

Community Education Resource

Social Justice Statement 2011–2012

Building Bridges, Not Walls: Prisons and the justice system

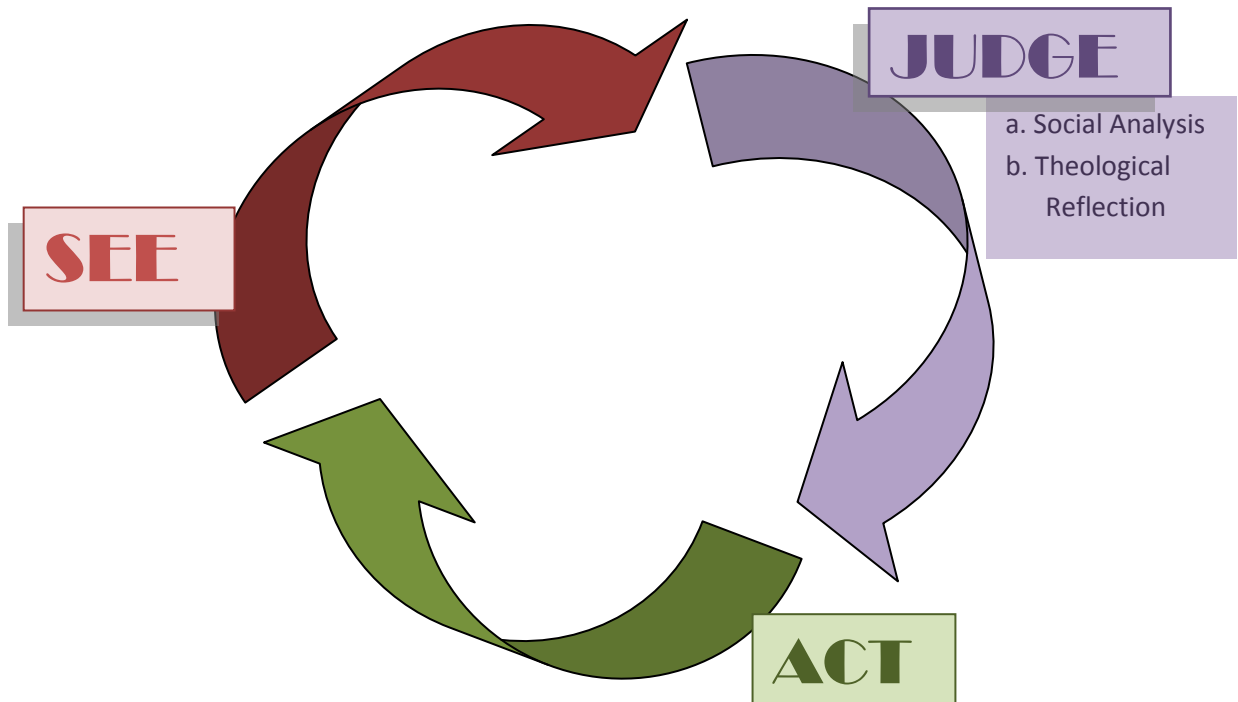
This resource is for social justice groups, YCS groups and senior secondary students. It offers a process to engage with the issue of prisons and the justice system, based on the Australian Catholic Bishops' Social Justice Statement 2011–2012.

In the introduction to the Statement the Bishops say:

“It is time for all Australians to revisit the needs of prisoners, their loved ones and those who work with them. It is time to recommit ourselves to reducing the number of Australians held in prison, making better provision for ex-prisoners to become law-abiding and constructive citizens.” (p. 3)

Using the *See, Judge, Act* process, this resource provides ways to *See* what is happening in the prisons and justice system, and to critique our own and society's attitude to this issue. Then we can make an informed judgement on the situation and take action to change what can and should be changed.

For each phase of the process, there are references to the Social Justice Statement and suggestions for further resources and research.



SEE

Social Justice Statement 2011-12 References

Introduction page 2

Part 1 Prison a last resort pp. 4–6

Part 2 The challenges confronting us pp. 7–11

In the Social Justice Statement the Bishops see the following as concerns:	Resources in the Statement
<ul style="list-style-type: none"> The majority of prisoners are from the most disadvantaged sections of the community, for example Indigenous people, people from underprivileged backgrounds and those suffering mental illness. 	See notes 24–26.
<ul style="list-style-type: none"> There is an increase in imprisonment rates – but not an increase in crime rates. Why is this? 	See notes 4 & 5.
<ul style="list-style-type: none"> Laws enacting tougher bail conditions mean some people are kept in jail for years, without being sentenced – and may be found innocent. 	See note 5.
<ul style="list-style-type: none"> Alternatives to prison are not always considered or available. 	
<ul style="list-style-type: none"> Prisons are often overcrowded, and it's difficult to obtain training, counselling and treatment for mental illness. 	
<ul style="list-style-type: none"> Justice is not administered equally across Australian states and territories. 	See notes 6–16.
<ul style="list-style-type: none"> Fear campaigns about law and order – especially during state elections. 	
<ul style="list-style-type: none"> Social factors contribute to high imprisonment rates. 	
<ul style="list-style-type: none"> There is a need for pastoral care of prisoners. 	
See for yourself!	Other resources
Select one or more of these issues and find out the policy and the practice in your state on the issues.	<ul style="list-style-type: none"> State ministries or departments for Justice Corrective services departments University law schools Criminal Justice advocates.
Are there other issues related to prison and the justice system that need to be addressed?	Research restorative justice
What is your experience of this issue? What is the main source of your information?	See web references in the 10 Steps Leaflet

*After this research, what is the question or questions you now hold regarding this issue?
Take this question to the next stage.*

JUDGE

- a. Social Analysis
- b. Theological Reflection

a. Social Analysis helps us to obtain a more complete picture of the social situation by exploring its historical and structural relationships. In this step, we attempt to make sense of the reality that was observed in Step 1. Why does this situation exist? What are the root causes?

Look at and discuss the concern you researched in terms of the following factors.

This deepens our understanding of our experience by asking 'Which of these areas is this issue really about?'

<p>Economic Factors – Production, distribution, patterns of ownership and decisions about property and resources. Who owns? Who controls? Who pays? Who gets? Why? What part do economic factors play in determining who goes to prison?</p>	
<p>Political Factors: Totality of people's participation in decisions that affect their lives. Who decides? For whom do they decide? How do decisions get made? Who is left out of the process? Why?</p>	
<p>Social Factors: How people group to relate to one another—social, class, ethnic, racial or age groups. Who is left out? Who is included? Who is overrepresented? Why?</p>	
<p>Cultural Factors : Sum total of ways of believing, thinking, feeling and acting, which constitutes what people call 'their way of life' What values are evident? What do people believe in? Who influences what people believe?</p>	
<p>Religious Factors religion is the expression of humanity's ultimate concern – the articulation of longings for a centre of meaning and value, for connection with the power of being. What religious beliefs or practices support this practice? What religious beliefs or practice challenge it?</p>	
<p>Historic Factors: Past events form the current reality. What past events influence this situation today? How does Australia's history as a penal settlement affect our attitudes to prison?</p>	

*By the end of this step, the group will have constructed a wider and deeper picture of the issue or focus.
 The underlying cause begins to emerge.*

*For example, is it predominantly a social, political, cultural, economic or religious issue?
 In light of the analysis the group renames the issue/question and takes it to the theological reflection*

b. Theological reflection

Theological Reflection explores the experience and its deeper analysis, in dialogue with the religious tradition. From this conversation we gain new insights and meanings. Two important sources of this tradition are the Scriptures and Catholic Social Teaching.

	Quotes in the Statement
<p>What Scripture passages can help us to make meaning of this experience?</p> <p>How do the Scriptures enable us to see this reality in a different way?</p>	<p><i>The Spirit of the Lord is upon me, because he has anointed me to bring good news to the poor. He has sent me to proclaim the release of captives and recovery of sight to the blind, to let the oppressed go free, to proclaim the year of the Lord's favour. (Luke 4:18–19)</i></p> <p><i>And when was it that we saw you a stranger and welcomed you, or naked and gave you clothing? And when was it that we saw you sick or in prison and visited you?' And the king will answer them, 'Truly I tell you, just as you did it to one of the least of these who are members of my family, you did it to me.'</i> (Matt 25:40)</p> <p>See other scripture passages in the Statement pp12-13</p>
<p>What does Catholic Social Teaching say about this issue?</p> <p>What key principles from Catholic Social Teaching apply to this situation?</p> <p>For example: human dignity, the common good, human rights, the option for the poor.</p>	<p><i>On the one hand, encouraging the re-insertion of the condemned person into society; on the other, fostering a justice that reconciles, a justice capable of restoring harmony in social relationships disrupted by the criminal act committed.</i> [Pontifical Council for Justice and Peace (2004) Compendium of the Social Doctrine of the Church]</p> <p>Pope Benedict XVI, addressing the 2007 Rome Congress of Prison Chaplains, said:</p> <p><i>Judicial and penal institutions must contribute to the rehabilitation of offenders, facilitating their transition from despair to hope ... When conditions within jails and prisons are not conducive to the process of regaining a sense of worth and accepting its related duties, these institutions fail to achieve one of their essential ends</i></p> <p>See Notes 17,19, 20 in the statement</p>
<p>What insights emerged for you?</p> <p>What do you see more clearly?</p>	
<p>What ideas for Action emerge from your Insights?</p>	

ACT

From your information – [Seeing]

... and analysis and theological reflection [Judging]

... what **ACTION** needs to be taken

- to change the situation?
- to address root causes?

Challenges presented in the statement are:

- Fear campaigns about law and order
- Social factors that contribute to high imprisonment rates
- Maintaining the dignity of those in prison
- Providing practical help for those leaving prison
- Finding realistic alternatives to imprisonment.

What challenges emerged for you?

What action can you take?

If no action is clear, what additional research is needed?

How would you transform the structures and relationships that produce this situation?

How can you act to empower those who are disadvantaged in this situation?

What practical help can you offer?

How will you evaluate the effectiveness of your action?

See the ACSJC leaflet *Ten Steps for Building Bridges not Walls*

BOOKS

Dead Man Walking, Helen Prejean
The Fatal Shore, Robert Hughes
For the Term of His Natural Life, Marcus Clarke
Long Walk to Freedom, Nelson Mandela
Darkness at Noon, Arthur Koestler
The Gulag Archipelago, Aleksandr Solzhenitsyn

One Day in the Life of Ivan Denisovich,
 Aleksandr Solzhenitsyn
From the House of the Dead, Fyodor Dostoevsky
The Shawshank Redemption, Stephen King
The Green Mile, Stephen King

FILMS***Here I Am***

(2011. Director: Beck Cole. Producer: Kath Shelper. 90 min. Australian)

A young Aboriginal woman recently released from prison finds herself on the streets with no-one to call for help. She finds shelter at a safe haven and begins the journey of reconnecting with her estranged mother and her young daughter.

Stir

(1980. Director: Stephen Wallace. Writer: Bob Jewson. 101 min. Australian)

Inspired by the true life prison riot at Bathurst Jail in 1974 and the subsequent Royal Commission into NSW prisons. Stars Bryan Brown, Max Phipps, Dennis Miller, Garry Waddell.

The Big House

(2001. Writer/Director: Rachel Ward. 24 min. Australian)

A short drama film set in an Australian prison. Winner, Australian Film Institute award for Best Short Fiction Film (2001), Film Critics Circle of Australia award for Best Short (2002). Stars Tony Martin, Kick Gurry.

Dead Man Walking

(1995. Director: Tim Robbins. Writers: Helen Prejean (book), Tim Robbins. 122 min.)

A nun, while comforting a convicted killer on death row, empathises with both the killer and his victim's family. Stars Susan Sarandon, Sean Penn, Robert Prosky.

The Shawshank Redemption

(1994. Director: Frank Darabont Writers: Stephen King, Frank Darabont. 142 min.)

Two imprisoned men bond over a number of years, finding solace and eventual redemption through acts of common decency. Stars Tim Robbins, Morgan Freeman.

The Green Mile

(1999. Director: Frank Darabont. Writers: Stephen King, Frank Darabont. 189 min.)

The story about the lives of guards on Death Row leading up to the execution of a black man, accused of child murder, who has the power of faith-healing. Stars Tom Hanks, Michael Clarke Duncan, David Morse.

In the Name of the Father

(1993. Director: Jim Sheridan. Writers: Gerry Conlon, Terry George. 133 min.)

A man's coerced confession to an IRA bombing he didn't do imprisons his father as well; a British lawyer helps fight for their freedom. Stars Daniel Day-Lewis, Pete Postlethwaite, Alison Crosbie, Emma Thompson.

Kiss of the Spider Woman

(1985. Director: Hector Babenco. Writers: Leonard Schrader (based on the novel by Manuel Puig). 120 min.)

Luis Molina and Valentin Arregui are cell mates in a South American prison. To escape reality Luis invents romantic movies, while Valentin tries to keep his mind on his situation. During the time they spend together, the two men come to understand and respect one another. Stars William Hurt, Raul Julia, Sonia Braga.

One Day In The Life of Ivan Denisovich

(1970. Director: Caspar Wrede. Writers: Ronald Harwood, Aleksandr Solzhenitsyn (novel). 105 min.)

Depicts an ordinary day in the life of Ivan Denisovich Shukhov, a prisoner in Stalin's Gulag. Closely adapted from Solzhenitsyn's classic novel based on his own experiences. Stars Tom Courtenay, Espen Skjønberg, Alf Malland.