

Out of Trouble 3 Tim Clewer

The Real 4 Kindergarten Cop David Bowes

Punishment as 6 Remedy Bruce Winter

Community Policing, Manx-Style 8 Robert Jeavons



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RELATIONSHIPS IN PRISON

Stephen Shaw describes the impact of different kinds of relationships in prison



Prisons fracture relationships (what else does removal from the community mean?) but some prisons do it more than others. Asked to imagine conditions in a young offender institution, most readers of the broadsheets would conjure up images of bullying and brutality, selfishness and corruption. Indeed, at its worst a year or so ago, life in Feltham – the young offender institution on the edge of London, serving, let it be remembered, the richest city in the fourth richest country on earth – could fairly have been characterised in these terms. A less communitarian, less rehabilitative, more criminogenic environment would be hard to imagine.

But it is not all like that. Although perhaps not quite the place it once was, Lancaster Farms YOI remains a model establishment. Huntercombe, outside Oxford, has many splendid features. And perhaps the best practice of all can be found at Swinfen Hall, a little known young offender institution near Lichfield in Staffordshire. The former Chief Inspector of Prisons, Sir David Ramsbotham, dubbed it a Centre of Excellence, no less. And, in over two decades visiting prisons, few places have impressed me as much as Swinfen Hall.

HEART-WARMING

It is no kindergarten. Most of the young men are serving over 4 years and one-in-six are serving over 10 years or life. But a key feature is the involvement of the family. What David Ramsbotham rightly described as an “outstanding initiative” is a family visit during the young prisoner’s induction. Members of the family are invited to speak with staff and are given a tour of the establishment. The family continues to have a part to play during the planning of the young man’s sentence. I have seen for myself some of the heart-warming letters which Swinfen Hall has received from family members, many of whose previous experiences of the Prison Service have been at best awkward, at worst downright hostile.

As Prisons and Probation Ombudsman (PPO), my new title since September 2001 when my remit was extended to complaints against the National Probation Service, I am acutely aware that my services are more used by some prisoners than others.

Long-term adult male prisoners are over-represented, while young prisoners, remand prisoners and women prisoners are all under-represented. However, it is an intriguing question whether the most significant divide is between prisoners with few or no family ties (as is the case with many prisoners serving long sentences) and those whose links with the community are much stronger.

As all of us unfortunate enough to have spent time in hospital know, complaining about an institution is both a way of coping and a sign of institutionalisation. Objectively trivial matters take on a huge significance, because things of real significance are no longer under our control.

Genuine involvement with our families – or with society at large – gives us a sense of perspective and proportion.

A WORLD BEYOND THE BARS

In saying this, I am not suggesting that most prisoners’ complaints are trivial. On the contrary. The subject

matter may often be petty (lost property, delays in handling paperwork, words said out of turn), but that is because the range of experiences open to prisoners is so limited. Common sense dictates that the maintenance of community ties must strengthen the chances of successful resettlement and rehabilitation. I think it also suggests that those prisoners able to see a world beyond the bars are less likely to wage war against the prison authorities. Such research as there is on these matters indicates that, for once, common sense is right. Although many prisoners’ family ties are damaged (witness the numbers who have been in

care, or those who have been physically or sexually abused), it is in all our interests to maintain and enhance the links back to society.

A breakdown in relationships within prisons is also at the centre of many of the complaints I

receive. Roughly 40 per cent of my work involves reviewing adjudications for alleged breaches of prison discipline. Many if not most of these incidents could have been handled differently. And I am sure that identical incidents on a different day or in a different prison would not have resulted in use of formal disciplinary procedures at all. How prisoners and staff talk to one another, and whether the use of swearwords is penalised, is one example.



“The family continues to have a part to play during the planning of the young man’s sentence.”

I have been in trouble with some prisoners for upholding disciplinary punishments following the use of foul language. Let me say I am neither prim nor naïve about the frequency with which four-letter words are used by both prisoners and prison staff. (Nor can I claim that my own

"Objectively trivial matters take on a huge significance, because things of real significance are no longer under our control."

language is always free of sexual or scatological references.) But I do believe that staff have a right to be protected from abuse, just as much as prisoners do. Whether in prison or in any other

environment – school, factory, office, barrack room – the liberal use of swearwords is the clearest indication of a lack of respect and unhealthy relationships.

'RESTORING' DISPUTES

Although I have not experimented on cases involving prison discipline, more generally I have tried to find more restorative approaches to resolving prisoners' complaints. Amongst other things, I am 'restoring' the dispute to the people whom it most concerns. I often say that the problems I investigate are not really my problems at all – they are problems between two individuals or between an individual and an institution.

There have been some difficulties in winning support and understanding for this less formal, more restorative approach. In one case, I was unable to persuade a governor to recompense a prisoner with £2 and had to issue a report to ask him to do so. In another, I had to repeat in writing what I had already said over the

"Prisoners who are able to see a world beyond the bars are less likely to wage war against the prison authorities."

phone in order to have an adjudication quashed. But generally speaking, all sides have seen the benefits of a quicker, less bureaucratic solution.

The excessive reliance on formal discipline to ensure institutional order is also a sure sign that relationships are poor. Some prison staff clearly do enjoy 'nicking' prisoners, regarding it as an expression of their authority. But the true professionalism of prison officers rests above all upon the exercise of discretion, knowing how to ensure good order in ways other than threatening them with the big stick. (There are analogies here with policing. Should police officers be judged by the number of offences they prevent or by the number of collars they feel?)

At Wetherby young offender institution, the Governor has developed a 'restorative justice' approach to misbehaviour. As a consequence, formal adjudications have decreased implying they are now used as a last resort only. Although there are dangers in having less formality (dangers of inconsistency and unfairness, not least), it seems staff are more likely to challenge poor behaviour under this new system. A report I have seen on Wetherby's approach includes the telling finding: "staff are positive about the idea of reaching agreement with the trainee about his sanction, and feel that when it works well, it does discourage the recurrence of poor behaviour."

'TOUCHY-FEELY'?

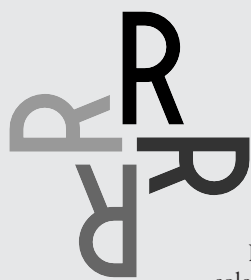
Relationships is a touchy-feely sort of word, distrusted I would guess by those who revel in the Prison Service's macho image. In fact, good relationships are at the heart of the three things prison must deliver. Good



relationships mean good security (dynamic security is the technical term). Good relationships mean a more respectful, ordered prison regime. And good relationships mean effective rehabilitation and resettlement. All together, this means more involvement of families, more respect for prisoners and their possessions, less dependence upon the adjudication room and the segregation unit.

My impression is that these insights are increasingly shared by all members of the Prison Service. They already inform the work carried on at Swinfen Hall and many other establishments. One day, let us hope they will apply at the Felthams of this world too.

Stephen Shaw is Prisons and Probation Ombudsman for England and Wales. He has a new website: www.ppo.gov.uk



Views expressed are those of the authors and do not necessarily reflect the policies of the Relationships Foundation.

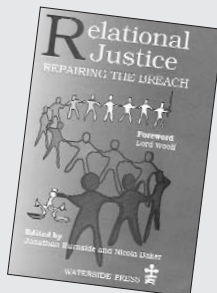
WHO WE ARE

The **Relational Justice Bulletin** is a quarterly publication by the **Relationships Foundation**, a Cambridge-based charity, as part of its **Relational Justice** initiative.

Relational Justice is a fresh approach to crime and punishment.

Rather than looking at crime solely as an offence against the state, it sees it as a breakdown of relationships between offenders, victims, families and the community.

The concept was developed by the **Relationships Foundation** in the early nineties. It first gained public exposure with the publication of the book **'Relational Justice: Repairing the Breach'** (Waterside Press, 1994), which was welcomed by Lord Woolf as 'a radical new approach which anyone with any concern about the criminal justice system needs to be aware'. Since then, it has been shown to have wide implications for policy and practice.



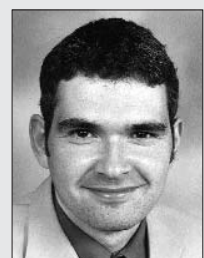
The **Relational Justice Bulletin** has been launched as a platform for discussion of the ideas at the heart of **Relational Justice** as well as exchange of good practice across the system.

You are warmly invited to join the growing number of professionals and practitioners who are already receiving it (see subscription form on the back page) and to contribute your own ideas and experience.

The **Relationships Foundation** is a registered charity dedicated to developing new 'relationships-based' approaches to social, economic and political issues.

Your help would be welcome in publicising the Relational Justice Bulletin. Free A5 leaflets are available for your use. You can request copies on the form on the back page.

Dr Jonathan Burnside is Editor of the **Relational Justice Bulletin**



OUT OF TROUBLE

Tim Clewer explains why challenging offending behaviour needs a lot of care



The CARE remand fostering scheme is a relational approach to the problem of how to make the experience of remand a constructive, rather than a destructive, experience for young people. We recruit families from local churches who are willing to embark on the exciting and demanding enterprise of fostering young people who would otherwise be on remand in a YOI.

Our aim is to provide young people with a stable environment that is designed to facilitate positive development. We aim to put boundaries where none previously existed and this is achieved through relationships and pro-social modelling. When children are placed with their foster family, they live some distance from their home town. They are thus isolated from their current (often delinquent) peer group. They are also given an early curfew. This encourages them to forge positive adult relationships and, in due course, relationships with non-offending teenagers. The children typically stay with their foster families for three months, although in some cases it can be as short as two weeks and in other, more serious cases, as long as six months. It is the ability to provide individual placements that meet the abilities of each individual child that enables the scheme to provide a positive experience.

REMANDED INTO CARE

CARE runs educational and vocational activities outside the home for young people who cannot benefit from school and employment. Every weekday the young people take part in a wide range of daytime activities. They undertake some formal education as well as sports, arts and crafts. So far, the young people have benefited from working with adults with learning difficulties, horticulture at a local gardening centre and a placement (among others) at a garage which provided a very valuable positive black male role model for one young man. They are kept in small groups of (at the most) three because this helps them to develop relationships with adults. The project draws on a pool of volunteers, each with a recognised interest, who can act as mentors for young people within the overall supervision of the project. In this, we are helped by our relationship with the churches who provide us with a wide range of work experience placements, as well as mentors.

Our clients are young people of 12 years of age and upwards who have been remanded to local authority accommodation, although other young people who have not been remanded would be considered if it was felt that they could benefit from the programme. The young offenders are referred by local authorities having first been 'remanded into care' by the courts. Some will have been in police cells, possibly overnight, whilst others will have already spent a few days in custody. The CARE remand fostering

scheme is offered as part of their bail application and placements can be made on the day of referral.

EMERGENCY SUPPORT

All foster homes are fully vetted and cleared and must complete mandatory training. They then continue to receive ongoing training and regular visits to both support them and to monitor the progress of the young people. All foster homes are reviewed in line with Department of Health guidelines. We conduct careful assessments of each potential client and develop an individual programme to manage any specific risks that may be involved. CARE seeks to give full support to foster families by drawing up a contract about expectations on behaviour in the foster home. The restrictions of the programme are agreed with the court and explained fully to the young person who can only come on the project if they sign a contact agreeing to all the conditions. These are likely to include an early curfew, no visitors, an exclusion from returning to their home town unless accompanied and participation in the daytime activities programme.

Financial payment is also made to the foster-carer. Currently, foster carers receive an allowance of £300 per week whilst a child is in placement. Project workers also provide a 24-hour, 7-day a week emergency support facility, should extra advice or support be needed. Foster carers come from a wide range of social and ethnic backgrounds and are recruited from local churches. The work of the project is overseen locally by a committee whose members are drawn from a range of professions and who are available to give advice when needed. Regular contact is maintained with local authority social workers throughout the placement and progress is monitored so that any difficulties can be managed in a planned way.

The pilot project for CARE Remand Fostering, based in Reading, was launched in November 1998 by Paul Boateng, then Minister of State for the Home Office. This is now operating at full strength with five young people at a time, serving the Thames Valley. We are presently expanding into other locations such as Colchester, Birmingham and Teeside. An application with the Youth Justice Board for seed money to initiate further projects is pending and, if that is forthcoming, we may have a further two to four projects operating.

FINDING IDENTITY

Why do we do it? There are several reasons. First, we believe strongly in the value of a non-custodial option. The experience of custody on remand is worse than custody on sentence

because, due to the short sentences, there is less education, less sentence planning and more lockup. Providing a more constructive experience, where there is a natural encouragement for them to behave positively whilst on remand, is not only important for the young people themselves but also for their families of origin and also for any families they themselves may have. In this way, we see ourselves as investing in the long-term stability for society. Second, as a Christian organisation, we see the project as an opportunity to demonstrate the positive nature of the Christian faith. Our job is to make it easier for the local church to be relevant to their community. Through this project, we can make it easier for Christians who want to foster young people in trouble to do so. The existing relationship of trust between CARE and local churches means that Christians are more likely to get involved in the difficult area of fostering than they might otherwise do with a local authority they do not know.

ONGOING SUPPORT

It should be pointed out, however, that although the children are placed with Christian families, they are

not required to take part in religious activities. A small number choose to include themselves in church attendance and where that happens, we are able to help them to make contact with Christian youth leaders in their home towns. Although the numbers are low, it seems as though those children do better because of the ongoing input and support. Sadly, some children do not receive much in the way of support when they finish our programme, either from their families or from the local authorities. Here, there is a need for youth justice agencies to help them to find their identity in their home community.

So far, over 40 children have taken part. A small number of children do not complete the programme. They run away or reoffend whilst on the project. For such children, the project has merely delayed their being remanded into either care or custody. Of those who stay, the rest seem to do well. 95% of those who complete the programme do not go into custody and some young people remain in contact with their foster families. The project is currently being independently evaluated by the University of East London and the results will be available in 18 months' time.

"We aim to put boundaries where none previously existed and this is achieved through relationships."

Tim Clewer is project manager for CARE remand fostering. If you would like to get involved contact the author on 0118 967 8440.

THE REAL KINDERGARTEN COP

David Bowes describes a new approach to policing schools and local communities



In *Kindergarten Cop*, Arnold Schwarzenegger starred as a policeman working undercover as a substitute kindergarten teacher. An entirely different but successful approach to policing in schools and the local community has been pioneered in Bretch Hill by Thames Valley Police.

Bretch Hill is a housing estate in the Oxfordshire town of Banbury with more than its fair share of deprivation. Of the 11,000 people who live on the estate, over a third are 'lone parent' families and the number of children on the 'at risk' register for offending is almost two and a half times higher than for the rest of the district. Nearly half of four to seven-year olds receive free school meals. Over 3,200 residents receive housing benefit and council tax relief and, of these, 2,000 also receive income support. Just under a third of residents are aged between five and 24, whilst 16% are over 75.

A PROBLEM ESTATE

Bretch Hill had been identified as a "problem" estate in 1997. Although the number of incidents recorded for the area as a whole had dropped by 10% since 1993, figures for the estate had risen by nearly 40% (an additional 800 incidents). Crime figures were equally disturbing. Whereas the area as a whole had only a 1% increase, Bretch Hill had a 30% increase in recorded crime between 1995 and 1996. The long-term trends for all individual crime categories, with the exception of house burglary, were also firmly upwards. Violent crime was up 7%; motor vehicle theft 54%; non-residential burglary 97% and criminal damage 21%. On average 65 crimes took place on the estate every month. Between 1995 to 1997, 5% of the Bretch Hill population

"The secondary school became a beat area in its own right and now has its own beat officer."

had been a victim of crime more than once (mostly burglary, autocrime and criminal damage). Although the population of

Bretch Hill comprised less than 1% of the total area population, 15% of persons arrested by the police lived there.¹

The police response was to set up a dedicated beat team to police the area (in 1997). From the outset, the team tried to engage the community by working with them to identify problems and by trying to involve all those individuals, groups and agencies who could contribute towards developing solutions. Bretch Hill had a history of "professionals" arriving to carry out a project which they considered beneficial and then leaving, and of short-lived community initiatives

which failed through apathy. Establishing trust and confidence within the community was vital to avoid another well-meaning failure.

A TREMENDOUS DIFFERENCE

To this end, the first objective was to develop partnerships with residents and relevant agencies to solve existing and ongoing problems. The Bretch Hill Working Party was formed, bringing representatives from the police, various local authority departments (environmental health, housing, education, leisure services) and the community association. Quarterly meetings and discussions take place with the Working Party to clarify what were seen as the main

priorities for the estate and how these could be taken forward. Another (equally multi-agency) "Operations Group" meets every two months to discuss the "nitty-gritty" – identifying specific problems on the estate and searching for problem solving strategies to resolve them.

Members of the Working Party and the Operations Group approve of the new approach, which is relationship-centred. One commented: "It has made a tremendous difference in terms of the perceptions on the estate regarding the fear of crime and the role of the police. The beat team has built a strong relationship with local people". Another simply said: "the officers understand the problems and know the people." A key factor in the success of the project is the quality of team members. One puts it this way: "I strongly believe that this method of policing works but it is difficult to maintain unless officers are found with as much enthusiasm and commitment to the estate as has been shown by the team at present and in the past".

PREVENTING FUTURE CRIME

At an early stage, the behaviour of children on the estate was identified as one of residents' main concerns. It also emerged that a high percentage of youngsters living on the estate were subject to well established "risk factors" that increased the likelihood of their becoming involved in offending. These factors included; parental involvement in crime, poor parental supervision, low family income, family conflict, availability of drugs, opportunities for crime, peer involvement in anti-social behaviour and an absence of community organisation. Within school, risk factors included; truancy, disruptive behaviour, bullying and low educational achievement. Consequently, the second objective was to try to prevent future crime by working with children in

the estate's primary and secondary schools. Among the top ten locations that called the police was Drayton School – the secondary school serving the estate. This had one of the poorest attendance records in the county combined with low levels of educational attainment and one of the highest levels of pupil exclusion. The school failed an OFSTED inspection in early 1998.

To identify and work with the children most at risk, the beat team saw the need to "build bridges" between police and schools on the estate. The normal method of police work in schools [pre-arranged talks given by Schools Liaison Officers ("SLO's")] did not sit comfortably with the philosophy adopted by the Bretch Hill beat team. Instead, the opportunity was there for the team and the school to work together to improve truancy and educational achievement. The emphasis needed to be on demonstrating to children and staff that the police were not just concerned with law

enforcement in the narrow sense, but were there to help the community more broadly.

TRUANCY PATROLS

A dedicated police officer (initially, the existing SLO and then a member of the beat team) began working within the school in 1998, from 8.30am to 4.30pm every school day. The

aim of this permanent presence was to facilitate the development of good relations with staff and pupils – the officer helped the school deal with problems of truancy and bullying, delivered the school's "input", previously the responsibility of an SLO and, if necessary, made arrests where criminal offences were detected. Alongside developments within the school the beat team began truancy patrols on the estate, visiting the homes of school children identified as being absent without authorisation and challenging any child found out of school during the day.

Eventually, Drayton School became a beat area in its own right. After all, it was a community with the same identifying features as any other community. The school now has its own beat officer. By being a member of the Bretch Hill beat team, the officer is able more effectively to identify and work with 'at risk' youngsters both within and outside the school environment. Liaison with other team members facilitates the sharing of information between home and school communities.

The police officer at Drayton School regularly helps staff to deal with a whole range of problems within the school community. Proximity allows incidents to be dealt with appropriately and quickly. The children recognise and know the officer, and will often

"The school police office is now located within the Learning Centre and much of the police officer's work focuses around pupils who go there."

“pop-in” to his office for a chat. Typically such visitors might include children who have been excluded from lessons for poor behaviour, whereas previously they may have wandered the school grounds or even left the school premises.

A SENSE OF INCLUSION

As well as delivering sessions on the school's Personal, Health and Social Education programme, among others, the officer works with school staff to identify ‘at risk’ youngsters, and

“Relational proximity allows incidents to be dealt with appropriately and quickly”.

a number of achievement-focused activities and schemes have been developed to help divert these young people from crime. Examples

include an Outreach programme (funded by Oxfordshire Army Cadets) to give some youngsters a chance to undertake adventure based activities, including residential courses in the Peak District. Another example is the Youth Forum, which consists of meetings between



police and local youth workers. Finally, the local mentoring scheme has an office at Drayton School. They work with police, school staff and the youth service to identify those young people who would benefit most from the presence of a positive adult role model, and work to recruit appropriate people to take up this role.

More recently, police and school staff have co-operated in the development of the so-called Learning Centre. Opened in January 2000 and situated on the top-floor of the school, the Learning Centre provides services to pupils at risk of exclusion from the school. As of April 2001, around 15 pupils attend full-time, with another 60 from the school attending specific sessions. The centre provides specific, tailored teaching including basic literacy and numeracy as well as vocational topics to pupils

who might otherwise be excluded from the school. In this way such pupils are enabled to make the best of their strengths, which encourages them to attend school. The school police office is now located within the Learning Centre and much of the police officer's work focuses around pupils attending therein. The contiguity between the centre and the rest of the school engenders a sense of inclusion as part of the school community, whilst at the same time allowing routine teaching to continue elsewhere in the school.

RESTORATIVE CONFERENCING IN SCHOOLS

Primary schools, as well as secondary schools, are also included in this relational strategy. After all, tomorrow's criminals are in our primary schools today. Bretch Hill and Drayton School are principally served by three primary schools. These have an “open-door” policy towards members of the beat team who can enter the schools at any time to join in with classes or activities. This could be anything from sitting in on a lesson and helping with classwork, to

joining in a game of football at break time. Specific activities in which the police have been involved include litter picks around the estate – promoting a sense of pride in the environment, guitar tuition sessions at a local community centre and school trips. Staff and headteachers at schools involved in the initiative say that “because our pupils know team members, they feel comfortable in talking to them”.

Restorative conferencing has also been used by the beat team as a response to many incidents. This

is because the emphasis placed by restorative justice on inclusiveness and empowerment complements the policing approach on the estate. All informal cautions, reprimands and final warnings involving offenders from Bretch Hill are, wherever possible, referred by the Area

Restorative Justice Unit back to beat team members to be delivered restoratively via a meeting between offender and victim. Members of the wider community are also involved, if appropriate, and some meetings can involve quite large numbers of people from the local community. Restorative justice is also used to good effect within schools to deal formally with issues such as criminal damage or assault, and also to informally resolve incidents of inappropriate behaviour and bullying.

KEY LESSONS

A comparative evaluation of crime rates on the estate between 1997-98 and 2000-01 shows some significant and sustained reductions in levels of burglary and vehicle theft. Overall crime rose somewhat on the police area as a whole, partly due to changes in recording practices during the period in question, but reduced slightly across the Bretch Hill ‘beat’ even with the increase in the number of crimes eligible as ‘recordable’.

There are a number of important lessons to be learnt from the Bretch Hill initiative. Firstly, a strong focus on “problem” areas can contribute significantly towards a reduction in crime, and secondly, an inclusive, multi-agency approach that empowers community representatives can act as a catalyst towards improved relations between police and the public. Perhaps the most innovative aspect of the initiative has been the new approach within schools serving the estate. Key issues which have arisen from the school work are firstly the need to avoid “over-selling” such initiatives to schools, with the consequent danger of unrealistically raising expectations of what can be achieved. For success to multiply there comes a point where schools have to take ownership of developments. Staff at Drayton School are aware of this and are involving themselves in training in restorative justice techniques. Secondly, a balance has to be struck between secondary and primary schools. In general terms the earlier youngsters are involved in building relations and working with the police the better, but clearly it would be unrealistic to assign a dedicated police officer to every primary and secondary school in the country. It may be appropriate to focus on the transitional years where children move from primary to secondary education – often a stressful and risky time.

Following the initial evaluation in 1999, the assignment of dedicated beat team officers within schools was extended to cover the rest of Banbury. The so-called Banbury Police Schools Project has recently been evaluated favourably by researchers from Oxford University, and work is now under way to adopt the new approach to schools liaison on a forcewide basis.

David Bowes is a Research Officer with the Thames Valley Police Restorative Justice Consultancy.

1 With acknowledgments to Nicola Preston, whose evaluation report (Preston, N, *The Bretch Hill Initiative: An Evaluation*, Thames Valley Police, 1999 (unpublished)) was a major source for this article.

PUNISHMENT AS REMEDY

Bruce Winter explains the importance of reconciliation to a New Testament vision of justice



In the previous issue of the *Relational Justice Bulletin*, Andrew Coyle notes the historical link between organised religion and the use of imprisonment (see 'An Unchristian Solution?' in Issue 11). This does not, of course, mean that prisons are necessarily part of a Christian worldview, as the author rightly points out. Prisons were not a Christian invention but

"A fundamental view in the early Christian community was that all discipline was meant to be remedial."

were in operation in the Roman empire before the time of the 'invention' of Christianity. This article looks at what a Christian vision of punishment looks like at the time of the early church, in contrast to the

practice of imprisonment in the Roman world.

Recent research has filled a huge gap in our understanding of the nature of late Roman Republican and first-century imprisonment.¹ Imprisonment was used for a variety of purposes: to protect those persons whose lives were threatened, to hold those on remand, awaiting sentence or execution as well as those who were 'doing time'. There had long been prisons in Rome itself and throughout the empire. Conditions in prison varied according to class. That was to be expected because Roman law operated with acknowledged privileges for the Senatorial and Equestrian classes as well as for *Plebs* who were Roman citizens. Judges and juries in both criminal and civil cases were required to take cognisance of the social status of the plaintiff and the defendant in arriving at their decisions. (So much for the blindfold of first-century justice). In some instances those serving custodial sentences had their servants continuing to look after them as before and their conditions could be comfortable. In other cases, prison conditions could be appalling and prisoners kept in chains. What is clear is that the carefully defined class structures re-enforced by Augustus and his successors was reflected in the prison culture, and that seems to have been the only criteria that operated in first-century prisons. Even in prison one's *persona* (legal status) influenced the experience.



EXCLUSION

The apostle Paul, who wrote much of what we call the New Testament, was a Roman citizen. Several of the books of the New Testament are in fact letters that Paul wrote from prison, where he had access to visitors. It has been estimated that he spent between a quarter to a third of the principal phase of his life in custody. Only a little can be gleaned from his letters of what his experience was like. He certainly provides no direct 'Christian' view of punishment, except the right of judges to execute justice on those offending criminal law (see Chapter 13 of the Book of Romans).

However, his letters enunciate important principles that enable us to reflect on the purpose of punishment. The following discussion looks at some New Testament statements about God, the Christian community and punishment. From these it will hopefully be possible for others to extrapolate lessons that are relevant to the ongoing discussion of crime and punishment.

The New Testament (as well as the Old Testament) presents God as a God of relationships. This is seen in the doctrine of the Trinity (a mysterious relationship of three Persons) and in the whole biblical story of God's commitment to his people. Conduct that diminishes or ruins that relationship is the subject of action in the New Testament. There were some Christians in the early church who felt that it did not matter if they did certain things that affected the lives of others. Paul warns them not to be deceived. If they committed certain acts and were unrepentant (that is, if they did not agree with God that those things were wrong, and turn away from them) they would be excluded from the Kingdom of God in its final form (see the *First Letter to the Corinthians* chapter 5 and chapter 6, verses 9-10). Interestingly, Paul's list of prohibited acts is the same as those that excluded the Israelites (the people of God) from the Promised Land in the Old Testament. Anti-relational and destructive behaviour

that diminished the lives of others did so regardless of the historical era. It also had consequences for the offender.

SEXUAL IMMORALITY

A good example of this is provided in Paul's *First Letter to the Corinthians*. News that a member of the church in Corinth was involved in an

incestuous relationship reached Paul and he writes to set them straight on how they should respond. Under Roman law, the punishment for incest was exile and the loss of citizenship and property for both parties in the liaison.² In the case of incest in the Christian community at the time of Paul's writing no prosecution had been initiated – there was no public prosecutor in that time and it would have been the requirement of the offended partner to bring a case within 60 days (1 Corinthians, chapter 5).

Paul demanded that the Christian community exclude the man involved in a decisive act (we can only assume that the woman involved was not a Christian). Paul describes the expulsion in the following terms: "You are to deliver this man to Satan [i.e. be put outside and excluded from the Christian

community] for the destruction of the flesh, that his spirit may be saved in the day of the Lord Jesus" (1 Corinthians, chapter 5, verse 5). One of the important things to note is that there is a purpose to the punishment, *viz.* that his soul would be saved in the day of judgement. In addition, the punishment had a wider benefit for the community. It protected them from being

infected by a form of sexual immorality that not even Roman law would turn a blind eye to.

REMEDIAL DISCIPLINE

This exclusionary punishment was characterised by Paul as a discipline because all sanctions within the Christian community were meant to be remedial. In this respect, the Christian community is seen to reflect (however imperfectly) a characteristic of God himself. Later in the *First Letter to the Corinthians*, Paul describes how some members of the Corinthian church were removed at God's intervention from the active life of the community either permanently (by death) or temporarily (absent though 'weakness and sickness') (1 Corinthians 11, verse 30). God is here seen to be "exercising discipline" and not punishment in order that his children would not be "condemned with the world" (1 Corinthians 11:32). They would, however, be reunited in the world to come. It therefore was a fundamental view in the early Christian community that all discipline was meant to be remedial.

Another snapshot is found in Paul's *Second Letter to the Corinthians* (2 Corinthians, chapter 2) where the community is taught how to receive back into its fellowship a man who had been excluded from the community (along the lines mentioned above) but who was now repentant. We do not know whether this person was the incestuous man referred to in 1

Corinthians 5. Whoever it was, Paul says there are three things that should characterise the community's new relationship with the once excluded, but now genuinely repentant offender.

GOING FORWARD

Firstly, they were to 'show grace' (i.e. do good towards someone who doesn't deserve it). They were to demonstrate the grace of God they each had received from God in their personal lives in their horizontal relationship with this man. Paul does not use the term 'forgive' but rather a more proactive attitude towards this person. It was not to be a cold absolution but a genuine response which would

enable breached relationships to be restored.

Secondly, they were to encourage the formerly excluded person. Encouragement is the key to caring in all relationships and this concept is a central ingredient in the Christian community. God himself is the encourager *par excellence*, encouraging us through the Bible. Whether we turn to the Psalms or other Scripture, we discover every encouragement not to lose heart or not to believe that failure need be final. The Holy Spirit is called the 'comforter' or 'encourager' and, as in all actions of God towards His people, they are required to replicate them in

their relationships with others. So this critical second ingredient is a proactive one that is meant to help the person to re-establish their

relationships. They were encouraged not to live looking over their shoulder in constant regret, but to go forward. Interestingly, Paul writes that they are to show grace and encouragement lest "he may be overwhelmed by excessive sorrow" (2 Corinthians 2:7).

Thirdly, the community is required to 'affirm their love' for the person. Paul's language here is strongly emotive: "I beg you to reaffirm your love for him" (2 Corinthians 2:8). It was not sufficient for the offender to simply be readmitted to 'full membership'. They were to think about how the 'ex-offender' would feel on being back again in the presence of the community. The community was exhorted to overcome the fear and barriers that all too easily arise when the repentant person is not at ease, or is uncertain as to the how others are going to behave towards him. What lessons there are here for throughcare and for the acceptance of repentant offenders in our churches who wish to turn away from wrongdoing.

It is important to note that the man was

"Offenders should be helped not to live looking over their shoulders in constant regret, but to go forward."

not put on some form of probation but that restoration, or the Pauline word 'reconciliation', was to be genuine. The task of the community is to initiate grace, encouragement and affirming love. Only then can the person know that the past is the past and that restoration of relationships has been achieved and are now working to the blessing of all in the community.

In fact, the nature of reconciliation between the world and God, as well as the Christian community in Corinth and God which Paul discusses in 2

Corinthians 4-5 cannot be fully understood, unless read in the light of 2 Corinthians 2.

The last passage is an example of how full restoration of a person to community

relationships is achieved and to be expressed for the benefit of a person who had once been alienated from the community by his or her actions. If you like it is a parable [or paradigm] of what reconciliation with God in the gospel really means.

Punishment (i.e. discipline) is meant to be remedial with the ultimate intention of restoring fractured relationships. On the side of the offending person without genuine expressions of

sorrow there can be no forgiveness by those whose relationship has been fractured by offensive behaviour. Once forgiveness is sought, the community is then required to demonstrate its

"The task of the Christian community towards repentant offenders is to initiate grace (forgiveness), encouragement and affirming love."

forgiveness by proactive encouragement and loving affirmation.

The steps outlined above for the restoration of relationships in the Christian community will also work for the wider community, for punishment is meant to be both remedial and restorative.

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1 B. Rapske, 1993. *Paul in Roman Custody*, Vol. 3 of *The Book of Acts in its First Century Setting*, Eerdmans.

2 As opposed to a breach of the laws of affinity on which Roman law took a more lenient view because the original partner was deceased.



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COMMUNITY POLICING, MANX-STYLE

Robert Jeavons reviews new initiatives on the Isle of Man



The Isle of Man is not the obvious place to look for any new initiatives in crime reduction. It is a small independent Island of 73,000 people in the middle of the Irish Sea, and has been regarded by most people as an

“Even a place like the Isle of Man is unsuited to a broad-brush approach.”

ultra-conservative jurisdiction with a marked reluctance to remove both corporal and capital punishment from the statute books. (In fact the last recorded use of

corporal punishment was in the late 1960's and the last execution was in the 1870s!) However its size, geographic isolation and cultural uniformity do make it an interesting location to try out new initiatives as it offers the potential of an idyllic control environment. If multi-agency and inter-departmental structures are to be made to work then the Island would seem to be the ideal environment.

RE-OPENED POLICE STATIONS

In response to public demand, renewed efforts have been made over the last two years to re-establish community policing through both the provision of 'new money' and a re-allocation of existing resources. Several village police stations have been re-opened, targeted foot patrols have been increased by 33% in 2000 and a further increase of 23% is projected for the current year. At Divisional level, officers have been specifically trained and encouraged to act as 'local managers' to draw together task-orientated alliances to undertake problem-solving initiatives on a multi-agency basis.

The logic behind these changes is the recognition that even a place like the Isle of Man is unsuited to a broad-brush approach. The challenges of urban Douglas are very different from rural St. Marks situated less than 4 miles away. National priorities can be defined, but these should embrace and reflect the views garnered in each area and community. In other words the whole system is to be based on a 'bottom up' management structure.

PUBLIC CONSULTATION

This approach to policing requires a developed process of public consultation. This is crucial not only to establish priorities, but more importantly to forge partnerships. All policing

is by consent. Especially in communities where it is normal for two officers to be allocated areas of 40-50 square miles, the participation and goodwill of the community becomes the single key ingredient to the successful control of crime and the conviction of offenders. The stronger the community, the less tolerant it is of those who challenge its norms.

Our consultation process remains in its infancy and the process is underway to refine it and to build more sensitive structures that will more accurately reflect the various tributary currents that make up public opinion.

However, initial results from these initiatives are more than promising with recorded crimes falling in the year 2000/01 by an average of 18.6%. Time will tell if the trends can be maintained and figures for the current year appear less encouraging. In any case it will be necessary to undertake further analysis to determine to what extent they have resulted from the radical changes being introduced into the Manx police force.

IMAGINATIVE

It would be unfair to describe these changes as going back to the old ways. The style, method and focus of community policing is very different from that nostalgically remembered by our parents and grandparents. This is a

modern, progressive and imaginative response to deep-rooted and complex social problems.

It is driven by the recognition that if we are to reverse the trends

of escalating lawlessness and social disenfranchisement in our societies then we do need to review and reinforce the role of the policeman as a catalyst for change and action in our communities. The Isle of Man has embarked on an exciting and imaginative policy through listening to its people and empowering its police officers. It is an initiative that deserves wider recognition, as many of the problems it seeks to address are not unique to the Isle of Man.