

THE CHRISTIAN ASPECT OF PRISON REFORM

EFFECTS OF THE NEW LEGISLATION

THE new Criminal Justice Bill which was introduced to the House of Commons towards the end of last year is now ploughing its way in some form or other towards the Statute Book.

Its provisions, which have provoked a good deal of discussion up and down the country, have at any rate served to draw the attention of people to the system under which our prisons are being administered.

With every effort at reform there is always the fear present that we may be in danger of taking the sting out of the punishment of imprisonment; there is always the fear that we may be turning our prisons into homes from home.

The history of English prison administration this century has been one of concession, amelioration and improvement to the point where people have begun to wonder whether the reforms have not been carried too far, having in mind the vicious nature of the crimes which our prisons are frequently called upon to handle.

It was a striking fact, however, during the course of the debate which followed the second reading of the Bill, that Member after Member, some of whom had served terms of imprisonment, spoke in favour of the reforms as a whole, the dissentients being solitary voices crying in the wilderness.

The reason for the attitude of misgiving displayed by the general public is simply because they take a different point of view. The man in the street tends to regard a prison as a place to which a man is sent to be punished for a crime which he has committed,

The prison authorities themselves regard punishment as the smallest part of their work; fitting a man to take his place once more in society as a law abiding citizen being an infinitely more important thing from their point of view.

The system whereby outside people visit prisons has only been in vogue since 1921, the date of the commencement of the modern prison system as we now know it.

The idea was that a man tended to deteriorate in the prison atmosphere if no contrast was provided, and that a system which returned a man into society worse than when it received him, could only be evil.

Accordingly the prison authorities invited people who were known to be interested in social work, to become prison visitors, there being no qualifications beyond a desire to do the work and ordinary aptitude. Each prison was divided into a certain number of sections, a visitor being allowed to each section.

The duties of the visitor are to visit each prisoner in his section as often as possible. Most visitors do their visiting on Sunday afternoon, but there is no set time. The visitor has to make it his business to learn all about the man he visits, to entertain and amuse him and, most of all, to help him both when he is in prison and if necessary when he is discharged.

The visitor can do much. First of all the confidence of the man must be gained, then his interest. Often a visitor can help to put things straight between a man and his wife, or his family, or his parents, as the case may be, for many people cast off a sinning brother.

Then preparations have to be made for a new start upon the man's discharge. The rest of the time is filled up by trying to improve a man's outlook by reading, argument, chatting, and a thousand and one devices revealed only by friendship.

Failure is frequent, success often the exception, but it is a fascinating kind of work. It is so different from the im-

personal way in which most of us put sixpence into a collection box, or give a penny to a beggar, thinking no more of the incident.

Most of us go through the world quite untouched by the suffering and struggling of what we might call the extreme class of society. It is good to get beneath the veneer of everyday life to face stark reality, for in addition to so much that is unlovely one comes across striking manifestations of unexpected beauty, and after all, are we not one and all individually responsible for the existence of prisons and criminals?

We are all members of a society which is responsible for the slums which are the breeding grounds of crime. Ought we not then to make it our business to try to redeem these outcasts? For those who have the time and the inclination it is a much finer way than that of paying someone else to do their part.

Another view commonly held is that criminals are a class apart. Believe me there is very little difference between the man in prison and the man outside it.

As in every other sphere of life, the great hope of the new reforms is focussed on the young, and the new legislation proposes a series of new institutions for dealing with the young, some being intended for young people before conviction and some for young people after conviction. A kind of State remand home for children under 17 is proposed to deal with the abnormal cases requiring medical investigation and mental observation.

The new institutions for those people who have been convicted are to be in the form of compulsory attendance centres, the argument being that while punishment may be very necessary for juvenile offenders it should not break the thread of their lives if it is to do them good. It should not take them out of employment if they are in jobs, nor outlaw them from their fellow men. At the same time it should be unpleasant.

Young people sentenced to attend these centres will be

ordered to attend for not more than three hours a day at times which will deprive them of the leisure they normally spend in going to the pictures, or the football match. It will also make them look rather silly in the eyes of their friends, a very important fact.

However strongly we may feel in favour of the retention of flogging, all those who have ever been connected with it are unanimous in their belief that it serves no useful purpose, having a brutalising effect on the recipient and a degrading effect on the administrators. The idea must always be to reclaim, and punishment must be consistent with this object.

Another argument, not infrequently heard, is that the retention of flogging as part of the penal code acts as a deterrent. The facts are that robbery with violence increased in the years immediately following the passing of the Garrotters Act in 1863.

It was claimed that the infliction of a number of sentences of flogging resulted in the diminution of certain crimes in Liverpool. It was revealed in Parliament that as a matter of fact there was an increase in the number of cases of robbery with violence after a number of these sentences had been inflicted in Liverpool.

Another important feature of the proposed legislation is the part dealing with the persistent offender. In this case the main question is not so much humanising the treatment as of protecting society against the pests who continually inflict suffering upon their fellow men and women. At the same time the question of reform is not ruled out even here.

It is proposed to institute two new types of sentence, one for the young habitual offender under thirty years of age, and the other a sentence of preventive detention for the hardened offender over thirty. In neither case will this type of sentence have any relation to the crime for which it is to be inflicted. The sentences in this category will also be elastic, and the Secretary of State will have the

power to release a prisoner before the expiration of the full period if he is satisfied that the prisoner is likely to make good.

Those prisoners who are sentenced to a long term of preventive detention will come under the influence of reformatory treatment of a type which has hitherto not been possible, and to those who look sceptical at the idea of an old lag ever making good, let me say that cases are on record. I myself could quote several.

Still another reform proposed is that which abolishes the idea of criminal lunatics, that is to say people who have committed crimes while the balance of their mind has been disturbed. In future, they will be referred to as 'State Mental Patients,' and this represents an important move on the road to recognition of the fact, urged by prison reformers for so long, that many of the cases which go to prison could more easily be dealt with by mind doctors than by sentences of punishment.

Not so very long ago lunatics were cruelly flogged in our prisons, to drive the devil out of them. We smile at such ignorant treatment to-day, but it is my belief that in years to come our successors will smile at our twentieth century treatment of many of our own criminals and their obviously psychological and pathological problems.

To those people who argue that the habitual offender, who has spent a lifetime in and out of prison, is beyond redemption, I would cite the case of Elizabeth Fry, who introduced the fragrance of her sweet personality into the cells at Newgate Prison filled with drink-maddened and debased wretches, cells into which the warders themselves dared not go. How did she do it?

It is recalled that a prison official tried to dissuade her, telling her that the inmates were beyond all help, to which she is said to have replied, 'Surely you cannot mean that they are beyond the help of God?' The official is reported to have been filled with confusion and to have replied that he did not mean that. Then she went in.

A powerful argument is often brought forward that it is better for anyone who has the desire to help with this work to spend his or her time in trying to prevent people from going into prison rather than in trying to set them on the right path when it is too late, as is often the case. In other words, the claims of other social service institutions, such as Boys' Clubs, should receive priority.

This argument is, I fear, unanswerable, but I think we have a justification for the work in a sentence from the sayings of Christ. 'I was in prison and ye came unto me.'

Deep down in every man or woman, however debased, is a spark of the divine fire waiting to be fanned into flame. If religion cannot tackle a problem like this, then surely its critics are justified.

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