

## **‘Confinement is not the same thing as exclusion’**

### **Talk for the Conference of Prison Chaplains**

#### **St Mary’s University**

**Tuesday 6 September 2016**

The title of this talk – ‘Confinement is not the same thing as exclusion’ - is taken from words of Pope Francis spoken in the Penitentiary in Philadelphia earlier this year. It reminds us that prisoners are never to be forgotten, written off. Rather it affirms the crucial principle that meeting the needs of prisoners is an important part of any civilised society. As Dostoyevsky wrote: ‘The degree of civilisation in a society can be judged by entering its prisons.’ This is the theme I would like to explore this afternoon as you begin this important Conference. We think of ourselves as a civilised society, yet we know that in practice our treatment of prisoners often falls short of acceptable standards. Further, it is clear that a society which meets the varied needs of prisoners, while insisting that they face the consequences of their criminal actions, uses its resources, both human and material, prudently and well. The care of prisoners, therefore, is a measure of the maturity of a society.

The Catholic Church has a vital part to play in this work, not only because we wish to contribute wholeheartedly to the well-being of society but also because, through the eyes of faith, we have a particular perspective on those who are in prison and a clear mandate from Our Lord and Master that we should care for them. He said to us ‘I was in prison and you came to visit me’ (Mt 25.36), thereby identifying himself with those behind bars.

Today, then, I offer profound thanks to each and every Catholic prison chaplain in England and Wales who act in these matters on behalf of us all. Through your vocation you enrich the lives of some of the most vulnerable people in our society in work that has been given a fresh highlight in this Year of Mercy. I readily underline the importance of your unfailing commitment to that work and the considerable challenges that you overcome on a daily basis in order to show compassion to those whose actions have alienated them from the rest of society. I know that your work entails stress, hardship and risk, but it also brings true

satisfaction.

The recent Report of the Bishops' Conference, *Belief and Belonging*, covers many important themes. Among them it clearly highlights the importance given by Catholics in prison to their being able to take part in the celebration of the Mass. They testify that doing so brings them closer to God, helps them to cope during this intensely testing period of their lives, and strengthens their connections with the Catholic community, both inside and outside the prison walls. An overwhelming majority of Catholics in our prisons are very clear that chaplains play a vital role in helping them to deepen understanding of their faith. So I thank all chaplains present here today and those of your colleagues who are not able to be here. The importance and effectiveness of your work is widely acknowledged by those men, women and young people who rely upon your presence for this most important aspect of their lives.

Your ministry extends beyond this presence and spiritual role. You help people to stay in touch with their families, care for staff, and guide prisoners through particularly difficult times such as bereavement. Many of you also play an important role in the management of prisons, provide education and arrange for volunteers from our parishes to carry out their excellent work.

A distinct feature of prison chaplaincy today is that so much of your service is undertaken within multi-faith teams, which at their best are shining examples of the enormous practical contribution that different faith groups can make by working together. The cooperation between the different Christian churches and between Catholic and Muslim chaplains in many prisons is one of the most inspiring demonstrations of partnership between the faith communities in our land, a cooperation which is of increasing significance and urgency.

### **Christmas in Feltham**

Visiting prisons is of course a central aspect of every bishop's ministry. At Christmas time in particular I believe it is extremely important to be with those Catholics inside the prison walls, to remind them that they are valued members of our Church.

During Advent a few years ago I was celebrating Mass in HMP Feltham. The small chapel was packed full with young men and prison staff. Our reader that day, who was serving a sentence for drug offences, spoke beautifully and with conviction. I was inspired to find that he entered prison struggling to read and write, but had been working hard with volunteers and chaplains to improve his literacy. Those efforts paid off

and being chosen to read at Mass clearly meant a great deal; his sense of achievement and newfound self-confidence were strikingly visible to everyone gathered there.

Those skills also meant he had a better chance of getting a job after being released in the new year. It was truly a time of hope and promise for that young man. But this hope and promise were never realised. I learnt that within months of walking out the prison gates he was drawn back into the gang he had left and shortly afterwards was stabbed to death in a pointless feud.

This tragedy underscored for me that despite the efforts of all those working in our prisons and the difference that you make in many cases, the challenges to be confronted are many and complex. For as long as any prisoner finishing their sentence returns to a life of gangs, crime, homelessness, addiction, unemployment, violence or alienation, our society is failing and, it has to be added, our prisons are not working as they should.

This is the challenge about which I want to speak, recognizing the shared responsibility of government, individuals, and communities, including our own parishes, to help create system that truly benefits the well-being of our society and the fundamental good of even the most difficult of individuals.

### **Failings in the prison system**

It has been more than a decade since the Bishops' Conference published a Report entitled *A Place of Redemption*. It expressed our vision for a system where time in prison is time well spent, rather than a process of warehousing people at best and, at worst, inflicting further damage on. Hearing of your experiences and the mounting difficulties you encounter, it feels that the recognition of this aspiration may be further away than ever. The consequences of this failure, it must be said, reach far beyond the lives of prisoners themselves. In particular, we must always keep in mind the wellbeing of every victim of crime and state clearly that shortcomings in rehabilitation result in reoffending with more innocent people damaged by further crime.

One of the most painfully clear failings in our system is the growing number of prisoners coming to harm while in prison – self-inflicted or otherwise. We all strive for a day when every prisoner walks out the gates as a reformed individual. Yet each year more people walk out bearing new physical and emotional scars. And far too many never walk back out at all. The figures in the 2015/16 Report of the Chief Inspector

of Prisons are shocking: 100 suicides; over 32,000 incidents of self-harm; over 20,000 assaults and six apparent murders. But the figures do not convey the human cost, the pain, the damage, or the grieving families. Every one of these is a tragedy. Each one is a measure of a failure by society to care adequately for those we imprison.

People in prison have done wrong. In many cases they have caused great suffering. Yet they still have the same dignity as every other man, woman or child. Tackling this crisis of harm within prisons must be a priority: better mental health support and safer staffing levels are not desirable additions but urgent necessities.

However, building a good prison system that will help people to turn their lives around must go far deeper than addressing crucial matters of safety. It must involve courageous reforms and a genuine shift in how we view individuals who have committed crimes.

Depriving someone of their liberty is a legitimate punishment. Yet no one can reasonably claim that the conditions in which we hold many prisoners are acceptable. Throughout England and Wales there are examples of well-run prisons which are clean and tidy, where people are treated with respect, receiving the care and support they need to change their lives. However, it is a stain on our society that in the twenty-first century some prisons are still characterised by rubbish, damp, dirt, graffiti, and unhygienic facilities. The Chief Inspector recently highlighted how prisoners often have no choice but to eat meals in their cell right next to an unscreened toilet. There is surely no justification for treating our brothers and sisters with such disregard. Worse still, by locking people in squalor we send the most blatant message to society about their worth. A society which shows such contempt for a prisoner's dignity truly undermines that prisoner's chance of reforming their lives.

Much of the outstanding work carried out in prisons is undermined by chronic overcrowding and understaffing, which means that people can be locked up for almost the entire day. It is nothing short of a tragedy how frequently prisoners are deprived of the opportunities to get a good education and learn skills simply because there is no one available to unlock their cell door and walk them down the corridor to a classroom or workshop.

I know that this similarly impacts upon people's opportunity to practice their faith. *Belief and Belonging* highlights that around a quarter of Catholic prisoners have at some point faced problems getting to Mass or engaging with chaplains, not through any lack of support on the part of

prison staff, but sometimes because there was simply no one available to escort them to the chapel. I am grateful to our colleagues at Chaplaincy Headquarters for resolutely challenging and drawing attention to these situations, including the most extreme cases where chaplains have had to resort to counselling or comforting prisoners through locked doors. How can educational programmes or restorative justice schemes succeed when people cannot get into the study or meeting room in the first place? Sometimes cells are not opened for the basic human needs. How can we tolerate a regime where people, given just one hour out of their cell, have to choose between exercising, taking a shower, or making a phone call? Here it is important to remember that around a quarter of our 85,000 prisoners will have been in care as a child, at least one in three will have a mental or physical disability and half will have the literacy levels of an eleven-year-old (RSA Journal Matters of Conviction Issue 2. 2016).

There is also much more that needs to be done when it comes to protecting and enabling the relationships between prisoners and their families.

It is no secret that family is one of the biggest incentives for people to turn their lives around. We know that prisoners who stay in regular contact during their sentence are far less likely to reoffend after their release. Organisations such as Pact carry out excellent work both inside and outside prisons. They deserve our praise and our support. However far too often family relationships are still permanently damaged when a loved one is locked away, thereby decreasing the chance of a reformed life.

Some prisons have been truly innovative by providing facilities to help sustain family ties. Audio-visual technology is used so that prisoners can have face-to-face conversations with family members. What a difference that makes when it comes to moments like saying goodnight to their children! Families also now have the opportunity to book visits online and prisoners can receive e-mails. But in other areas the benefits of technology are woefully lacking, for example families wishing to send money must still fill out a postal order and pay the associated costs.

Pope Francis described the importance and the experience of family members visiting prisons: *“They undergo the humiliation of being searched. They don’t disown their sons or husbands, even though they have made mistakes; they go and visit them. This seemingly small gesture is great in the eyes of God. It is a gesture of mercy, despite the*

*errors that their dear ones have committed.”*

Despite the tireless work of many in the prison service to facilitate contact, families who desperately want to make these visits are often prevented from doing so by the great distances that prisoners are held from their homes. In order to gain these benefits for rehabilitation, accessibility for families must be at the forefront of decisions about where to locate new prisons. For a large number of mothers with young children in particular, the cost and practicalities of travelling hours by public transport for each visit present an enormous obstacle and serves only to deny the prisoner an important help in reconstructing their lives.

### **Government reforms**

Our society is failing prisoners and prisons are failing our society. Even more than before a bold and serious program of prison reform is needed. I was hugely encouraged in February when David Cameron announced that *“we need a prison system that doesn’t see prisoners as simply liabilities to be managed, but instead as potential assets to be harnessed.”* This is a long overdue acknowledgement and opens the way for real change.

Since then Dame Sally Coates has carried out her ground-breaking review of education in prison and legislative reforms were announced in the Queen’s speech. Amid the turbulent politics of the past few months it was exciting to hear the new Secretary of State for Justice promise that *“the vital work of prison reform will continue at pace”* and commit to a radical agenda of modernising prisons, improving education, and tackling violence.

My message to the government today is that the Catholic Church will be your partner in this. We are ready to work alongside and support you in transforming prisons from places of despair to places of redemption. But I also urge you to be brave and go further than any government before: make this the turning point where prison policy is built upon giving people the support they need to make amends and play a positive role in our society.

It is widely accepted that effective change in our prisons will also require tackling underlying factors. One of these is sentencing policy, which is inherently linked to the expanding and increasingly unmanageable prison population. This is a challenge but with courage and commitment it need not be an insurmountable one.

Prison reform is often misconstrued and rarely popular. But this is not

about being soft on prisoners or crime. It is about being civilised. It is about recognising just punishment, reducing reoffending, genuinely helping victims, and getting people's lives back on track so that they are a benefit not a burden on our communities. It is about creating a criminal justice system that delivers real justice. As Pope Francis reminds us: *“where there is mercy, justice is more just, and it fulfils its true essence. This does not mean that we should throw open the doors of the prisons and let those who have committed serious crimes loose. It means that we have to help those who have fallen to get back up.”*

### **Individual responsibility**

When pursuing this cause we must never lose sight of each person's own responsibility. Even the most civilised treatment and best opportunities will come to nothing if those who have been found guilty are not themselves prepared to accept punishment, make amends and work towards a better future.

Our vision is one in which prisoners are helped to change. But prisoners must play their part. While the state has an inherent duty to care for those it imprisons and facilitate their rehabilitation, we must always insist that every person is the agent of their own life and accountability for their own actions, even though that accountability may be limited by conditions and ability.

The restorative justice work that many chaplains undertake, such as the Sycamore Tree course, is just one compelling example of how prisoners can be encouraged to come to terms with their offence and the impact of their choices on others. This is an integral part of any worthwhile prison system and crucially benefits victims as well as offenders.

Equally when people are released from prison they have the responsibility to continue on a new path. Prison should equip them with the skills to do this, but hard work and commitment must come from the person herself or himself.

### **Community responsibility**

A further part of this puzzle is, of course, the role of communities and attitudes in our society as a whole. When people who have left prison are stigmatised and rejected, is it any wonder that they return to the gangs and drug dens of their past? When people are continually punished despite having served their sentence, can we really be surprised if they sense that they have no stake in society?

Our parishes are particularly well placed to welcome people and help

them get back on their feet. I hope and pray that this Year of Mercy will be a rallying call for Catholics actively to reach out a hand of friendship and offer practical assistance to those leaving prison. For even the smallest actions can give someone hope and help them to stay on the right path.

One young prisoner, actually preparing for baptism as a Catholic, gestured to the knife scars and tattoos on his face and neck and poignantly asked his Catholic chaplain *“How can I walk through the door of a Church looking like this?”* His words challenge us to ensure that we can confidently say he would be welcomed in our own parish.

Out of the 85,000 people in our prisons there are only a tiny minority who will never be released. Everyone else is going to re-enter our communities and live alongside us. We have a duty to support them, not segregate them. Without this welcome any redemption they found in prison and any motivation they have to reform will be wasted, along with all that they have to offer.

This will not always be easy, particularly when we are called to show compassion to those who have committed violent or serious crimes. But at such times we can draw strength from the words of Pope Francis when he tells us that *“their fall could have been mine.”* In different circumstances many of us may well have been led to make the terrible choices that led our brothers and sisters to prison.

True rehabilitation means not defining people by their worst action for the rest of their life. Some of the steps that we need to take are as basic as changing our use of language. Why, for example, should someone forever be labelled an ‘ex-offender’ even after they have paid their debt to society?

### **Ban the Box**

We know that for people leaving prison one of the most important aspects of rebuilding their life is finding stable employment. But for at least two years after their release they must disclose their sentence on initial application forms for employment. Everyday people are instantly written off just because they have ticked that box.

I know of one man who, during his sentence for a serious crime, achieved several qualifications including a post-graduate degree. Upon release he was determined to use his skills for the benefit of others. Yet three years on and despite many applications he has not had even a



single interview. He has not even been able to tell his story.

It is hard to envisage the crushing disappointment of someone who has worked hard to move away from crime and learn new skills, only to be rejected for job after job and never even given the opportunity to explain how he or she have changed since being convicted years before. That is not just devastating for the individual – it deprives employers of potentially excellent and able workers and denies society working taxpayers.

This is why a growing number of socially responsible companies and public bodies are banning the box, and allowing people to disclose and discuss their conviction later in the recruitment process. Then they have a chance to put their past in context and show who they really are. Of course convictions have to be disclosed and where necessary DBS checks undertaken. But people are not simply written off without a hearing for actions in the past which may no longer have a bearing on their future.

Over the coming year I look forward to discussions about how the Church can ban the box in our own employment practices, while taking all the necessary steps to ensure that safeguarding is never compromised. I personally appeal to all employers to take this step and give people a fair opportunity that will benefit our society. I would also like to pay tribute to those companies such as Timpson's who go even further and help to level the playing field by actively recruiting people who have been in prison. Dioceses too have such opportunities if they can create social enterprise programmes with employment possibilities.

### **Concluding remarks**

There is a long and rich Christian tradition of advocating criminal justice reform. Women and men from all Christian denominations, and from other faiths, have worked to make our system more civilised, humane and therefore more effective. Putting the Gospel message into action, they have played a role in ending the death penalty, overturning unjust laws, and putting the rights and needs of prisoners on the political agenda. Now more than ever we need to harness that tradition, with a strong voice and clear message.

The Church's legitimate place in the prison reform movement derives from the fact that we are not merely concerned observers, but in so many ways we are on the front line. Chaplains are working day in, day out, in every prison across England and Wales. Catholic charities are helping thousands of prisoners and their families as well as providing

vital support to people after their release. Hundreds of volunteers are visiting, teaching and mentoring people on both sides of the gates. And of course Catholics can be found among the many excellent staff of the Prison Service.

This work is immeasurably valuable in its own right. But it also means that as a Church we have the experience and expertise to actively promote change and work with those around us achieve it. The Year of Mercy presents an opportunity and a challenge to re-energise our commitment to all whose lives are touched by prison. Responsibility for reform falls upon individuals, government, businesses and communities. So let us continue to help offenders be accountable for their actions, push those in power to implement bold agendas, encourage employers to play their part, and ensure that our society treats this cause with the importance it clearly deserves.

The personal commitment of Pope Francis to prison reform has been evident throughout his Papacy. Shortly, on 6 November, as the Year of Mercy concludes, he will make history by welcoming hundreds of prisoners to the Vatican for the celebration of Mass in St Peter's Basilica. This is a tremendous undertaking and one not without risk. But by physically bringing prisoners into the centre of the Church he will be giving the most powerful practical expression to the clear message he shared in the Penitentiary in Philadelphia: *"Jesus wants to help us to set out again, to resume our journey, to recover our hope, to restore our faith and trust. He wants us to keep walking along the paths of life, to realise that we have a mission, and that confinement is not the same thing as exclusion."*

+Vincent Nichols

Cardinal Archbishop of Westminster