

## Freeing the prisoners

*Social Issues briefing #082, 16/09/2009.*

The Spirit of the Lord is on me, because he has anointed me to preach good news to the poor. He has sent me to proclaim freedom for the prisoners and recovery of sight for the blind, to release the oppressed, to proclaim the year of the Lord's favour.

– Jesus (Luke 4:18-19)

This may surprise you – but many consider it a bit cheeky to use Luke 4:18 in a discussion about prisoners.

But let us dream a crazy dream for a moment. Wouldn't it be amazing if in jails across Australia, every prisoner could be freed in Jesus' way? Imagine them all discovering 'the Lord's favour'. Imagine them becoming 'free' in the deepest sense: free of what drove them to crime; free to be loved by God; freed in turn to love him and to serve others. Imagine them finding the kind of inner freedom that meant they did not need to be jailed any more.

It is cheeky, though, to borrow Jesus' words because the kinds of 'prisoner' he spoke of were not exactly the same as modern prisoners. He spoke of people like John the Baptist – those thrown into dungeons by despots who did not like to be challenged. In contrast, we imprison people in an attempt to justly punish them for crime. Our prisons were invented as an attempt to punish more mercifully than in days past (when people were flogged, deported, or killed).

So technically, prisoners in the New Testament are not quite the same as ours. When the author to the Hebrews says 'Remember the prisoners, as though you were in prison with them, and the mistreated, as though you yourselves were suffering bodily,' (Heb. 13:3), these people were likely imprisoned because their talk about Jesus inconvenienced someone (e.g. Acts 16:2-24; Rom. 16:7; Col. 4:3; 2 Tim. 1:8). They were more like what we would call 'political prisoners' – probably including even those prisoners Jesus mentions in his famously hard word about failing to help them (Matt. 23:31-35). These prisoners were more like the kind of prisoner Jesus himself became.

But Christian people, including chaplains and those who work with prison ministries such as Kairos ([www.kairos.org.au](http://www.kairos.org.au)) or Prison Fellowship Australia ([www.pfi.org.au](http://www.pfi.org.au)), cannot but help respond to modern prisoners. Even if we include more people under the category 'prisoner' than was originally meant by Jesus or by the author of Hebrews, there are two strong reasons for applying Hebrews 13:3 to modern prisoners.

First, the modern prison was invented to be a *merciful* judgment. It appeared at a time and place when people had realised the implication of our being forgiven by God. To be spared of wrath and granted mercy rubs off on human affairs: we learn to deal kindly with those who don't deserve it. (Jesus argues as much when he condemns human vengefulness in Matt. 18:21-35). Even the magistrate will be judged; this moderates his judgment. Not all the early prison reformers were Christian, but they emerged from a culture shaped by this Christian gospel.

Second, the modern prison was invented as a way to *promote and continue* engagement between the community and the criminal. Prisons were placed in and near towns, and their industries contributed to the good of towns. The logic of prison practise advised the criminal that he does not exist to serve himself alone.

Offenders remain members of that network of relationships called 'society'. They exist to belong, to participate, and to contribute within society; and we are at our best as a society when we work towards offenders rejoining us.

But we are at our worst when we despise and ostracise prisoners and hold them in contempt. Prison ministries see how prisons tell offenders that society has harshly rejected them. Of course, many dedicated people within correctional systems treat people well; the systems and their workers are not necessarily wrong. But prisons easily become the kind of place that communicates a message *from the wider community* to a prisoner, as if we hate them and think they have no place among us. But people committed to Jesus disagree. Prison ministries offer grace, and help ex-offenders reintegrate into society. With Jesus, they seek to set prisoners free.

*At the time of writing, the fate of convicted paedophile Dennis Ferguson highlights these issues. No community wants this man living among them. Talk-back radio programs have even aired demands for his relocation alone in the desert, or for his execution. But despite his heinous crimes, such ultra-vengeful 'justice' diminishes our society. When resettling those who have done time for crimes against children, governments should morally and practically consider how to prevent their access to any children. Yet even offenders against children need access to human society, and some degree of mercy.*

At a recent conference in Sydney, *Our prisons—Human Rights, Mental Health & Privatisation* ([www.icj-aust.org.au](http://www.icj-aust.org.au)), participants were asked to reconsider various aspects of imprisonment as currently practised in Australia and NSW. The content was dense and sobering. Speakers included the Minister of the NSW Department of Corrective Services; academic researchers on prison populations; and activists on behalf of prisoners and their families. The issues are complex, and this listener was quite out of his depth. But one theme kept re-emerging throughout the day, and it deserves our close attention.

The NSW prison population continues to grow inexorably. But the vast majority of it consists of people incarcerated for short amounts of time. Of an overall 'snapshot' population of just over 10,000, over 2,000 people are on remand; and an annual 'flow-through' rate of 45,000-50,000 highlights just how many people have quite short sentences – some 50% with terms of less than six months.

Unfortunately, many of these 'short-termers' are poor, indigenous, female, of low IQ, intellectually disabled, mentally ill, or some combination of the above – with substance abuse often acting as a 'multiplier' of their other problems. These people have often experienced extreme childhood neglect, and have learnt very few skills for coping with life (e.g. reading or budgeting). They are best regarded as people with 'complex needs'. Unfortunately, many men and women in this category arrive at a point in their lives where prison is the only life they are *equipped* to handle. It provides them with a roof, a bed, and meals; they develop coping strategies to deal with life on the inside. They don't particularly like it, because after all, prison life is designed to be a form of punishment. But on release they are not equipped to live in other environments, and recidivism is partly driven by a tragic fear of the world beyond prison.

'Once upon a time' people like these might have been supported and enabled by a close-knit community, such as a village. But in our kind of society, we have collectively become clueless about how to help people with their complex needs. Over time, this society has drifted into using prison as what one speaker called a 'therapeutic punishing institution' for such people. Prisons now double as geographically remote complexes used as a social 'too-hard basket' for extremely needy people. (This comment should *not* be taken the wrong way: there are certainly bad and hardened people in prisons who definitely belong there.)

People with complex needs enter the system due to some low-level crime – and incredibly, for some this is the first time that their mental illness or intellectual disability is noticed by alert observers. Many keep cycling through the system due to an inability or failure to keep various parole conditions. They do not particularly like prison. Like us, they would prefer the security of a home, a job, a sense of belonging and an ability to belong. But they cannot find a way out.

What can Christians do to reach out to these people? It is clear that their complex needs are way beyond what one person or most churches could handle. But at the conference, the suggestion was made that **such people can be well-served when clusters of 'joined up' services equip them to rejoin society**. Workers in government and government-backed services are expert at creating the 'community-embedded' settings that so enable people.

For example, many community services begin relationships with prisoners in jail, and continue these relationships via post-release support services. (Anglican chaplains have long promoted such arrangements.) On release from prison, a person might be housed in a 'group home' that has several trained case-workers on hand. With medical, psychiatric and educational help, these people can acquire skills they never received as children, and re-engage with society as contributors alongside us. (A Victorian program along these lines is getting good results.)

Such programs are expensive: several government or government-backed workers are needed to assist each person with complex needs. Programs also need to be long-term – not a strength in our society, which tends to 'restructure' (and pull funding) on community programs every few years.

Yet ironically, even this expensive community-embedded help is far cheaper than the cost of our prisons. The \$160 million being spent on a new jail in Nowra, and the equivalent annual budget to run it, could keep community services like these running for decades. Even more ironically, such community services contribute strongly to what our society longs for when it builds a jail: an orderly, stable, settled, more crime-free society.

Unfortunately, there is a twist-in-the-tail to this style of thinking. Cassandra Shayler, Director of the Californian prison reform organisation *Justice Now*, describes how that U.S. state indentified some 4,500 prisoners with complex needs who did not belong in jail. But proposals for new 'community-based' facilities for them 'morphed' into the building of several new prisons. Shayler: 'sometimes reformers' rhetoric gets taken up and co-opted by the Department of Corrections. ... What it really results in is further expansion and entrenchment of the system that we already have.' (ABC Radio, *The Law Report* 15/9/09.)

It is hard for correctional departments to hand over people and budgets to communities. It is also hard for politicians to support community services, because for anyone not in the field these services seem hidden, hard to understand, and suspiciously 'soft on crime'. One way or another, people with complex needs find themselves back under the authority of those whose primary task is to punish.

Yet Christians *can* do something quite straightforward. **Politicians need the grass-roots support that says: 'community-embedded services are a better use of our money than large jails.'** Politicians need *permission and courage to pursue and fund the idea.*

Interestingly, a representative of the NSW Parliamentary Liberal Party stated at the conference that his party would not participate in a 'law and order auction' at the next election. That is, they would not 'beat their chests' for yet harsher sentencing and more jails. They are acutely aware that *something new* needs to be done to reduce prison populations and recidivism.

Now, then, would be **the ideal time** for Christians to propose new services for people with complex needs; to plead for their generous long-term funding; and to argue that such services must remain embedded in communities.

*Andrew Cameron  
for the Social Issues Executive, Diocese of Sydney*

### **Sources/Further Reading:**

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Karios Prison Ministry Australia: [www.kairos.org.au](http://www.kairos.org.au)

Prison Fellowship Australia: [www.pfi.org.au](http://www.pfi.org.au)

Anglicare chaplaincy services: [www.anglicare.org.au/our-services/chaplaincy](http://www.anglicare.org.au/our-services/chaplaincy)

NSW Department of Corrective Services: [www.dcs.nsw.gov.au](http://www.dcs.nsw.gov.au)

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