

REPORT TO THE PENAL AFFAIRS COMMITTEE OF QSRE, AND TO READING MONTHLY MEETING

Second International Conference on Prison Abolition

Amsterdam - 24th to 27th June 1985

Report by Venetia Caine

Background to my attendance at the Conference

The first International Conference on Prison Abolition was held in Toronto in 1983, largely on the initiative of Canadian Friends. Their 'Committee on Jails and Justice', of which I met the Secretary at this Conference, sees itself as fulfilling a very different role from that of the London Yearly Meeting Penal Affairs Committee. (See the minute of Canada Yearly Meeting 1981, given in full in a article by Daphne Brooke in the QSRE Journal, Autumn 1982.) The official PAC representative at the conference was not impressed by the first Conference, observing a degree of unconventionality which she found unacceptable. There was little initial enthusiasm in the Committee for sending a representative to the second ICOPA.

However, when a Quaker Trust asked the Penal Affairs Committee to administer funds it was making available for Quaker attendance at the Conference, it was felt proper that at least one person so financed should be from the Committee, and I was asked to attend. As the amount of finance available would not, it was anticipated, cover the costs entirely, I sought and obtained the balance needed from Reading Monthly Meeting.

I would say now that it seemed entirely appropriate for British Quakers to be there, not only so that we might keep up with thinking in this field, where the British were poorly represented, but also so that we might be seen to be there and interested.

Participation at Conference

No list of participants was provided, so the following is very impressionistic, though confirmed to an extent by discussions with others. From early information, it was known that the organisers (the Criminology Department of the Vrije Universiteit of Amsterdam - a non-conformist foundation) hoped to attract some 300 participants. At least 16 countries were represented, from as far away as Australia, Argentina (a very fluent English speaker), Finland and Poland (who had had to obtain West European funding to be allowed to attend). Predominant were Canadians and Americans, Dutch and Germans. There seemed to be only about a dozen Britons, including the five Quakers, and a similar number of young London feminists, representing 'Women in Prison' who were concerned to inform the Conference about conditions in Holloway. (There was indeed a strong feminist flavour around throughout the conference.)

As it seemed to me, and to others with whom I spoke, there seemed to be a heavy preponderance of academics, in criminology, sociology and law. These academics were mainly from Europe; the North Americans were principally, it seemed, representative of pressure groups. The organisers acknowledged the importance of the presence of politicians, but had failed on the whole to attract them. One of the major lectures, however, was from a Dutch MEP representing an ecology party. I was aware of no other probation officer than myself present, though a fellow Quaker was a Scottish social worker whose work was largely with offenders. I met also a social worker from Australia and one from London (Lambeth - the Junction Project). These were both working with 'heavy end' juvenile offenders. I was aware of no prison, court or police

staff. It was initially surprising therefore to hear the organisers congratulating themselves on the good balance of academics and practitioners, until one realised that 'activists' (and lawyers?) were seen as the latter.

### Initial impressions

From written material circulated before booking, one might have seen that the conference was described as "a working-congress, a think-tank for alternatives to, and strategies to achieve the abolition of, the prevailing system of criminal justice with the prison as its repressive core". This, however, was in very small print and I for one had not noticed it. The main working document I had beforehand was the leaflet, copy attached, which to me was not very informative. I had heard of only two of the speakers/ leaders before, Louk Hulsman and Daphne Brooke. The timetable given us on arrival gave no fuller detail about material under discussion and people leading it, and it seems that assumptions were made about one's familiarity with such matters. (Indeed, I believe that the scant information and very individual use of English may well have deterred more practitioners (my definition) and politicians from attending - a personal view.) Also given on arrival was a volume, size A4 x one inch thick, containing many of the papers being given during the course of the Conference. Unfortunately one was not given the time to read it, even if one had the inclination to do so!

The only opening remarks were those made by the Rector of the University, welcoming and giving a history of the institution. One was expecting therefore that the first speaker, the Professor of the Department of Criminology, and Chairman, as it were, of the Conference, to make more specific introduction to it, making a link with the Toronto Conference, and setting out the aims of this one. But instead he plunged straight into his lecture on 'The Strategies of Abolition'. Only gradually during the three days did I come to the opinion that this conference on prison abolition was a conference for prison abolition/ a rally for prison abolitionists.

### Structure and content

Very deliberately, there were few plenary sessions, as the Conference was intended to be a working one. There were three lectures, and three national presentations on the state of imprisonment in various countries. If the allegations are to be believed, despite our own high length and rate of incarceration, there are many worse things around in our world, especially in the USA, where electronic collars are said to be a reality in certain places, and one can actually buy shares in private 'correctional institutions'. That said, it was not news that we come out very high in the imprisonment stakes, both as to rate and duration. There was no British national presentation - indeed the British profile was low throughout - and the figures on British imprisonment came out during the Dutch presentation.

There were at least 35 separate sections and workshops, of which one might have attended up to five. It is impossible therefore to give a personal overview of them all. Several of the sections dealt with reparation and mediation. Because I have been taking a special interest in this subject and have attended several workshops/conferences in the subject in the UK, I avoided these, seeking to broaden my horizons elsewhere. There was however a useful main lecture on the subject by Raymond Shonholtz, of Community Boards, California, who has been successfully operating a model, with its emphasis on the exchange of feelings between the parties and getting each to understand the other's position, for eight years now. I attended sections on 'Sanctuary and assensus', 'The reduction of imprisonment', 'The paradox of punishment and

abolition as ideology', 'Decriminalisation', and 'Substitute punishment/alternatives for juveniles' - (the Lambeth project - I was by now weary of listening to difficult academic lectures by (some) people who could not be brief, in broken English. Throughout I felt admiration for and guilt about those who were coping with these presentations in a language which did not even purport to be their own.)

There were some exciting ideas around. I had already, two years previously, at a Howard League Conference to which you sent me, heard Louk Hulsman speaking on 'Civil-izing Criminal Justice', that is, taking into the realm of civil law much over which the state currently sets itself to be arbiter. At the present conference, I was particularly interested in the idea of Sanctuary, a place where wrong-doers could go pending satisfactory resolution of their wrong-doing. This is not a new idea, but was common-place in the middle ages in many parts of Europe including our own. Not only churches but whole towns were places of sanctuary, though it would not be proposed to replicate exactly the same circumstances in modern times. (Durham Cathedral and Beverley Minster were apparently well-known places of sanctuary.) Professor Herman Bianchi has a book published in Dutch on this subject, which draws up practical 20th century proposals, but is having difficulty in getting it published in English.

#### Some impressions and phrases which have stayed with me

Apart from the impression that the concept of Sanctuary made on me, and the more general things I came away with, discussed below, here are some miscellaneous but significant items I came away with, though I do not necessarily agree with each where opinion is involved:

1. The historical perspective of imprisonment.
2. Growth of victims movements in North America - these are not victims support schemes as in the UK but sound more sinister.
3. Politicians promote the fears of people in order to be seen to be tackling "Law and Order".
4. Law and order is a "mother and apple pie" issue - you can't deny that it's great.
5. The problem of the remnant group must be faced, but ....
6. ...you can't make new models by looking only at the extreme (the 'what about.....?' syndrome).
7. The need for the "re-skilling" of officials in the criminal justice system.
8. "Co-optation" - the taking over and misuse of a good idea.
9. At least it seems that it is acknowledged in the UK that prison has only one function - punishment (= the simple and deliberate inflicting of pain). On the other hand, it was put to me that other countries rationalise with other functions because they realise that pure punishment is wrong.
10. "Prisons are tough on people, not tough on crime,"
11. "Go on telling them - the emperor has no clothes on." (Stan Cohen)

#### General impressions

There are some very exciting ideas around, and prison abolition is not a pipe-dream. There is a great deal which could be done to reduce the use of incarceration even within the present system.

But one cannot look at prison abolition in isolation: in the terminology of one speaker at least, one is looking to the abolition of the criminal justice system as we know it, not to be replaced by (my word) anarchy, but by a

completely new approach to the handling of the offender and offence by society. Hitherto I have seen reparation (in its fullest sense) as a possible solution within the present system. Furthermore, I have come to see the probation service as having an important role in promoting the reconciliatory approach to criminal justice. What is now before me more completely is a vision that perhaps this is the only proper approach to handling anti-social behaviour in our society - that is resolving conflict by bringing the offender and the offence and the victim centrally into the arena, and working from the assumption that while you cannot undo a wrong deed, amends are best made by facing the offence and bringing it to the negotiating table, sorting out within the community how best amends may be made for that wrong-doing. Thus healing can take place, not only of the victim and his immediate significant people but also of the offender and his immediate circle.

### In conclusion

As I came home, I pondered, as I had done much during the Conference, on a young man I had interviewed in the local police cells a few weeks previously. Three nights beforehand, he had, after an evening's drinking, stabbed someone outside a pub. He was now charged with malicious wounding. Sober, he was horrified at what he had done, and was much relieved to have learned that the victim, though seriously wounded, was not likely to suffer any lasting physical effects. He was weeping as he spoke with me, and apparently wretched with remorse. Of course he was also concerned for his own fate, but his feelings for the victim appeared to be genuine.

An hour or so later, no bail application was even attempted in court, and the youth was off to the local prison, in effect to start a fairly lengthy prison sentence, though his case would not come to trial for probably four months or so. By then, he will probably be hardened and full of resentment towards society, his jailers, and no remorse will remain. The underlying guilt will have been suppressed in his attempts to put a brave face on it and his only concern will be to know how much 'time' he will have to do for the offence. His only support will be his family and friends, whose attitudes will similarly harden over the coming months.

The victim will have been tended by the state until he left hospital after a few days. Because the offender is likely to plead guilty, the victim and his family will probably not even be informed of when the trial is to take place. All they will learn of the case is what the local press will choose to print. Victim and his family and friends are likely also to harden, because of their neglect by both offender and society, and they will be looking for the longest possible sentence as manifestation of their own festering feelings. However long the sentence, it will not be long enough, since their own, as I believe naturally forgiving, feelings will have been suppressed, like the remorse of the offender, by the passage of time which could have been used for healing.

That offender needed sanctuary, asylum, on the morning I saw him. He needed somewhere to nurse the wounds he had done to himself, and somewhere he could be visited by family and friends - and in due course by the victim and/or his representatives. There the two parties could not have undone the wrong that had been done, but they could have talked about it, discussed how it came about, worked out how amends could have been made for the injuries done. Does the state rightly have any role in this situation, other than to provide the place of sanctuary, and enable the meeting to take place?

*Venetta Cairne*