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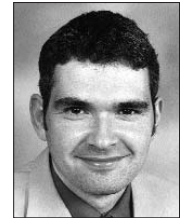
Relational Justice BULLETIN

Issue 19 November 2003

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MONEY CAN'T BUY ME LOVE?

*Jonathan Burnside reports on changed lives
in a changed institution*



Large truths are often best elicited through miniatures. The theme of the *Relational Justice Bulletin* is that because justice is transformative and not a static state it must make room for growth, healing and the possibility of restored relationships. Marion Correctional Institution (MCI) near Columbus, Ohio reveals this large truth in miniature through a visionary regime in which relationships are key and where there is punishment with justice.

Over the past seven years the institution has created unique relational programmes for prisoners and their families as well as opportunities for the outside volunteers who support its work. Currently MCI offers over 90 prisoner programmes and is supported by 600 volunteers, the majority of whom were recruited in recent years. MCI is a medium-security prison, with a minimum-security camp for adult males, that has capacity for 1800 prisoners. Sentence length ranges from six months to life, although the average sentence is six years. In 2001 MCI received the Excel award for the Best Managed Prison by the Ohio Department of Rehabilitation and Correction (ODRC). None of these progressive developments have compromised security: no escapes or walkaways have been recorded since 1997. Indeed, in 2002 MCI won an ODRC Excel award for demonstrating the quality of excellence in security.



Christine Money, MCI Warden

you see right now, i.e. programmes upon programmes, many involving faith. It has changed the nature of the institution." Staff and prisoners often refer to her as their personal angel. MCI shows how much positive influence the leader of a prison may wield, if s/he has the wit and wisdom to do so.

Warden Money's philosophy is that "every individual has the capacity to change. It is the obligation of correctional professionals to offer offenders quality opportunities to improve themselves whilst incarcerated. It is critical that the institution be an orderly and safe environment. It is also critical that staff, at all levels, fully participate with the management at the prison". Her philosophy has

become best practice thanks to the full participation of staff and prisoners in the process of rehabilitation. The result has been a decline in the use of force on prisoners and a decrease in staff and prisoner grievances. Money models a style of leadership that empowers her staff and the prisoners under her care. Her attitude is: 'If you can imagine it, we can try it. If it works, we've all gained. If it doesn't work, well, at least

we've tried'. Some of the programmes in MCI are the product of prisoners' own initiatives. There are no problems in prison that prisoners cannot potentially solve for themselves.

FAITH-BASED INITIATIVES

Some of the 90 programmes offered by MCI are faith-based initiatives. They are open to all who believe in the potential for change through the restoring of relationships. Some are 'Interfaith' (bringing together people of different faiths) and other programmes are for anyone, independently of their personal beliefs.

MCI contains a number of faith-based prison initiatives that are centred on the Kairos programme offered by Kairos Prison Ministries.² Kairos is a three-day introduction to Christianity delivered by volunteers, with follow-up monthly reunions and offered to 42 MCI prisoners twice a year. Its purpose is to build strong Christian communities within the prison environment. Before coming to MCI, Money was Warden of a woman's prison and allowed that institution to hold its first

"In the mid-1990s, MCI was one of the worst prisons in Ohio and faced closure by the Department of Corrections."

DRAMATIC SHIFT

It wasn't always like this. In the 1980s and 1990s MCI was a prison filled with conflict and operated under two federal consent decrees (i.e. judicial oversight). Night staff would be pelted with soap and batteries from prison dormitories. The result was more lockdowns and yellow lines painted four-foot apart on prison corridors to separate staff from prisoners. One prisoner who was in Marion in the early 1990s told me: "The place was violent...awful." This prisoner was transferred out of Marion and returned a few years ago. "When I came back... I didn't recognise the place."

Staff and prisoners are unanimous in attributing this dramatic shift to the arrival of Christine Money as Warden¹ in 1996. As another prisoner explained: "Seven years ago this place had a lot of alcohol, drugs...gang fights, guys getting raped or stabbed. Fights were the order of the day. When Mrs Money came, within five years you have pretty much what

Continued on page 2

Kairos Weekend. It was also her first introduction to Kairos. As Warden, she went to observe the Kairos Weekend, even though she knew nothing about it. "I felt that if a group of women could give up eight Saturdays to train for this and three days to come into my prison, the least I could do was turn up and thank them. One of these women was a physician and I thought 'She's given up three days from her practice to come into my prison and do this'. I thanked all the volunteers and I rewarded women prisoners who [subsequently] did well. I saw women who were hard and bitter soften in the days afterwards." In 1999, Warden Money served on the first Kairos Weekend to take place in a women's prison in England (Highpoint North in Suffolk).

Upon her arrival at MCI in 1996, Money introduced Kairos and the prison has now hosted 13 Kairos Weekends. These take place in the main body of the prison. Although the Kairos Weekend was initially seen as a novelty she says that "at some point it became the norm to have Kairos in prisons and it became acceptable for people to go on Kairos Weekends." Around 40

men usually take part in each Weekend. There are around 140 applications. At the last Weekend, an additional twelve prisoners in protective custody took part, sitting at a table on a balcony in the prison Chapel.

"Marion shows how much positive influence the leader of a prison may wield, if s/he has the wit and wisdom to do so."

For Warden Money, Kairos is at the heart of everything that goes on in the prison.

GOING DEEPER

Interfaith is also high on the agenda of Warden Money. She explains that she felt "very uncomfortable doing something very specific for Christians because we work in an environment where there are different faiths. So we decided to do it interfaith." Horizon Interfaith (run by Kairos Horizon Communities)³ gives Jewish, Christian and Muslim prisoners the chance to go deeper with their faith by taking part in a ten-month residential programme. This involves building a community in a designated prison dormitory. As Money says: "A Kairos Weekend lasts for three and a half days but if you're doing Horizon then you can have a more dramatic impact on people." Participants live together in community for ten months, dedicating themselves to building their relationship with God and others, and to self-improvement. Horizon at MCI is unique in that, at the time of its inception, it was designed to offer Jewish, Christian and Muslim prisoners a programme tract specific to their faith and to the faiths of others.

The community is organised in eight 'families' of six men. There are six 'families' of Christians, one family of Jews and one family of Muslims. It was known at the outset that there would be a smaller representation of the other faiths (out of currently 1600 prisoners at MCI,

only 40 are practising Muslims). But for Money, their participation is vital. "The point of the unit is for people to deepen their own faith commitment whilst learning tolerance and respect for people who are different to you.

The inter-faith aspect impacts on the institution

because it demonstrates for everybody else that people can live together in harmony. They set an example for everybody else."

Faith specific lessons are administered to each faith group by volunteer faith leaders from each community. Muslim prisoners report that being on Horizon Interfaith

provides "tremendous opportunities to practice [their] faith." They use the designated prayer space, which includes an east-facing window, to pray five times a day. Likewise, Jewish prisoners relate that they have been able to celebrate *Shabbat* [Sabbath] more fully than in any other prison they have known. Prisoners from other faith communities on the wing built a *Sukkot* for them (a traditional shelter used to celebrate the Feast of Tabernacles) in the prison garden. A pond was recently put into the prison garden and allows Jewish prisoners to observe the *Rosh Hashanah* ceremony of *tashlich* appropriately. An Interfaith Enrichment Programme provides participants with a view of other faiths and methods of peacekeeping between faiths. This is facilitated by the Executive Director of the Interfaith Centre for Peace in nearby Columbus. Once a year the men in Horizon conduct an Interfaith conference in which other prisoners receive faith-specific teaching about Christianity, Islam and Judaism.

LOVE AND NURTURE

As well as the faith track, Horizon focuses on issues such as anger management, self-esteem, victim awareness and parenting. A Family Letter Writing programme provides a means for each participant to correspond weekly with his family. This programme encourages participants to increase correspondence and communication with their families. Victim Awareness is a ten-week group that examines the impact that crime has upon its victims. Family Life Meetings are held each day in small 'family' groups. The men remain in the same groups throughout the programme. The gatherings encourage the men to use the skills gained on the *Opening Doors* programme (see Deborah Roeger in this issue) to listen, share, communicate, express personal desires and work together toward shared goals.

Horizon Interfaith explicitly seeks to restore relationships between incarcerated men and their families and to create a link between the correctional institution and the larger community. It is said that whilst institutions can provide guidance and discipline, it takes people of a caring community to provide love and nurture. A good example of this is the Outside Brothers programmes which provides each participant with a volunteer that visits weekly, restoring the link between the participant and the outside community. Ike Griffin, who along with Mickey

Bright Griffin is one of the co-founders of Kairos Horizon, says that the Outside Brothers are "the heart of the programme". According to Money, the demand for Kairos Horizon exceeds supply. In 2003 MCI won the American Corrections Award for the Best Faith-Based Facility in the United States. Other correctional settings are considering implementing the Horizon Interfaith model.

REMOVING THE MASK

Other Kairos programmes play a key role in the prison. Kairos Torch is designed to meet the needs of younger (18-25 year old) offenders early in their prison experience. Like Kairos, it takes the form of a three-day introductory weekend, plus follow-up. Its key theme and purpose is to encourage young offenders to remove their masks so that the real person, rather than who they pretend to be, can be known. Volunteers create a safe environment for them to begin to show themselves and to learn what life can be like in a caring and trusting environment. They learn the importance of giving and receiving positive support and that it is safe to make friends. Kairos and Horizon graduates make very strong and important contributions to Torch teams. As with Kairos, the most important work takes place after the weekend in the process of mentoring. MCI has held three Kairos Torches and adult graduates from Kairos in MCI have mentored younger team members.

A fourth Kairos ministry that has played an important role in transforming the prison culture is Kairos Outside. Kairos Outside is a Christian-based ministry that strives to bring healing, reconciliation and forgiveness to women who are affected by the incarceration of their loved ones. President Bush in his State of the Union address called upon America to support the families of the incarcerated. MCI held the first Ohio Kairos Outside in September 1999. Participants (all women) must be a loved one of a man imprisoned in MCI. It was also the first Kairos Outside ever to be held, at the Warden's suggestion, *inside* a prison.

RICH TAPESTRY

There are a number of advantages to holding Kairos Outside in a suitable location inside the prison (i.e. the prison chapel). Family members can spend a significant amount of time in the place where the prisoner is serving his sentence and they get to see a little bit more of it than just the visiting room. Prisoners have the opportunity to decorate the places where the meetings are held and to prepare food. For many, it is the first time they can do something for their family. For some, it opens a door to

giving and enables them to carry on giving to their families after the Kairos Outside Weekend. Prisoners also have the opportunity of taking part in the closing ceremony and spending a couple of hours after the Weekend with their family member; sharing its impact and having a meal together. This unique approach has proven to be a time of restoration of relationships between



prisoners and prisoner family members. One prisoner told me it was the first time he had been able to sit and have a meal with his mother in fourteen years.

The Weekend establishes a rich tapestry of relationships not only between prisoners and their families but also between their families and the families of their cell-mates. A prisoner's mother gets to know the mother of his best friend inside the prison. Soon, she knows his best friend almost as well as her son does. The women also get to know each other. The mother of one prisoner said that her best friends are now the women she met from Kairos Outside. The fact that the women really understand each other's circumstances is a great benefit because isolation from the understanding of others normally increases the pain of their position. So far, MCI has held seven Kairos Outsides inside the prison. Kairos Outside holds reunions four times a year in the Officer's Dining Room, resulting in a completely different atmosphere to family visits.

'MEN OF INTEGRITY'

Promise Keepers is a Christian men's ministry that focuses on each individual's commitment to becoming a 'Man of Integrity'. This commitment involves following the 'seven promises' of a Promise Keeper, which boil down to a series of commitments to God, their families and their

"Whilst institutions can provide guidance and discipline, it takes people of a caring community to provide love and nurture."

communities. Using a live Internet connection, MCI joined a stadium conference of Promise Keepers in July 2001 held in the nearby city of Columbus. 250 prisoners and 50 volunteers attended the Internet broadcast in the MCI chapel. Currently MCI Promise Keepers offers weekly study and accountability groups. A monthly mini-rally is held to reinforce the Promise Keeper experience. A major event took place in MCI in August 2003 when Promise Keeper's rally was broadcast live on the Internet from inside the prison. The event was watched by approximately 10,000 men in 70 prisons across America. Three other countries (Canada, Ireland and the United Kingdom) tuned into the free webcast. This initiative was conceived by the men at MCI who also carried out the major part of its organisation.

Half a mile down the road from MCI is a juvenile detention facility run by the Department of Youth Services. Thirteen men from MCI (most of whom have been on Horizon Interfaith) travel there to take part in a Promise Keeper follow-up programme called Passage to Manhood, based on the New Testament parable of the Prodigal Son (Luke 15). This involves a twelve-hour day inside the facility, with six-week follow-up lasting two hours per week. Reunions are also held once a month for six months.

Warden Money at a Promise Keepers meeting

PUSHING THE ENVELOPE OF TRUST

Christian programmes derived from Kairos are only part of the mix of programmes at MCI. Comments one contractor; "The Warden doesn't just push the envelope on faith-based programmes, she pushes the envelope on trust generally." Another significant programme is the fatherhood initiative 'My Child and I'. This

provides an opportunity for prisoners who are fathers to have a daylong visit with their children in the Chapel gardens. The father is able to share experiences he has missed out on during his incarceration,

including playing ball, birthday parties, face-painting, eating a meal together and simply having fun. The programme is open to everyone in the prison who has a child (about 70% of the prisoner population). To attend the men must first take part in a father-training programme. 'My Child and I' takes place twice a year. Thirty men at a time do the programme, which results in a large number of participants when you include the spouse plus one or two children. According to one prisoner, security on the day is assisted by participants policing each other. "The Warden trusts us and we don't want to break the trust."

MULTIMEDIA

Other programmes include LifeLine Industrial Computer Training Programme that currently has over 400 prisoners participating in two one-hour classes per week. Computer training is offered at three levels; everyday, workplace and professional. Another part of the mission of MCI is to provide quality services to the community. Community Service staff and volunteers work in partnerships with the community as a team to provide projects that allow prisoners to spend their time in positive and productive ways, as well as benefit the community. A wildlife sections nurses and releases birds, possums and even racoons. Between 1997 and 2001, MCI logged over one million hours of community service. MCI has a thriving education department. There are vocational schools in auto mechanics, welding and carpentry. Ohio Penal Industries runs Computer Aided Drafting (CAD) as well as furniture and sheet metal factories.

Finally, there is the ever-witty PNN (Prison News Network) – a fully functional and innovative multimedia centre providing a full news and entertainment channel to every

television in the prison. PNN also create high quality video productions and graphics projects for the Ohio Department of Rehabilitation and Corrections, as well as non-profit organisations.

Overcrowding is often seen as a barrier to making prisons more relational. There is no doubt that having a prisoner population that does not exceed the capacity of the system is an enormous benefit. But Warden Money started her initiatives without this advantage at a time when the prison population was between 140-145% of capacity.

STAFF MEDIATION

Warden Money's relational reforms have been of direct benefit to her staff as well as prisoners. Prior to Money's arrival, MCI had a history of conflicts between management and labour. MCI initiated a staff mediation programme where disputes between employees could be resolved (again see Deborah Roeger in this issue). Staff members from management, security and employees from the unions represented at MCI received training as skilled mediators through the Centre for Dispute Resolution at Capital University Law School.

These, together with a number of other initiatives, have worked to change the staff culture at MCI. Relationships between staff and management are now excellent and are said to be among the best in the state.

One prisoner told me that in the maximum-security prison he had come from, the Warden of that prison was routinely escorted around the prison by several guards. This prisoner was transferred to MCI, and when he arrived in Marion saw the Warden standing behind a table and serving cake to prisoners and their families. The contrast was so striking that the prisoner said "I was terrified of her." Warden Money leads an extraordinarily generous spirited establishment by her remarkable example. She herself is self-effacing claiming, "The reason why MCI is so different is that God is welcome here."

With thanks to Warden Chris Money, Jeff Hunsaker and the prisoners of MCI who allowed themselves to be quoted.

Jonathan Burnside is Editor of the Relational Justice Bulletin.

1 The US equivalent of Governor or 'Governing Governor' in the UK.

2 See www.kairosprisonministry.org.

3 Ibid.



RESOLVING CONFLICTS IN PRISON

Debbie Roeger describes programmes for transforming relationships in prison



Opening Doors of Ohio, Inc. is a newly formed, not-for-profit Ohio corporation designed to support conflict resolution in Ohio prisons. The initial spur was a decision made by the management of Marion Correctional Institution (MCI) to change the cultural view of how conflict had been historically addressed and resolved in the prison (see cover article, *Money Can't Buy Me Love?*). The first step was to offer skill-building programming that would allow prisoners and staff to learn new conflict resolution skills. The second step was to implement a "next steps alternative" for unresolved conflict that includes the option for mediation.¹ Between 2000 and 2002, four foundational programmes were implemented at Marion Correctional Institution (MCI) to positively change prisoner culture and staff workplace culture as regards conflict management and dispute resolution. They are: *Opening Doors* (a core programme for prisoners); *Resolution* (a prisoner peer mediation programme); *Conflict Resolution and Team Building* and finally *Workplace Mediation* (both staff programmes).

Opening Doors is an intensive shared learning experience for prisoners inside a prison. Over the course of three days, the participating group of prisoners (a minimum of 12 and a maximum of 20) works with facilitators to establish mutual trust, respect and a sense of community. Learning takes place in a facilitator-lead large group, as well as small groups and individual activities. The experiential learning format makes it highly effective as a teaching model given that many prisoners did not do particularly well in a traditional classroom setting. Participants do not take notes, complete workbooks or sit through lectures. The facilitation team consists of a combination of outside volunteers and inside prisoner facilitators trained in the format. This team plans the three-day programme to include a combination of fun and serious activities. Prisoners report that the programme is "creative, fun, open, lively, informative and easy to receive". Each exercise helps participants understand their own behaviour and important principles for change.

FROM HEAD TO HEART

Throughout, participants are encouraged to recognise that 'the present they are constructing should be the future that they want.' As a result, *Opening Doors* believes that personal growth and change should actually begin during the programme. Activities are directed at building skills for effective conflict resolution, including communication skills, listening skills, problem solving principles, co-operation and learning the power of positive thinking. It is a relational

programme because, as one prisoner reports, "it helps you to get to know new people and to know better the people you already know. It is great for enhancing communication skills and helping one to open up more and show more trust". What makes the programme so successful is that each activity provides an opportunity for participants to learn about themselves and to connect with others through a unique shared experience. One prisoner remarked that it "promotes realness" whilst another said: "it shows and tells you about things most people will

overlook and can't deal with because of pride." Experiential learning enables the participant to move from 'head' knowledge (theory) to 'heart' knowledge (practice) and so is more likely to impact the participant's future

choices and behaviour. Perhaps the warmest praise came from the prisoner who simply said: "Everyone needs to have their own *Opening Doors* experience".

FIRST OF ITS KIND

Recognising that even the best personal skills don't always result in immediate and successful resolution of conflict, peer mediation for prisoners was introduced as the second major plank. Prison is probably the last place you would expect to find peer mediation. After all, prison has historically been a place characterised by confrontation, self-reliance and the prisoner's ability to take care of himself. But an innovative pilot programme in peer mediation at MCI has turned the old prison models inside out. With funding and training assistance from Opening Doors of Ohio, Inc. 24 prisoners have completed a course in 'Basic Mediation Skills' facilitated by the Capital University Law School in Columbus, Ohio. The two-day training seminar gave the men a solid foundation in structured conflict resolution through peer mediation. The seminar was the same as that offered to the community-at-large. (Indeed, prisoners particularly appreciated the fact that they were treated no differently than other trainees and were not being patronised). The question left at the end of training, however, was 'where and how can we apply these new skills in prison?'

In response to this question, MCI's Warden, Christine Money, gave approval for the implementation of a peer mediation process at the prison called *Resolution* – the first of its kind in a prison setting. *Resolution* enables prisoners

to bring their interpersonal disputes to peer mediation to explore their own solutions with the help of two trained prisoner-mediators. As noted by one trained prisoner-mediator, "In the past, such disputes would have remained unresolved; or brought to prison staff (with inevitable disciplinary consequences) or left to

the prisoners' own devices (an outburst of violent behaviour requiring staff intervention)."

THE POWER AND THE PRIVILEGE

"The amazing thing about the process is how our natural suspicion turned into a genuine willingness to seek common solutions," commented prisoner Ron Ambrosia following a three-day mediation involving a myriad of conflicts within an eight-man singing group. "Several of us had serious reservations at first, and some believed this was just another way for the administration to shove a resolution down our throats. But as we worked with our mediators we came to realise that we could openly share our problems and find our own solutions. Not only were the mediators well trained, but they seemed to care about us. I've been locked-up fourteen years, and I've never seen anything like it."

Certified mediators at MCI receive regular training in advanced mediation techniques from Ohio's professional mediation community. The professionals volunteer to come into the prison each month under the direction of Opening Doors of Ohio, Inc. The interpersonal relationship among prisoners and between prisoners and staff is fragile. Mediation is one of the tools that can help to construct those relationships on more positive foundations – with lifelong implications. Moreover, because the process of mediation can allow a prisoner to experience the power and the privilege of resolving his own dispute within the constraints of the mediation process, involvement in mediation can teach a prisoner life skills that are needed for successful re-entry to society.

Staff may question the value of referring prisoners to mediation. Some may see it as implying a failure on the part of staff to successfully do their job and to resolve prisoner disputes. However this is to misunderstand the value and purpose of prisoner peer mediation. If the prison truly believes that a part of its mission is in fact restorative in nature, then it is incumbent on staff to recognise that an important skill prisoners need to experience is that they have the resources within themselves to successfully and productively resolve conflict. Mediation by its very nature allows a prisoner to experience this success in an appropriately controlled environment. Mediation is not an indication of staff skill deficiency. Rather, it is a matter of staff 'holding back' and enabling prisoners in a way that helps the successful re-entry of prisoners into society.

CULTURAL CHANGE

During the MCI Strategic Planning Retreat for 2001, Warden Money asked me to spend the day with a varied team of union and management representatives to look at workplace conflict and

explore alternatives for addressing employment-related conflict. In a follow up meeting, ways to become more successful at resolving workplace conflict were brainstormed. Suggested initiatives included: activity directed at changing the culture at MCI to engender personal ownership for early and successful conflict resolution; designing an in-service training component dealing with conflict resolution for all MCI employees in the upcoming year; and implementing a workplace mediation programme for employment-related disputes. All of these initiatives were adopted and work began immediately to provide each service to MCI on a volunteer basis by Opening Doors of Ohio, Inc. and at no cost.

The cultural change initiative began in late April with an initial group of twenty employees, including members of senior management. John Shuford, an expert in conflict resolution training, was invited to MCI from Delaware to facilitate a pilot *Conflict Resolution and Team Building* programme based on a highly successful staff-training programme in the Philadelphia City Prison system. The programme is designed to develop employee skills and ownership for workplace conflict resolution and team building. It was very well received by those in attendance who highly recommended that the training be continued at MCI. Staff frequently describe the training as the "best" they have ever attended. The overall experience is perhaps best captured by this response from one employee who shared, "what I liked most about the program was how the class broke down the walls between different people from other departments."

Like *Opening Doors*, *Conflict Resolution and Team Building* is based on experiential learning which makes it a fun, exciting and fast paced way to improve the staff's conflict management and problem-solving skills. "Every single exercise was enlightening, there was not one boring moment [in the class]", commented one staff member. Under the direction of Opening Doors of Ohio, Inc., staff facilitators have been taught how to facilitate the programme and they continue to train MCI employees in diverse

groups of 20 staff members at a time. To support the training that takes place in *Conflict Resolution and Team Building*, each employee also attends a four-hour module in their annual in-service training schedule that complements the development of staff conflict resolution, team building and problem-solving skills. Experience in the Philadelphia City Prison system has proven that *Conflict Resolution and Team Building* enables staff to better manage conflict with prisoners. "Use of force" incidents are lowered, saving taxpayer dollars and improving the environment within the prison. As this work prepares to move forward into other Ohio prisons, it will be modified somewhat in content and will be renamed *Building Bridges*.

MEDIATION EMBRACED

A fourth programme initiated by *Opening Doors* of Ohio, Inc. is the *MCI Workplace Mediation Programme*. After attending *Conflict Resolution and Team Building*, a number of union employees highly recommended the immediate implementation of workplace mediation.

A trained employee-mediator sits down with the disputing employees to help them find creative solutions for the issues involved in the conflict. As the idea of workplace mediation gained momentum, the MCI Warden asked me to mediate a highly volatile workplace dispute involving two MCI staff members where the primary issue involved racial and gender-based tensions. Even though it was highly unusual to do so, the Union President sought permission from the staff participants to sit in the mediation and observe the procedures. The mediation enabled the employees to develop a successful resolution of their dispute and the immediate response of the Union President was that the process was "nothing short of a miracle!" He remarked that he had never seen anything like it and he readily embraced mediation as one option for resolving workplace disputes. The Union President's reaction is very similar to those of other employers who are finding that employee satisfaction levels of those who have the opportunity to use mediation is extremely high. Employees who have participated in mediation feel that they have had the opportunity to tell their side of the story and 'own' the solution to their problems, rather than having a solution imposed by a manager or someone else. Employees who are given the option of resolving disputes with mediation are less likely to seek outside intervention to resolve their disputes – such as filing charges with federal and state agencies or filing lawsuits. When the Department of Rehabilitation and Corrections (DRC), as a state agency, is able to provide employee methods for early and effective resolution of employment-related disputes taxpayers benefit from the agency's efficiency.

Moreover, as MCI employees use the workplace mediation process and thereby become familiar with its advantages, they are more likely to support the use of this method of dispute resolution to resolve certain prisoner

disputes. Following mediation training by MCI employees, workplace mediation procedures were readily adopted jointly by union and management and staff peer mediation is now one option for resolving workplace conflict at MCI.

NEW VISION

A considerable amount of corrections research has now established guidelines about "what works" in the area of rehabilitative prisoner programming. The efforts of Opening Doors of Ohio Inc. works with the grain of 'what works' in the three key areas of programme content, delivery and personnel.

Regarding programme content, *Opening Doors* and *Resolution Prisoner Peer Mediation* tackle criminogenic factors such as anti-social attitudes, values and beliefs; particular temperament and behavioural characteristics; weak problem-solving and social skills; and negative family factors. Second, regarding programme delivery, *Opening Doors* and *Resolution* recognise that illiteracy and learning disabilities are frequent issues for prisoners and

accordingly programmes are delivered in ways that are consistent with prisoners' abilities and learning styles. Both programmes use experiential learning models that use little or no lecture or

workbook activity and use coaching or facilitated learning models that focus primarily on learning by experience. Third, 'what works' research suggests that some offenders derive particular benefit when rehabilitative programmes are provided by volunteers, which is by design the approach used by *Opening Doors* and *Resolution*.

NEW GENERATION

Based on the initial success of these four core programmes in MCI, the Director of the Ohio DRC expressed his desire for these programmes to be expanded to other Ohio prisons. Following an initial meeting in May 2002, work began to move forward into ten Ohio prisons in June 2002, selected to provide geographic distribution and diversity throughout the State of Ohio. The programming offered by Opening Doors of Ohio, Inc. and invited by the Department for introduction into the Ohio prisons will hopefully be a model of the "new generation" of offender programming that will assist the Department in meeting its newly adopted vision and mission.

Note: The right to both *Opening Doors* and *Building Bridges* are protected and all rights are reserved to Opening Doors of Ohio, Inc.

Deborah Roeger is founder and Executive Director of *Opening Doors of Ohio, Inc.* Since her early retirement from legal practice in 1999 she has spent most of her time as a volunteer for the Ohio prison system and is a trained and experienced mediator.

1 'Mediation' is defined in this article as a formal communication process using the resources of a trained, skilled mediator acting as an objective neutral party.



RELATIONAL JUSTICE: TEN YEARS ON

'Relational Justice: Repairing the Breach' is being reprinted to mark its tenth anniversary.

Jonathan Burnside and Michael Schluter look back and explain why a relational approach to justice is still needed



Relational Justice is about putting relationships at the heart of the criminal justice system – from crime prevention and policing to sentencing, incarceration and probation. In essence, it is all about asking the fundamental R question 'What will be the likely impact of this or that policy, of this or that change, upon the quality of relationships within the criminal justice process?' The relational question is a sensible one to ask besides (but not instead of) what 'works', what is 'measurable', or 'how much value for how much money'? It is also an important question because justice is transformative and not a static state. Doing justice means making room for growth, healing and the possibility of restored relationships. Punishing with justice requires that we ask the relational question; when we fail to do so, punishment loses its legitimacy and moral authority.

Relational Justice is first about making right relationships the goal of the criminal justice system. A relational worldview is consistent with the Judaeo-Christian tradition in which justice is about upholding a moral order defined by a personal and loving God, and seeking just relationships as defined by that moral order between neighbour-citizens. At every level, justice is personal and relational.

TEN YEARS ON

Relational Justice began in the early 1990s when the low level of debate regarding crime and punishment was summed up by John Major's unreflective nostrum "condemn a little more, understand a little less". In the ten years that have elapsed since then we have, in certain respects, got better at asking the relational question. The past decade has seen the introduction of 'restorative conferencing' and mediation for young offenders, as well as community conferencing to resolve incidents of anti-social or semi-criminal behaviour. An intentional multi-agency approach has led to closer working relationships between criminal justice agencies and there has been greater support for victims. Parenting, reparation and action plan orders have all entered the penal lexicon along with 'cluster courts' and formal schemes for mentoring and 'remand fostering'. The Social Exclusion Unit now instantiates the Relational Justice maxim that a society that promotes inclusion and relationships to the maximum has the best chance of reducing crime to the minimum. Even the Conservative Party has adopted the explicitly relational language of the "neighbourly society". From crime prevention to aftercare, there are many places where Relational Justice wears skin and flesh.

Many of these initiatives are discussed on-line in the *Relational Justice Bulletin* that, since 1999, has provided a platform for the exchange of best relational practice.¹

In other respects, however, the relational question is seldom asked. Relational Justice began in 1991 by drawing attention to the destructive impact of imprisonment on family ties. At that time the prison population was 36,000. It has now grown to 74,000, a higher proportion of the population than any other country in the European Union. The relational fallout of mass imprisonment is now greater than ever. Not only are there more prisoners than ever before but there are proportionately fewer prison visits. According to Prison Service figures for England and Wales, the proportion of visits to prisons has dropped by up to 50% in the last three years (1999-2002).²

A recent survey found that prison visits and Visitor Centres were generally given low priority.³ If relationships are central to human well-being this is a matter for acute concern, especially when it appears that people are now being sent to prison for offences that would not have attracted a prison sentence ten years ago. Parenting from prison is still enormously difficult due to the emotional and psychological issues involved with bringing children into a prison, the outrageously high cost of making telephone calls from a prison and the sheer distance most families have to travel. Prisoners still have little opportunity to make financial contributions to their families and are often a significant financial burden.

RELATIONAL DISASTER

There is another reason why mass imprisonment is a relational disaster. Punishment should assist in the process of relational development and social maturation. Yet all too often the process of imprisonment seems designed to induce a state of arrested development. Too many prisoners face, in the devastating words of Hans Toch, "a regime of eventlessness and a life that is redundant, monotonous and stultifying". Programmes that offer an opportunity for creativity and contributing to future generations are limited. It is certainly the case that we take away more opportunities for prisoner growth and responsibility than can be justified in the name of public safety. This is especially serious for the growing proportion of prisoners in the UK and US serving sentences of ten years or longer.

Other trends in recent years include increased centralisation (which undercuts institutions of local justice) and the rise of the "new public management" with its performance

culture of targets, indicators and 'value for money' (which can generate a 'blame-shifting' culture and lack of trust). There are merits in both centralisation and managerialism but the reaction against them demonstrates, once again, the need to ask the relational question.

Relational Justice should be but one expression of relationality in the wider social order. A major concern in seeking to implement Relational Justice is the growth of non-relational and even anti-relational trends in society. New communications technologies may assist us all in keeping in touch with a wider set of acquaintances but arguably detract from the development of closer, deeper relationships. Architecture and town planning focus on individual rights and freedoms rather than building community. Cultural changes such as the shift away from shared meals undermine household cohesion. Despite the best efforts of public policy to combat social exclusion, evidence of public participation in public life – such as voting in elections – continues to decline to levels dangerously low for the legitimisation of democracy.

RELATIONAL COSTS

Despite the importance the Government attaches at present to notions of neighbourhood renewal and social capital, many of the policies it is pursuing point in the opposite direction. This may produce – perhaps – some 'efficiency' gains, but doubtless has significant relational costs. In schools, the current emphasis on league tables focuses on assessing children's academic or technical competence, and does nothing to evaluate, let alone reward, schools which build 'character' and relational skills. In the NHS, health goals are still understood in terms of narrow definitions of physiological or psychological well-being, rather than in the wider context of the relational support networks that we know are crucial to a sense of well being.

The financial system is another sector which, perhaps inadvertently, works against the building of close and supportive relationships in families and local communities. Money, which is such an important source of 'social glue', is saved, invested, taxed and used for insurance on an individual basis. There are few examples of mutuality at a small, local level, while the larger mutuals feel too much like other large corporate structures to contribute very much towards building social capital. Even the one remaining tax incentive in support of long-term, commitment to family, in marriage, has been swept away in the last ten years. It is as if the Government wants people to have no dependence on other people, or responsibility towards other people other than children, in their financial affairs. At the same time, the

failure of Government to restrain the explosive growth of unsecured consumer credit is well known to have disastrous consequences for close relationships in families and households.⁴ How does such a view match the emphasis on building social capital?

ATOMISATION

A further feature of current policy contributing to increasing atomisation of the social order is the continuing high levels of household and individual mobility. In the 1990s, over half the population moved house.⁵ In 2001 alone, there

"Relational Justice should be but one expression of relationality in the wider social order."

were over 1.5 million housing transactions.⁶ It is little wonder, then, that in recent surveys across Britain half the population could

not name more than 5 of their neighbours.⁷ Of course, some – indeed many – people may not have gone very far when they moved house, but there is still an impact on neighbourhoods, networks of support and that sense of rootedness which leads to a sense of responsibility towards the local community.

Another destructive component in the mix which is contributing to the erosion of 'social capital' has been the way immigration and asylum-seeking has been handled. Growing numbers of foreigners are difficult to assimilate into communities at the best of times. It is made much more difficult when there is a lack of transparency about numbers being allowed into the country, the basis of selection is unclear and an impression is created that large numbers are entering illegally due to a lack of commitment to enforce border controls and 'be tough' with those who flout the rules of entry and asylum. Immigrants and asylum-seekers need to be accepted and welcomed, both for their own sake and for the stability and cohesion of the communities where they choose to live. Current policies work against such an outcome.

ANTI-RELATIONAL POLICIES

This catalogue of anti-relational policies and practices across Government calls into question whether there is genuine commitment to building 'social capital', and underlines even more strongly the need to pursue 'Relational Justice'. In the vocabulary of 'Relationism', we need a policy framework which includes also Relational Education, Relational Healthcare, Relational Finance, Relational Immigration and Relational Cities. The strength of the Relational approach, of asking the Relational question, is precisely its ability not just to aid diagnosis but to pinpoint ways to intervene to build the kind of families and communities which will sustain the social order in years to come.

In what ways is this 'relational' approach different from the goals and methods of

restorative justice, which has become part of our familiar vocabulary? Ironically, asking the relational question has become increasingly necessary with the rise of Restorative Justice. The movement of restorative thinking from the margins of political thought to an explicit plank of criminal justice policy is one of the most remarkable developments of the past decade. Yet this does not mean that the time has come for relational thinking to take a back seat. Although Restorative and Relational Justice share much in common, especially at the level of policies, there are important differences in their theoretical foundations.

SOCIAL MECHANISMS

This is because restorative justice, concerned as it is with the restoration of prior social relationships in a community, is necessarily relational. Anthony Bottoms suggests that a commitment to 'restoring' victims, offenders or communities means thinking about the social mechanisms that can bring this about and this is likely to depend upon the nature of the relationships involved.⁸ 'Reconciliation' may be more likely to succeed among 'thick' social relationships (e.g. family members) where relationships must necessarily continue as opposed to 'thin' relationships (e.g. members of a social club) where there is less incentive. Identifying the kinds of cases for which we might wish to develop Restorative Justice-type approaches and the kinds of cases where this might not be appropriate means asking the relational question.

Restorative Justice as a framework for the criminal justice system is most unlikely to be able

"Restorative justice is necessarily relational because it is concerned with the restoration of prior social relationships in community."

to stand on its own in the wider policy arena because it relies on the strength of family and community relations being in place to support it. If family and community are highly dysfunctional, as in many urban areas in Britain today,

the grassroots mechanisms required to achieve effective mediation, and to restore relationships broken by crime, will be insufficiently robust to sustain the pressure put upon them. Thus, there needs to be a simultaneous approach to strengthen family and involve community in the areas of education, health, neighbourhood policy and the work of social services. The whole public policy framework needs to be reviewed from a relational perspective.

VULNERABLE GAINS

In addition, focusing on the consensual and mediation aspects of traditional courts risks ignoring the important role of coercion and power. Consensus on its own is not enough; there must also be a commitment by the parties to conform to an externally defined moral standard which sets out what constitutes 'right relationships' in this society.

A final reason why Relational Justice is needed is the vulnerability of the gains made

over the past ten years. The good intentions and enthusiasm of many politicians, policy-makers and practitioners are at risk of being thwarted by competing and contradictory values running through criminal justice and social policy. The relational values of the Crime and Disorder Act 1998, for example, occur in the context of a broadly controlling and punitive piece of legislation. A countervailing approach to the 'culture of control' is needed if relational practices are to have a more than marginal effect. Positive proposals for dealing with re-settlement and re-offending demand a relational approach if they are to have any chance of success. There is a real danger, at this point, of using what a relational approach might suggest but without the underpinning philosophy or understanding. The worst is the corruption of the best. Ten years on we still need to ask the relational question – because justice cannot prevail without it.

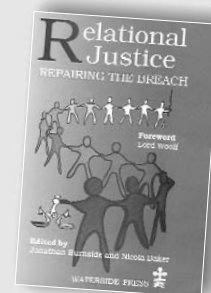
Jonathan Burnside is co-editor of the reprinted *Relational Justice: Repairing the Breach*. Dr Michael Schluter is Chairman of the Relationships Foundation, Cambridge which launched the Relational Justice project in 1991 and produces the Relational Justice Bulletin.

- 1 See the Relationships Foundation website www.relationshipsfoundation.org/relational_justice/RJ_bulletin_archives.html.
- 2 Cited in Lyon, J. (2001) "Family Matters." *Prison Report* 55, 3.
- 3 Loucks, N. 2002. *Just Visiting? A Review of the Role of Prison Visitors' Centres*. Available from the Federation of Prisoners' Families Support Groups (FPFSG), England or the Prison Reform Trust (PRT), London.
- 4 Hartropp, A, Hanna, R, Jones, S, Lang, R, Mills, P, Schluter, M, 1988 *Families in Debt*. Cambridge: Jubilee Centre Research Paper No. 7.
- 5 Office for National Statistics Statbase. (<http://www.statistics.gov.uk/statbase/tsdataset.asp?vlnk=704&B4.y=15>)
- 6 *Ibid*.
- 7 A MORI survey commissioned by the BBC for the programme 'A Land Worth Loving', 2002 (www.bbc.co.uk/nature/programmes/tv/land_loving)
- 8 See Bottoms, A. 2003. 'Some sociological reflections on Restorative Justice', in A. von Hirsch et al. *Restorative Justice and Criminal Justice: Competing or Reconcilable Paradigms?* Oxford: Hart, pp. 79 – 113

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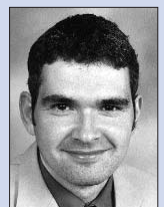
Relational Justice
WALKING THE TRENCH

Foreword by
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WALKING THE TRENCH

WALTER PETER



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