

Justice and Jail Cells

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When did we start thinking that “time served” equals justice? Deep inside, most of us know that it does not, but our court system seems to have no alternative solution.

It seems obvious that sitting idle and simply waiting for weeks, months, or years to expire does not help the criminal or the victim; at best it protects the public (for a while) from that one criminal. But putting one perpetrator behind bars does not make the world safe—there are many others.

Justice is the goal, but we have settled instead for a small measure of relative safety.

Who are the victims of this miscarriage of justice? Both those who were originally harmed or wronged and those who did the harming and wronging. Yes, both. Today, I am addressing primarily the issue of justice in the case of non-violent property crime. When it comes to violent crime—murder, rape, torture, child abuse—public safety is the primary concern and incarceration has its place. Still, justice and restoration must be the goal—both for the victim and also for the perpetrator.

Someone who has been stolen from is certainly a victim; I know this well; my dad was such a victim. Not only were many of his tools stolen, but so was a certain measure of his sense of safety and wellbeing. Fortunately, some of the tools were returned (an answer to prayer) but many were not. The thieves were eventually caught and went to jail, but did the court order them to repay the value of what they had taken? Was the victim “made whole”? No. Our society doesn’t even expect that this should be a possibility anymore. Instead, we expect insurance companies to restore that which thieves have stolen, and then we occasionally complain about how much they charge or how much our rates go up after a theft—double robbery! If we take one step back even further, we realize that it is our tax dollars that build prisons and feed and clothe inmates, so, you guessed it, the victims are getting hit a third time through increased taxation.

Now for the criminals. They go to jail. They might be sorry, they might have remorse, but they do not have the satisfaction nor the closure that would be theirs if they were directly involved in restitution to their victims. How are we involving them in making things right, in restoring the peace and prosperity of those who have been wronged?

Right now, very little attention is being given to restitution. Up until 2011, some inmates worked on prison farms¹, which at least addressed their debt to the community at large. This work was good for many of them on a personal level. It gave them purpose and skills. It taught them patience and the value of work. Hopefully more, but those things alone are valuable. In an odd and unpopular move, the Harper Government shut down the six prison farms that were operating at that time.

While the farms might not have made sense fiscally (the program was losing 4 million per year²), they did make sense on other levels. They helped prisoners to learn to be better people, a value apparently lacking in the prison system today, based on the rate of repeat offenders. The fact that the farms were costing more than they were producing is an economic fault that would need to be addressed. Originally, the goal of the farms was to make prisons self-sufficient in the area of food production, to feed themselves at least and to help cover the cost of incarceration.

Prisoners need to be given the opportunity to do work and farms could solve this, but this work must also benefit those whom they have wronged, and that idea is largely missing from any of the discussion around prison farms. Work on prison farms can and should be therapeutic, but not at the expense of being productive; work is good for the people who do it, but it must also help others.

There is much work to be done in this country that requires human hands, from the clean-up of oil spills to the control of invasive weeds and wildlife to cleaning up roadsides and tree-planting.

Prisoners need the dignity of work. Our country needs these potential workers. Victims ought to be repaid for their loss and inconvenience.

Who will bring all of this together? The Liberals want to bring back prison farms, but we should already be suspicious of the burden they may be to taxpayers without proper management. The Conservatives had a 'tough on crime' agenda, but did they do any better in the area of justice and restitution for the victims?

No, we need CHP's restitution-based approach to crime and punishment! Victims of non-violent property crime, if at all possible, must be compensated for their losses by those who stole from them or damaged their property. Criminals must do the work that will allow this to happen. Criminals must have the opportunity to work to pay off their debts, first to their victims and then to the justice system of our country. They will benefit by working, and also gain needed life skills in the process. In short, we need restitution and restorative justice. There is also a third "R" that should be mentioned: reconciliation. It is part of restorative justice, but it is not an automatic part of it.

One group that is already doing good work in this area is Community Justice Initiatives. Their Executive Director, Chris Cowie spoke at our last convention and was well-received. He spoke about the work that they do and the success of their program³. They bring many first-time non-violent offenders and their victims together so that the crime can be talked about and the impact understood by the perpetrator. Prison can be avoided with intervention like this, and both the victim and the perpetrator can see and know justice firsthand. And in some cases, there is reconciliation either through a new relationship, or a fresh start to a broken relationship.

Christians have historically been a force for good in the area of prison and justice reform. We should be. We, of all people, should understand the guilt of sin; we know that "all we like sheep have gone astray" and that we need good shepherding and forgiveness. We must remember that mercy and justice are not contradictory, but complementary ideas that need to be balanced. CHP brings Christian thought to the area of criminal justice.

Please, join us⁴ if you have not done so, and help us spread the message of better solutions for justice. Let's all work together to increase the number of candidates we run in the next election so that all Canadians will be able to vote for CHP!

Footnotes

¹ www.thestar.com/news/canada/2016/07/10/trudeau-government-considers-reopening-prison-farms-shut-down-in-2010.html

² <http://projectsoil.ca/project-overview/case-studies/frontenac-and-pittsburgh-prison-farms/>

³ <https://cjiwr.com/it-works/>

⁴ www.chp.ca/get-involved