



# FROM HARM TO HEALING: TRANSFORMING THE JUSTICE SYSTEM

## WHAT IS PENAL ABOLITION?

Penal abolition seeks to eliminate the punitive mindset which pervades society and justice systems by transforming harmful approaches to ones that are healing. The term “penal” originates from the Latin and Greek words for punishment, and to “punish” is to cause suffering. It is the suffering inherent in the justice system that Quakers wish to abolish – for victims, perpetrators, institutional staff, families and communities.

Quaker work towards penal abolition has been shaped by diverse experiences and an evolved understanding of the root causes of injustice. Early efforts by Quakers focused on reforming prisons to make them more humane and to substitute prisons for capital punishment. However, evidence showed that the social objectives of imprisonment – deterrence and rehabilitation – were not being met through punishment.

Quaker activist Ruth Morris noted that reform within prisons often simply “ended up serving the very system that was so destructive.” Now Quakers work with others in creating alternatives to incarceration, such as restorative justice, transformative processes, diversion and trauma-informed systems.

The global increase in incarceration despite the rise of more effective alternative approaches, then led to questions around punitive approaches. “Punitive approaches are guided by coercion, misuse of power, and fear, fostering additional trauma. The predominant focus on punishing offenders commits the great majority of the system’s energy and resources to legal processing, prisons and incarceration. Justice for survivors and communities become unlikely.” (Canadian Yearly Meeting, 2010)

## HOW ARE QUAKERS INVOLVED?

Quaker and former prison governor, Tim Newell, comments that the early persecution and imprisonment of Quakers, including George Fox, brought home to the developing Religious Society of Friends (Quakers) “the reality of being locked up.” The worldwide community of Friends has worked on concerns related to justice for over 350 years. This has included founding organizations such as the Elizabeth Fry Society and the Alternatives to Violence Project, promoting restorative justice processes, and participating in the establishment of norms and standards at the United Nations.

In Canada, Quakers have held longstanding concerns with prisons. They called for prison abolition in 1981 at their Canadian Yearly Meeting (Minute 93) and for those harmed to become the centre of restorative and transformative approaches at their Canadian Yearly Meeting in 2010 (Minute 79). Quakers in Canada are also involved with the Alternatives to Violence Project (AVP), prison visitation, restorative justice, rehabilitation and coalitions working toward penal reform.

“The prison system is both a cause and a result of violence and social injustice. Throughout history, the majority of prisoners have been powerless and oppressed. We are increasingly clear that the imprisonment of human beings, like their enslavement, is inherently immoral, and is as destructive to the cagers as to the caged.”

Part of Minute 93 by the Canadian Yearly Meeting of the Religious Society of Friends in 1981

# WHAT IS THE PRICE OF PRISONS AND PUNITIVE APPROACHES?

- The justice system does little to meet the needs and provide healing for victims and communities. Accountability to affected families and communities is taken away by the justice system.
- Incarceration and punishment do not resolve or address underlying societal issues related to failed relationships, violence and crime. The World Health Organization's 2002 World Report on Violence and Health identified that violence is a leading public health concern.
- There is little evidence that incarceration and punishment is a deterrent or rehabilitates. The vast majority of prisoners return to the community without the skills to integrate or contend with the problems that led to incarceration such as limited employment, illiteracy and the breakdown of family relationships. In fact, prison can lead to the increased risk of re-offending or committing more serious offences.
- Prison conditions frequently violate many UN standards (see online resources), which require that all prisoners be treated with respect due to their inherent dignity and value as human beings.
- Incarceration is an expensive approach to public safety. Canada spent \$20.3 billion on criminal justice in 2011–2012. While our reported crime rate declined 33.1% between 1998 and 2013, expenditures have increased. This spending on security, courts and corrections diverts funds from more effective services.
- The poorest and most vulnerable are over-represented in the justice system. Many of these individuals are serving sentences for petty or non-violent offences. In a British Columbia study on youth in custody, 65% had experienced some form of government care, over half had lived in precarious housing or the streets and 52% were Indigenous peoples.
- Incarceration impacts families and the wider community in various ways. For example, for many children it can mean the loss of a parent and the associated traumas of that loss.

- There has been a spread of carceral approaches outside of the criminal justice system. The politics of risk, uncertainty and insecurity post-9/11 has led to the increased use of carceral approaches such as indefinite immigrant detention.

Sources: Office of the Parliamentary Budget Officer. 2013. Expenditure Analysis of Criminal Justice in Canada; Public Safety Canada, Corrections and Conditional Release Statistics Overview 2014; McCreary Centre Society. 2013. Time Out III: A Profile of BC Youth in Custody.

## QUICK FACTS

### Prisoners

- More than half of Canadian prisoners have no high school diploma.
- About 80% of them have histories of substance abuse.
- The suicide rate of Canadian prisoners is about seven times that of the general population.

### Corrections Officers

- Corrections officers have the second highest mortality rate of any occupation (their average age is 58), a 39% higher suicide rate than any other occupation and 27% suffer from post-traumatic stress disorder, according to U.S. studies.

### Costs

- In 2012–2013, it cost \$112,197 per year to maintain an offender in a Canadian institution and \$33,799 to maintain an offender in the community.

Sources: Services Canada Statistics, Key Facts & Figures 2010; corrections.com 2012; Desert Waters Correctional Outreach 2013; Public Safety Canada, Corrections and Conditional Release Statistics Overview 2014; University of British Columbia Collaborating Centre for Prison Health and Education.

“We have accepted imprisonment as a default solution to a myriad of social problems.”

Justin Piché, Assistant Professor, Department of Criminology, University of Ottawa



**“Abolition does not mean abolition of responsibility.”**

Mark Forget, Former Coordinator, Quakers Fostering Justice Program, Canadian Friends Service Committee

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## WHAT ARE THE ALTERNATIVES? RESTORATIVE AND HEALING, NOT RETRIBUTIVE

- With legislated exceptions, such as identified serious or violent crimes, the Canadian legal framework has the capacity to use measures other than incarceration.
- Conditions can be imposed or agreed upon that ensure accountability and fairness in the treatment of all involved, such as restitution or reparation toward victims.
- Community-based measures have proven to be successful in ensuring appropriate accountability and healing in relation to harms caused. These measures include community-based programming, networks of support, and rehabilitation for offenders, victims, families and communities.
- Stronger commitments to and more resources for community-based measures would provide a stronger case for alternatives to incarceration.
- Addressing inequality reduces cycles of harm.
- What about people who cause serious harm? “We recognize a need for restraint of those few who are exhibiting dangerous behavior. The kind of restraint used and the help offered during this time must reflect our concern for that of God in every person.” (Canadian Yearly Meeting, 1981)

## WHAT DIFFERENCE DOES IT MAKE?

### Hollow Water First Nation, Manitoba

To deal with an epidemic of sexual abuse and violence in its midst, the Ojibway community of Hollow Water, Manitoba moved away from a punitive model to one centred on community healing.

The Manitoba justice system was unsuccessful in ending a cycle of abuse in Hollow Water that left denial, pain, addiction and suicide in its wake. Instead, it pitted the person who had caused harm against the community, and prevented them from taking responsibility for their actions and healing.

So the community decided to take things into their own hands. They created the Community Holistic Circle Healing Program rooted in traditional Ojibway values. Those who had caused harm were brought home to face justice in a community healing and sentencing circle, and support was provided for victims, victimizers, families and caregivers.

The program has affected real change. The community has seen better health of their children, increased community responsibility, an improved sense of safety and a decrease in overall violence.

Sources: National Film Board “Hollow Water”; Church Council on Justice and Corrections. 1996. Satisfying Justice; Native Counselling Services of Alberta. 2001. A Cost-Benefit Analysis of Hollow Water’s Community Holistic Circle Healing Process.

### Prince Albert, Saskatchewan

The “Hub” model of policing connects people at risk to the services they need, when they need them. It stops crime before it happens.

In 2007, part way into his tenure as Chief of Police in Prince Albert, Saskatchewan, Dale McFee noticed a rise in crime there. However, when he looked carefully at the policing data he discovered that 75% of arrests were not for criminal conduct, but rather responses to anti-social behaviours linked to poverty and marginalization.

McFee decided to change the way they did things by taking over by-law enforcement and developing a “Hub” approach to policing. Inspired by a model in Scotland, the Hub approach diverts many of those arrested to other services such as addictions, social housing and domestic violence response agencies.

They found responding to behaviours before they became criminal activity was a more effective use of resources and prevented further harm. Within a year and a half of implementing the Hub system in Prince Albert, crime was down 28 per cent.

Sources: Canadian Police College. 2014. The Prince Albert Hub and the Emergence of Collaborative Risk-driven Community Safety.

## WAYS FORWARD

### Queries: Begin with Yourself

Any work we do will be affected by our own vulnerabilities and experiences of being hurt and hurting others. Reflect on your own hurt and desire to punish. How would bringing love shift the situation?

What does punishment mean to you? What does healing mean to you?

For many people, prisoners are out of sight and mind. In building a caring community how best can we contend with this?

### Get Involved

- Join organizations providing support for victims such as the Canadian Centre for Victims of Crime.
- Provide support and advocacy for people in the justice system through organizations such as an Elizabeth Fry or John Howard Society.
- Get involved with a local Alternatives to Violence Project (AVP) or restorative justice program.
- Work to address poverty, illiteracy, and addictions.

Contact the Canadian Friends Service Committee for further suggestions of how to get involved.

## ONLINE RESOURCES

- Alternatives to Violence Project (AVP) [freewebs.com/avpcanada/whatandwhoisavp.htm](http://freewebs.com/avpcanada/whatandwhoisavp.htm)
- Canadian Association of Elizabeth Fry Societies [caefs.ca](http://caefs.ca)
- Canadian Centre for Victims of Crime [crcvc.ca/en](http://crcvc.ca/en)
- Canadian Restorative Justice Consortium [crjc.ca](http://crjc.ca)
- Centre for Crime & Justice Studies [crimeandjustice.org.uk](http://crimeandjustice.org.uk)
- Church Council on Justice and Corrections [ccjc.ca](http://ccjc.ca)
- International Centre for Prison Studies [prisonstudies.org](http://prisonstudies.org)
- International Conference on Penal Abolition [ctionicopa.org](http://ctionicopa.org)
- National Associations Active in Criminal Justice [naacj.org](http://naacj.org)
- Office of the Correctional Investigator [oci-bec.gc.ca](http://oci-bec.gc.ca)
- Penal Reform International [penalreform.org](http://penalreform.org)
- Quaker United Nations Office [quano.org](http://quano.org)
- Smart Justice Network of Canada [smartjustice.ca](http://smartjustice.ca)
- The John Howard Society of Canada [johnhoward.ca](http://johnhoward.ca)
- The Zehr Institute for Restorative Justice [emu.edu/cjp/restorative-justice](http://emu.edu/cjp/restorative-justice)
- UN Standards & Norms of Reference [unodc.org/unodc/en/justice-and-prison-reform/tools.html](http://unodc.org/unodc/en/justice-and-prison-reform/tools.html)

### Influence

What actions might you take to influence decision-makers?

- Inform yourself and inform others.
- To break cycles of violence for children and youth that lead to aggression and anti-social behaviour in adulthood, get your organization to endorse the Joint Statement on Physical Punishment of Children and Youth.
- Advocate for strengthened community-based programs by contacting government representatives.

“I am going to release this man to be your neighbour. What kind of neighbour do you want? Do you want people that are angry or do you want people that are rehabilitated?”

Are Høidal, Governor of Norway's Halden Prison

## ABOUT OUR WORK

Canadian Friends Service Committee (CFSC) is the peace and service agency of Quakers in Canada. Quakers Fostering Justice (QFJ) is the program of CFSC that addresses justice concerns.

QFJ works toward discerning, developing and encouraging responses that actively prevent harm, repair harm and move beyond harm in relation to the justice system. It does this in ways that are healing for all concerned and for society as a whole.



Canadian Friends  
Service Committee  
(QUAKERS)  
[www.quakerservice.ca](http://www.quakerservice.ca)

60 Lowther Ave.  
Toronto, Ontario  
Canada M5R 1C7  
(416) 920-5213  
[info@quakerservice.ca](mailto:info@quakerservice.ca)  
[www.quakerservice.ca](http://www.quakerservice.ca)