

Crime and Punishment

There is a growing awareness in society that those who offend against its laws should be removed from the community only as a last resort. This is because the chances for successful rehabilitation are less in the unnatural environment of the prison than they are in the community.

Where a law-breaker is given some form of imprisonment or detention the only punishment inflicted by society should be the deprivation of freedom, for freedom is one of the most valued of human rights.

Our penal institutions, and especially our medium and maximum security prisons, have one basic weakness -- they not only deprive inmates of their freedom but tend to deprive them of their self-respect and humanity as well.

Government policies should be shaped by the guiding principle that the life of prison inmates should be as normal and as uplifting as is possible within the restrictive confines of a penal institution. Only in an environment of normalcy can the difficult process of rehabilitation begin. Character reform is almost impossible in the debasing environment of many prisons.

Such environments actually increase the maladjustment of criminals by uncovering and worsening personality weaknesses. Self-respect is assailed, initiative is curbed. Dress, food, reading, getting up and going to bed are no longer matters of choice. The inmate cannot fulfill his role as a worthwhile human being to parents, wife, children or friends. He is as unproductive and dependent as a child.

By taking the prisoner's freedom and then reducing his responsibility almost to vanishing point, society makes the inmate less fit than ever to comply with the demands and pressures of modern life when he is released. Many ex-inmates, when asked which was the worst - going to prison for the first time or coming out of prison upon release - have commented that it was the latter. The sudden change from one style of life to an infinitely more complex and demanding one produces great psychological disturbance. Indeed, some prison reformers do not consider that a man is responsible for his actions after his release from prison, as he is in a profound state of shock. To them recidivism (returning to prison) may be seen, not as a failure of the individual to be rehabilitated, but as a failure of the individual to recover from the shock. Instead he simply returns to prison where he has identity and acceptance.

Total abolition of prisons may not be desirable, but imprisonment should be reserved for only the most uncontrollable and dangerous criminals. Most of those presently in our gaols are not in this category.

An immediate start should be made on developing new alternatives to prison, apart from the present

alternatives of probation, periodic detention, and fines.

Simultaneously steps should be taken by government to make remaining prisons as congenial and normal as possible in order to reduce unrest and aid rehabilitation.

The policy outlined below will deal firstly with improving present prison conditions, contemplating no movement to "open" institutions, and secondly, with possible alternatives to prisons.

Prison Conditions

Pay Rates

A determined effort must be made to increase the sense of purpose and responsibility of inmates. This can best be done in New Zealand prisons by providing prisoners with proper jobs and paying them realistic wages so that they can pay a realistic amount towards board and lodgings, pay off debts, contribute towards the maintenance of any dependants, and save up sums in preparation for use on release.

At the present time the poor payment in prison is not conducive to enthusiastic work. Payment to the prisoner is only in the nature of pocket money while any dependants go on Social Security.

In many of our prisons, especially the medium security institutions, prisoners have barely enough work to keep them occupied, and when reasonable jobs are provided there is little incentive to work because of the ridiculous pay rates.

Productive work habits are an essential part of the shaping of a man and the teaching of work discipline is of particular importance in the life of the offender, because it decreases his feelings of restlessness and worthlessness which come with idleness.

In 1966 the Justice Department stated that it hoped to introduce award rates of payment into prisons, but the proposed reform has never eventuated. Instead the Government is adhering to the "pocket money" concept and periodically raising the pay scale a few cents.

There are a number of administrative and bureaucratic difficulties involved with this system of payment but none that a determined government could not overcome.

Attempts should be made to increase the responsibility of inmates in other areas of prison activity and administration.

Humanising Influences

In an attempt to recreate a normal social environment within the prisons, a number of reforms should be introduced. Homely furnishings should be used as widely as possible; there should be greater attention to



the provision of grassed exercise yards (all exercise yards at Paremoremo Prison are paved); there could be regular small liquor rations for inmates who imbibe and who are not suffering from alcoholism; a variety of dress and clothing should be allowed, and there should be greater flexibility in timetable in order to reduce the monotony of prison life.

Interaction with the Community

A high priority should be given to measures to increase interaction between the prison and the community.

Prison visiting, at present encouraged by a voluntary organisation (the Prisoners' Aid and Rehabilitation Society) needs to be increased, with persons willing to "adopt" prisoners. These people can provide inmates with deep contacts with the outside community. At the present time many prisoners receive no visitors.

A scheme to encourage reformed inmates to take part in a visiting programme should also be considered. According to reports, ex-inmates returning to prison can have a profound effect on criminals - seeing one of their own kind volunteering to help them. In borstals this could be good as trainees are usually too impatient of authority to take notice of anyone connected with the "establishment".

There should be an expansion of the home-leave scheme to allow inmates other than first offenders to receive leave. At the present time adult inmates serving their first sentence of imprisonment may be granted up to three days home leave plus travelling time, once every four months. It is generally restricted to married inmates. The scheme should be open to all categories of offenders with the principle criterion for home leave being the likely threat to public safety. Home leave should also be allowed far more frequently than at present.

Regular supervised telephone calls by inmates, to families, friends, and relatives, should also be allowed.

The possibility of allowing supervised group outings of trustworthy inmates to rugby matches, rock concerts, and selected amusements, should also be examined.

Overcrowding

Many penal institutions, especially of a medium security nature, are badly overcrowded, and more accommodation and better facilities are urgently needed. A Justice Department publication "Crime and the Community", said several years ago that there had been understandable public reluctance to spend money on institutions, and referred to "public indifference". The book's author must surely have known that the public will never provide a lead on penal reform and that a poor prison system is the product of governmental indifference and expediency.

Instead of building large centres like Paremoremo, small ones should be constructed to provide for different types of sentences, age-groups, and categories of inmates, and to avoid the impersonality of large institutions.

Adjustment

Care must be taken to reduce the shock of transition from prison to the community.

At the present time there are pre-release hostels designed to fulfill this function. They are provided mainly for borstal detainees, but there are pre-release hostels for adults in Christchurch and Auckland. There is an urgent need for a pre-release hostel in Wellington to help the adjustment of inmates at the medium security prison at Mt Crawford.

Post-release hostels exist in various centres to assist the adjustment of inmates but the number of these should be increased.

Prison Staff

A penal system can only be as good as the men and women who serve as prison officers.

Tim Shadbolt, in his book "Bullshit and Jellybeans", stated that:

... "prison guards are important people in a prison. They're examples of what a prisoner should aspire to. They are the only examples the prisoners have of a good law-abiding citizen. They are society's ambassadors to the criminal world. If . . . prison guards and prisons are no good, then the prisoners think that the rest of society is no good either."

A one-year Certificate in Criminology course is offered at Auckland University but only five prison officers out of 550 are selected annually to attend the course. As Shadbolt said: "Improvements made on such a small scale - but when the need is so great - are no more than a bad joke".

Alternatives to Prison

The suggestion that prisons can be all but completely eliminated without increasing the danger to the community, is not as fanciful as it may sound.

A study group for the Governor of Wisconsin recently recommended that all adult prisons in the State be closed by this year.

An increasing number of penologists believe that the prison system must be phased out because it has proved unable to rehabilitate criminals. A Harvard law professor, James Vorenberg, said recently: "You have just got to close prisons down, but you've got to develop some real alternatives".

A number of countries and some states in the USA are presently experimenting with imaginative alternatives.

Massachusetts

In Massachusetts since 1969 all juvenile training schools (the equivalent of our borstals and youth detention centres) have been abolished. Young offenders are rechanneled into:-

- Group homes where eight to 12 youths live with an adult couple under supervision by local agencies (at greatly reduced cost per capita to the State than under the old "training school" system);
- Foster Homes;
- Their own homes, under a "buddy" system where a university student spends 20 to 25 hours a week with the delinquents;
- Outdoor activities such as cleaning up parklands and going on pack and survival trips.

Florida

The State of Florida has begun putting convicts into small suburban hostels on the theory that the isolation of prisons is one of their biggest weaknesses.

The hostels are spacious and have a relaxed and open atmosphere, with the men working in the community during the day and being allowed normal facilities and rights, such as television and air conditioners in their rooms, and visitors of either sex every evening until 10pm with all day visits allowed during the weekend.

Carolina pioneered such centres 15 years ago and now has 63 of them. Released inmates have an incredibly low reconviction rate of less than two per cent. This compares with a reconviction rate of about 20 per cent for Witako, New Zealand's most enlightened adult penal institution, and a rate of about 60 per cent to 70 per cent for inmates released from our medium and maximum security prisons.

Denmark

The Ombudsman, Sir Guy Powles, has drawn attention to a Danish "prison", the Herstevester institution, which is both open and maximum security in nature. It

was strikingly successful, he said.

The evidence seems to suggest that in locking the criminal away and treating him as if he is dangerous, society is encouraging the very behaviour it seeks to eliminate. The overseas experiments suggest that if a society is bold enough to give the criminal an amount of "controlled freedom" or "relaxed captivity" which fosters responsibility instead of eliminating it, significant behavioural change does take place.

The Values Party would

- Make an immediate start on the gradual phasing out of most New Zealand prisons and their replacement by a large number of small "open" suburban hostels for all except prisoners requiring treatment for psychiatric disorders.
- Ensure that every prisoner retained the right to vote at national elections.
- Phase out imprisonment for most crimes against property, and replace it with community service, the offender being required to make good the loss or damage wherever appropriate.

While closed prisons are in existence the following measures should be implemented -

- The provision of adequate and suitable work for all inmates.
- Award wages in order to provide an incentive work, and to help inmates maintain their dependants and save up sums for use on release.
- Greater humanising influences introduced to prisons, such as homely furniture and decorations, grassed exercise areas, regular small liquor rations, variety in clothing, greater flexibility of prison timetable, and a prison cinema.
- Encouragement of prison visiting.
- Expansion of home-leave scheme to other than first-termers.
- Regular supervised telephone calls by inmates to relatives, family and friends.
- Supervised group outings of inmates to sports matches, rock concerts, and other amusements.
- Immediate construction of a pre-release hostel for Wellington.
- Greatly expanded provisions for prison officers to take the Certificate and Diploma courses in Criminology at Auckland University.



