



# Christians for an Ethical Society

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2008 Forums on Prisons at the  
*Australian Centre for Christianity & Culture*  
26 February 2008

## Prisons – Can they be human, even rehabilitate?

**SOME BRIEF NOTES BY PROFESSOR TONY VINSON  
TO HELP LAUNCH A DISCUSSION**

### **A TOLERABLE, AFFORDABLE PRISON SYSTEM**

Because of the breadth of the topic to be discussed in this forum, the following points are intended simply as memory jogs to facilitate the group's discussion. Obviously an almost endless list of requirements could be generated by including administrative and legal issues but the emphasis here is on signs that might inform an observer's judgement about how a local prison system is travelling in terms of social values and the rights of different stakeholders.

- First priority should be the remedying of relevant social inequities and the social roots of offending. The key manifestations of communal disadvantage.
- Prison must be an authentic last resort – prison sentences should be specifically justified (do away with 'penal ladder').
- Appropriate menu of other punishments (not 'alternatives').
- Effective retention of those detained (architecture; security, sniffer dogs, metal detectors; use of firearms). Drug testing to assist, not catch out. Freedom behind walls; aim is normalcy, cooperation; community arbitration; normal 'lock-up' hours; 'active' security; much reporting of dynamics; sharing of responsibility between officers - security disturbance plan on 'need to know' basis; dispersal units rather than containers for 'worst prisoners'; because of corrupting influences inherent in the institution, independent investigation unit; staff development. Separation of different groups (remandees, security classifications) but not an absolute (eg., low classification men and women).
- When breaches of discipline occur, protection of staff, inmates, immediate concern.
- Handling of difficult, 'troublesome' prisoners is consistent with the overall approach. The 'as if' principle but confront if necessary. Clear rule concerning use of force. Clear statement of reasons for segregation. Protection of those at risk of self-harm.
- Community monitoring and participation in programs; first line of assessment of the reasonableness of prison punishments.
- Corrective Services should monitor impact of sentencing policies and practices on families, neighbourhoods and report to policy makers.
- Sentencing practices should be flexible enough, under judicial supervision, to substitute more purposeful programs away from prison (after sentence has commenced) – sanctions for non-compliance.
- 'Work' broadly defined – includes basic education and realistic financial and other incentives (that is positive reinforcement for effort).

- Training dovetails with i) future work with supervisors, employers involved both during and after sentence; and ii) continuation of training; short-term training and (demonstrated) work opportunities;
- Industry to be subject to standard contractual obligations.
- Identity retained (communication; privacy; possibility of leaves). Avoid passivity (personal contracts and dedicated units, eg., drug dependency).
- Rights retained except for those rights necessarily comprised by security requirements; loss of liberty the essential punishment; support visitors (costs, child minding). Newspapers, printed material. Legal materials and assistance.
- Prisoners' needs committees – have to be made to work!
- In particular, preserve legal rights; direct appearance; legal representation before prison tribunals; confidential legal documents, discussions – exclude those who misuse. Translated rules.
- Maintain use of community professionals where possible – gynaecological consulting service, psychiatrists, general practitioners.
- Same range of programs for women.
- Presumption that mothers retain care of infant children.
- Personal plan, staff participants, contractual obligations; staff to have one skill at least for engaging inmates; front line assistance to inmates (supported by professional staff); lure the best from inmates.
- Aftercare merged with through care – bond early.
- Professional staff complemented by community aftercare mentors; formal selection and facilitation.
- Programs covering different personal shortcomings and needs.
- Rehearsals of post-release challenges; group work especially importance of relationships and how to make them work satisfactorily.
- Officer fitness; amenities of good standard.

### **Who is Professor Tony Vinson?**

Professor Vinson is one of Australia's leading social scientists and outspoken public intellectuals. For some years he was chairman of the NSW Corrective Services Commission and undertook sweeping reforms following the Nagle Royal Commission into that state's prison system. He has been outspoken about the ever expanding NSW prison system in response to social and educational disadvantage.

“Where the education of people is severely limited, where health problems at the very beginning of life are concentrated, where unemployment is at its highest, and where residents are measurably more resigned to accepting rather than shaping their fate, there one finds the highest rates of official crime.”

### **CES first forum on prisons**

Professor Tony Vinson was guest speaker at the first prison forum run by Christians for an Ethical Society in February 2008. He expressed his scepticism that prisons could effectively rehabilitate their inmates. To achieve that, the community needed to use other correction options, wherever possible. The best prisons he had visited – and none was Australian – aimed to return people to society in no worse condition than their condition on entry.