Capital punishment is obvious, disqualification from driving for drink drivers, attendance centres for football hooligans and so on. Imprisonment stops burglars as long as they remain locked up.



RETRIBUTIVISM

The retributivist principle – that wrongdoers should be punished because they deserve it – is backward-looking to the *offence* which deserves punishment. Retributivism somehow claims that two wrongs can make a right. *Just deserts* is the notion that the punishment can in some way be made to measure up to the crime, and retributivists try to invent *tariffs* in which punishments of varying severity are matched to crimes of differing seriousness. Sometimes retributivists combine with reductivists to produce a sort of hybrid theory that punishment is only justified if it is both deserved *and* likely to have deterrent effects.

Retributivists embrace the fundamental principle of justice: that *like cases should be treated alike.* Under the retributivist principal, offenders have the right to go free once they have paid their debt to society – whether or not they have (been) reformed.

But there are three problem areas with retributivism: moral, operational and the fact that we have an unjust society. Whereas reductivism can be morally based in Benthamite utilitarianism (the pain of punishment for the offender is justified if the greater happiness of society is achieved by a reduction in crime), it is hard to find a moral ground for retributivism. It may accord with some of our moral gut reactions, which seem to tell us that wrongdoers should be made to suffer. But maybe these reactions are merely irrational vindictive emotions (akin to vengeance) which we ought morally to curb rather than indulge.

It is also not immediately clear how the retributivist principle relates to any general notion of what is right or wrong. In operational terms: (a) how do you measure degree of harm created by an offence, (b) how do you measure an offender's culpability, and (c) how do you relate seriousness to the offence? There can be no measure of harm in a criminal act which is universal – so the retributivist cannot match punishment to harm done. So how is the retributivist going to achieve justice?



"Our responsibilities to God and our neighbour may involve us in taking unpopular stands. Do not let the desire to be sociable, or the fear of seeming peculiar, determine your decisions."

16. The QICJ Justice Interest Group & Recalls

Melanie Jameson *updates us on the activities of the working group within QICJ*

Limited capacity and workload have reduced the activity of the Justice Interest Group (JIG) in recent months. However, we are maintaining a focus on Recalls. To this end, I studied Hansard records of recent debates, one in the House of Commons and the other in the Grand Committee of the House of Lords, on the mandatory use of Fixed Term Recalls via a (draft) Statutory Instrument (SI).

Lord Timpson (Minister for Prisons, Probation & Parole) opened the latter debate by declaring that the recall population had more than doubled since 2018, from 6,000 to 13,600 prisoners in March 2025, without a corresponding growth in offending rates. Since this now equates to around a sixth of the prison population, it is astonishing to me that it has not been addressed before, in the light of the ongoing prison overcrowding crisis.

But a decrease in recalls means a heavier Probation caseload, to which Lord Timpson responded by outlining plans "to rebuild the Probation Service's capacity" by increasing funding by around 45% by the final year of the current spending review. Three Lords then made similar points, namely: in the case of offenders who commit a minor breach of their licence and have not been sentenced for a violent offence, there is a *compelling* case for *not* recalling them *at all*—there are other means of dealing with them through the Probation Service. They concluded with: "Why can we not get on with that?"

Elsewhere the SI was dismissed as "a stopgap, a thumb in the hole in the dam." Our attention, like that of the Lords, must move to current legislation: i.e. the Sentencing Bill (which has already reached the Committee Stage in the House of Commons, and is expected to continue to progress rapidly), and the place of Recalls within its scope. In this, the Justice Interest Group is encouraged by joining a coalition convened by the small charity Switchback, comprised of charities and practitioners interested in this area. These include the Prison Reform Trust, NACRO, Revolving Doors, Catch 22, Justice, Advance (women in the CJS) and, for the last two meetings, QICJ. See https://switchback.org.uk/ for their initial Report. After the party conferences, we shall submit a joint briefing paper.

The coalition meets regularly on-line to further our collective endeavour, which consists of two main strategies: (1) Using contacts amongst MPs and the Lords to propose amendments to the new Bill, probably once it reaches the Lords; and (2) making contact with Lord Timpson. Only yesterday we shared that the latter aim

has been initiated, with news of the formation of a Working Group on Recall to be set up by Lord Timpson, which will run alongside the Bill. We also noted that Recall – barely mentioned in the Bill – could be reformed using secondary legislation … which means that there will be less (if any) debate.

Four members of the Justice Interest Group have already shared their thoughts on various aspects of Recall. **Tim Newell** commented on "the collapse of supervisory relationships over the past decade, and the current state of the Probation Service (or after-care service as it was known). The emphasis is now on control rather than care." He continued: "Prisons are lacking in pre-release work, something which used to happen with special courses and even special prisons preparing people for release."

Mike Nellis remembered a time when "only a new offence was likely to get you recalled … Probation Officers had the relational skills and motivation to hold on to people without recourse to breach … There were more community resources with which people could be linked." He blamed the shift from rehabilitation to "punishment in the community". Mike then listed the effects of "an untrammelled punitive philosophy in which compliance is all."

- Overstretched staff and too few community resources.
- Inexperienced staff without the relational skills to hold on to difficult people, or people in difficult situations (and limited incentive to develop them).
- An incentive to breach people and see them recalled to prison because it is one less drain on probation's scarce resources and overstretched caseloads.

Mike also referred us to the late lamented Martin Wright, who had foreseen this problem with punitiveness: If someone fails to comply with a lesser punishment, what's the answer? Obviously, a more severe punishment. This approach merely requires escalating the pain, step by step, until someone does as they are required.

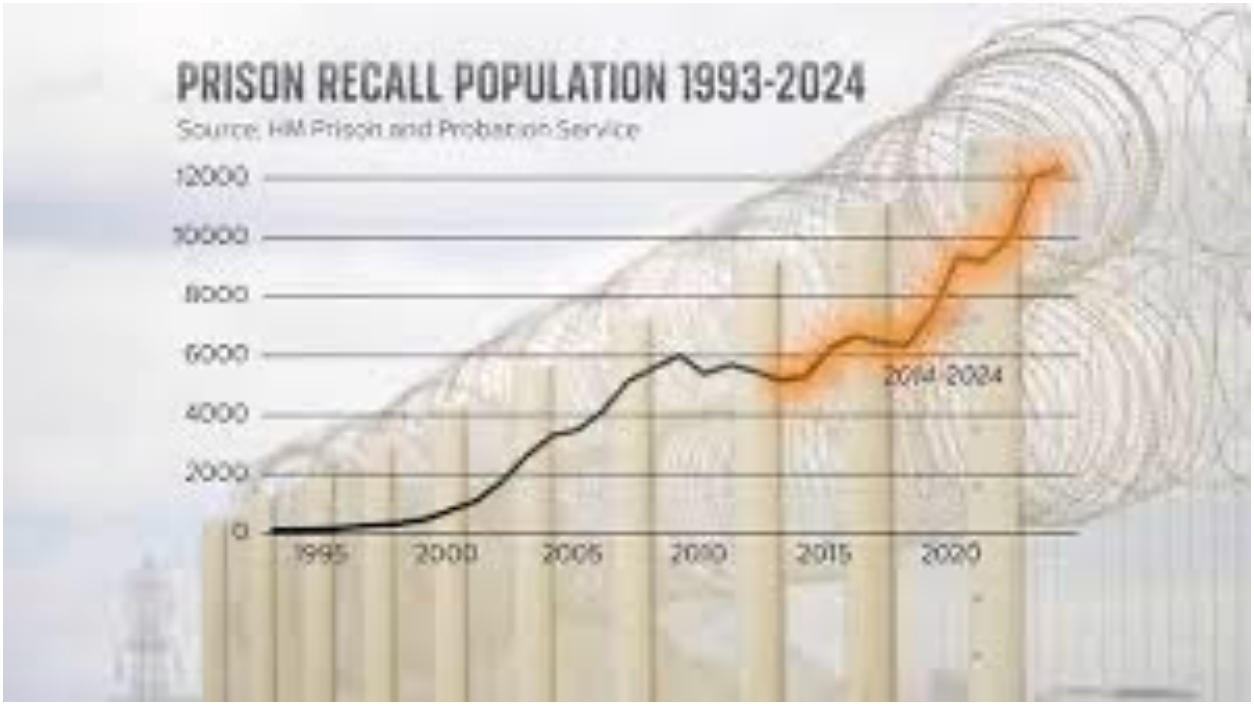
My contribution to this debate has been the article I wrote for the last newsletter, flagging up the likely role of an algorithmic tool, the Effective Proposal Framework (EPF), developed by Probation. In addition to helping with Pre-Sentence reports, it is used (crucially) to generate licence conditions, which may be over-complicated and hard to comply with for those living chaotic, unsettled and impoverished lives. A further concern of mine is the lack of planning for 're-release' when someone has a Fixed Term Recall, which will have disrupted their earlier resettlement activities.

Marian Liebmann, a former Probation Officer, recalled: "The one time I took someone back to court for not keeping appointments, it turned out she was fleeing from domestic violence and had no way of getting in touch. But the court didn't send her to prison or treat her harshly – she was given a small fine and asked to make sure she let me know in any future difficulty." Marian felt that it should be easy enough to adjust the technical bar of the EPF so that it no longer kicks in so early. And it is a human rights issue – people should not be penalised for things that are not their fault (as too often happens currently).

CLINKS calls for: "a more effective data-collection process to better understand the factors driving recalls to prison; intensive support immediately following release, in order to *avoid* recalls; and a 'suspended recall' process."

I see, from information that is now becoming available concerning the new Sentencing Bill, that it will amend recall for Standard Determinate Sentences, lengthening the fixed-term recall period to 56 days, followed by automatic release (except for 'excluded offences'). This drops to 28 days for people serving less than four years (already in place). It is typical that even a measure that appears positive in this Bill, 'the progression model' which recognises the absence of bad behaviour, is couched in negative terms, with the stress on risk of recall.

I shall report back on the Recall coalition's progress and JIG's participation, in the next newsletter.



"When decisions have to be made, are you ready to join with others in seeking clearness, asking for God's guidance and offering counsel to one another?"

17. Healing with The Prison Phoenix Trust

QICJ works with the Prison Phoenix Trust to enhance our conferences and improve our understanding of the positive interventions of yoga and meditation

The power of yoga to heal – by the Prison Phoenix Trust

WHAT IS TRAUMA?

"Trauma is an event or series of events outside of the range of 'usual' human experience, which threatens the physical and emotional safety of self or others" (Ashley Macdonald, trauma specialist and prison yoga teacher)

Yoga teachers who train with The Prison Phoenix Trust (PPT) learn that in all prison classes there will be high levels of trauma in their students. But they also learn how a trauma-sensitive approach to yoga that prioritises safety, choice and agency has a powerful role to play in supporting healing and resilience.

A trauma-responsive approach to yoga is required in all secure settings. It offers a powerful set of tools to help the process of healing from trauma. We have an opportunity to:

- share practices that enable our students to self-regulate the nervous system
- help our students begin to feel safe and at home in their own bodies and relationships
- model boundaried relationships of trust and respect
- help our students feel confidence and self-worth

Trauma in prison

- 24% of men have post-traumatic stress disorder (PTSD)
- 40% of men in prison and 50% of women witnessed violence in their childhood home
- 27% of men and 53% of women survived physical, sexual or emotional abuse in childhood
- 80% of women in Scottish prisons have brain injury from violence

18. Prison Advice & Care Trust (PACT)

Jonathan Ranger *updates us on the work of PACT*

PACT CEO Andy Keen Downs CBE says of the Sentencing Bill, "The measures are sensible, much needed, and follow the evidence about what works to reduce reoffending. For too long, the whole system has been driven by a 'tough on crime' political narrative that prioritises punitive measures over those proven to promote rehabilitation. This failed approach has brought the criminal justice system to its knees. Abolishing most short sentences is the right thing to do. All the evidence shows that robust community sentences with treatment requirements are more effective at reducing reoffending than a short stay in prison."

"We also have serious reservations about publishing the names and photos of people on unpaid work orders. Publicly naming and shaming isn't a constructive way to rehabilitate people who have committed a crime. It would also lead to further stigma for their families and children."

*"*Last year, we delivered 1-to-1 casework to 3,168 people in prison, supporting them in areas such as family and relationships, mental health, and attitudes, thinking, and behaviours, helping them rebuild their lives and relationships so they can make a fresh start."

"**Do you know or support** a young person aged 16-19 who's had a parent in prison? We are offering a flexible, paid Youth Ambassador role for young people who have been affected by parental imprisonment. It's a fantastic opportunity for young people who want to share their story, speak up, and make things better for others in similar circumstances, to influence change based on what they tell us is important. By sharing experiences and discussing what worked for them, or what support they wish they'd had, they'll be ensuring future children of prisoners get the support they need. Our ambassadors will need to commit to 2 hours a month for around 6 months, combining this with other employment or education.

"PACT's vision is of a society in which justice is understood as a process of restoration and healing, in which prisons are used sparingly and as places of learning and rehabilitation, in which the innate dignity and worth of every human being is valued. We work for the common good of Society, taking a public-health-based approach. We work at the intersection of criminal justice, child and family welfare, mental health, wellbeing provision and health & social care. Around 43% of schools don't know when a child has a parent in prison – yet the impact on learning, mental health and wellbeing can be huge."

Please send articles for future newsletters to
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"Be patterns, be examples in all countries, places, islands, nations,
wherever you come, that your carriage and life may
preach among all sorts of people, and to them;
then you will come to walk cheerfully over the world,
answering that of God in everyone."