

IS THE DEVELOPMENT OF A TRANSFORMATIVE APPROACH TO CRIMINAL  
JUSTICE ISSUES DESIRABLE AND POSSIBLE IN CONTEMPORARY ANGLICAN  
THOUGHT AND PRACTICE?

by

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A thesis submitted to the University of Birmingham for the degree of  
MASTER OF ARTS BY RESEARCH

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June 2020

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## **ABSTRACT**

This thesis presents an analysis of the apparent lack of engagement by the Church of England with criminal justice issues. On the basis of this analysis, I pursue two key aims: to critically evaluate the obstacles to formulating a more transformative Anglican response to criminal justice issues and propose ways in which this response could be realized.

These aims were achieved by making the case for engagement with criminal justice matters, particularly through emphasizing the mandate of the fourth mark of mission: 'to transform unjust structures of society'. Scoping out the current extent of Anglican engagement is the subject of chapters two and three. The result of this mapping indicated a limited engagement in both the academy and church. A review of the theological and criminological literature shows little dialogue between the disciplines, whilst the practical response is also found to be partial .

A number of ways forward are suggested and it is demonstrated how Elaine Graham's model of 'Public Theology as Apologetics' could enable a transformative response to be developed.

The thesis concludes that, although a more transformative response to criminal justice issues is desirable and theologically defensible, there are currently significant obstacles to achieving this response.

## **ACKNOWLEDGEMENTS**

I gratefully acknowledge the support of the many people who have inspired, encouraged and helped me throughout this research project.

There are two people without whom this thesis would not have been possible. I would like to express my thanks to Professor Stephen Pattison for being my original supervisor, for his inspiration, insight and challenge, and for being so willing to share his experience with this novice researcher. Also to Dr Jeremy Kidwell who kindly agreed to take on the supervisory role following Stephen's retirement, and who did so with enthusiasm and generosity and no small amount of encouragement to keep stretching my thinking around this subject. I have been blessed to have had you both as my supervisors.

I acknowledge with gratitude the support of St Matthias' Trust and the Diocese of Bath and Wells who contributed towards the fees for this degree.

Having completed this thesis during curacy, I am grateful to both of my Training Incumbents, Reverend Jane Chamberlain and Reverend Simon Lewis, for their interest in this project, their encouragement and their belief in my ability to complete this research whilst still in training.

Finally, I would like to express my gratitude to all those who have helped and encouraged me on my way over the last three years.

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## **LIST OF ABBREVIATIONS**

AST – Anglican Social Thought

CJAG – Criminal Justice Affairs Group

CJS – Criminal Justice System

CMD – Continuing Ministerial Development

MPA – Mission and Public Affairs

NACRO – National Association for the Care and Resettlement of Offenders

PACT – Prison Advice and Care Trust

WIMN – Who Is My Neighbour



## CHAPTER ONE – INTRODUCTION

### Rationale for the research

‘I want criminals to literally feel terror’ Priti Patel

(BBC News, 2019a).

‘We need to come down hard on crime. That means coming down hard on criminals... I want the criminals to be afraid – not the public,’

(Johnson, 2019).

‘Recruitment of 20,000 new police officers to begin in weeks’

(BBC News, 2019b).

‘PM to create 10,000 new prison places and extend stop-and-search’

(BBC News, 2019c).

Johnson orders ‘urgent’ review of sentencing policy

(Wright, 2019).

These recent quotes, published within the space of a couple of weeks last summer, serve to demonstrate a seemingly deliberate repositioning of the Conservative Party as the party of law and order in the UK. In recent years crime has not been top of the party political agenda but, with the increase in knife-crime and other violent crime, the topic is once again becoming more politicized. This series of populist initiatives is therefore designed to garner the support of the electorate and they point towards a

recent turn to the right for crime policy in England and Wales, and a hardening of attitudes towards offenders. There is no obvious acknowledgement of the social causes of crime and the background of multiple deprivation that often contributes to offending behaviour. Instead there is only punitiveness.

This research project was conceived before these headlines were made but, nevertheless, they serve as reminders of the timeliness of this research project. At a time when the parameters of debate on criminal justice issues appear to be narrowing, it is vital that the Anglican church is in the position to speak truth to power, to be able to broaden the moral sources of debate, to challenge dehumanizing or oppressive policies and practices, and to align itself with other groups who are seeking justice. Although the title of this dissertation asks 'is it desirable...' it will become clear in the course of this project that a more transformative Anglican response to criminal justice issues is better viewed as being essential.

My previous research in this area began several years ago at theological college when I returned to academic study. Having previously studied for an MSc in Criminology and Criminal Justice I had been challenged and inspired by a statement by Michael Tonry, a leading criminologist: 'There is a moral need to build a... more just criminal justice system' (2011a, p.637) he urges, whilst bemoaning the fact that most arguments concerning criminal justices issues are held on instrumental rather than moral grounds, yet, 'if the moral arguments are never engaged, they can never be won. If they are not won, nothing will change very much' (Tonry, 2011a, p.644). The importance of this engagement should not be underestimated since, at some

point, 'when policy makers reconsider contemporary approaches and attempt to devise new ones, some will look for and want to find theoretical critiques of the recent past and justifications for possible futures. It will be a pity if the work has not been done to help them' (Tonry, 2011b, p.22).

This thought never left me so, when I had the opportunity to write a dissertation, I wanted to assess the Christian contribution to these moral arguments and the grounds for this engagement. After all, I reasoned, the Christian faith operates in a moral realm and has significant moral resources it could employ in such debates. Furthermore, the fourth mark of mission, which urges the church to 'seek to transform unjust structures of society, to challenge violence of any kind and to pursue peace and reconciliation' (Anglican Communion), must mean that the church has a responsibility to engage with criminal justice issues (see pages 24-27 for a fuller discussion on the five marks of mission).

The title of this dissertation was: 'What place, if any, does a Christian voice have in public discussion on criminal justice issues?' (unpublished). The conclusion reached was that the church *should* have a voice in discussion on criminal justice issues but that currently this voice was very quiet, if not altogether silent in some areas. The brief nature of an undergraduate dissertation meant that I was not able to research in any great depth the reasons for this limited engagement and my focus had to be largely on the academic response and the theoretical-based response of the church at a national level. This piece of research left me with more questions than answers so I embarked on this Masters by Research with the hope of researching in more

depth the obstacles to the church developing a greater engagement with criminal justice issues, and extending my focus outside of the world of academia and theory to encompass the realms of practice as well.

Pursuing this project leads me to adopt a practical theological methodology since it requires engaging both with practical matters and with social science. There is currently no significant body of research that integrates practical theology, criminology and criminal justice issues and practices. This project is therefore preliminary in nature and seeks to draw together some of the largely unsynthesized data through a literature review of theological and criminological bodies of literature, and through a scoping of current practical responses to criminal justice matters. Having drawn together and critically assessed this data, I then makes a series of recommendations that set the agenda for future research in this area.

### **Aims and Objectives**

The overall dual aim of this research is to critically evaluate the current obstacles to formulating a more transformative Anglican response to criminal justice issues and propose ways in which a more transformative response could be achieved in the future.

This aim will be achieved by fulfilling the following objectives:

- Identifying the current extent of Anglican engagement with criminal justice issues.
- Identifying and critically evaluating the grounds for the current lack of a coherent or transformative response

- Identifying at what levels any future Anglican response might be most effective and what its aims should be.

### **Structure of the thesis**

The remainder of this introductory chapter outlines the grounds for labelling the criminal justice system (CJS) as an unjust structure of society and explores in greater depth the justifications for the development of a more transformative Anglican approach to criminal justice matters. It considers the nature and scope of justice issues as well as the resources available to the Anglican church, and concludes that there is a need for a new and transformative approach to these matters. Some time is then spent sketching out how this transformative response should look. Having established that such a response is desirable and possible, chapters two and three move on to outline and critically assess the current response in both an academic and an ecclesial setting respectively, with a particular emphasis on understanding the challenges which will be faced when seeking to develop a more transformative response. Chapter four suggests a number of different points of intervention that could contribute to the development of a more transformative response, with a particular consideration of how Graham's model of public theology as apologetics could support this. It then summarizes the findings of the thesis, and suggests a number of different directions for future research which could help facilitate the formulation of a more transformative Anglican response to criminal justice issues.

## **Outlining the problem: linking criminal and social justice**

There are many possible grounds on which to base an argument that the criminal justice system is unjust including:

- The use of a seemingly disproportionate amount of tax-payers money on the CJS, which is not always used efficiently.
- The over-representation in the penal system of certain groups of people including; people from ethnic minorities, people with mental health issues, people who have been in the care system, and people who come from areas of multiple deprivation.
- The high rate of reoffending which harms both individuals and society as a whole.
- The fact that some types of crime are heavily penalized whilst others are overlooked by the sys

There is not space here to engage in significant depth with the whole range of grounds for arguing that the CJS is an unjust structure. Instead, the focus will be largely on identifying the link between criminal and social justice as this is a strong justification for Anglican engagement. The links between social and criminal justice are complex and extensive – a useful and detailed examination of the extent and nature of these links can be found in Cook's book *Criminal and Social Justice* (2006). The following section will provide a brief overview of some of the links between social and criminal justice which will be sufficient to make the argument for their existence.

The argument that the CJS can be perceived to be an unjust structure of society is not new. Theologians and criminologists alike argue that criminal justice cannot be achieved justly in a society in which there is little social justice. 'Punishment is extremely questionable in an unjust society. Judges and magistrates mete out punishment in the name of a community which, in its complacent acceptance of racism, gross inequality and gross imbalance of power, is deeply implicated in the manufacture of criminality in the first place' argues Gorringer (2004, p.89), whilst Cook contends that 'if a society cannot guarantee 'the equal worth of all citizens, mutual and self-respect and the meeting of basic needs, it cannot expect that all citizens will feel they have an equal stake in abiding by the law, and it cannot dispense justice fairly and enhance confidence in the law. In these respects, criminal and social justice are inseparable' (Cook, 2006, pp.21-22).

A brief survey of the historical development of theories of crime and criminality will also serve to highlight the long history of research into, and the acknowledgement of, the existence of links between social and criminal justice. The following concise overview of the development of criminological theory will demonstrate that the argument that there are social and structural causes of crime is far from being a new concept. Rather, it has been the source of intellectual discourse for well over two centuries.

Tracing the origins of criminology itself is a complex undertaking, with some commentators arguing that criminology did not exist prior to the development of modern criminology around sixty years ago, whilst others view eighteenth-century

figures such as Beccaria and Bentham as the founders of a classical criminology. Much of this complexity rests on the definition of 'criminology', and therefore lies beyond the scope of this thesis, for which a brief overview of criminological theories from the last two hundred and fifty years will suffice.

Beccaria and Bentham are viewed as the founders of a school of classical criminology in the late eighteenth century. This was to be the predominant school of thought for the first century of criminological development. In its earliest form, criminology was concerned as much with society as it was with individuals and the focus was largely on the criminal act rather than the criminal actor. Classical criminology 'was centrally concerned with the establishment of a reformed, equitable and efficient system of justice... [and] a fairer, better regulated social order' (Tierney, 2006, p.50). As early as the 1830's 'Quetelet 'formulated the then remarkable proposition that criminality is not freely chosen or that it is a sign of human wickedness, but that it is an inevitable and resultant feature of social organization. It was thus society that caused crime' (McLaughlin, Muncie and Hughes, 2003, p.12).

The late nineteenth century saw the development of a positivist school of criminology, founded by Lombroso. Positivist theories of crime were focused on the individual offender and sought to understand scientifically the psychological or biological factors that contributed to the development of criminal or deviant behaviour. Criminal activity was therefore portrayed as the result of biological differences and social causes were not considered relevant. Although these theories were widely discredited, this movement formed the basis of a later scientific



criminology in which methods of the natural sciences were to be adopted by criminology as a social science. Since the establishment of these two sharply contrasting schools of criminology, classical and positivist, criminological theories have evolved over the last 150 years from these two bases. The numerous criminological theories have variously either sought to continue the development of one or other school of thought or to synthesize these two differing approaches. Criminologists have also synthesized theories and borrowed ideas from other disciplines resulting in the development of 'an eclectic discipline marked by an abundance of theoretical overlaps, syntheses, and confusions' (Rock, 2007, p.33). Within this melee, however, it is possible to discern the continuation and development of social and cultural theories of crime, although, as might be expected, these differ considerably in focus and approach. Taking a snapshot of just three examples from the twentieth century will serve to illuminate this continuation of interest in the links between crime and societal structures and practices.

In the early twentieth century there was considerable interest in Durkheim's theory of anomie and its potential to contribute to the explanation of the causes of crime – a theory 'that still persists in disguised form' today since 'at heart, many theories take it that crime is a consequence of defective social regulation. People are said to deviate because the disciplines and authority of society are so flawed that they offer few restraints or moral direction' (Rock, 2007, pp.8-9). Durkheim's basic thesis led to the development of two particularly noteworthy strands of criminological thought: Merton's strain theory; and social disorganization theory.

Merton's strain theory asserts that 'a society combining *cultural* encouragement of common material aspiration by a mythology of meritocracy, and a *structural* reality of unequal opportunities, generates anomic pressures, leading to a variety of deviant reactions' (Reiner, 2007, p.349). Although often critiqued, this theory remains the 'paradigm for a social structural theory of crime' (ibid, p.349). According to this theory it is not simply deprivation that is generative of crime but deviant actions will be found across all spectrums of any society which is founded on a highly materialistic culture. This theory has been critiqued both by other 'political economy' theories of crime, such as the various threads of a Marxist theory of crime, which found this theory too timid, and by conservatives who found it too radical. Nevertheless, there remains a modern body of work developed from strain theory, evidenced through works such as *Penal systems: A comparative approach* (Cavadino and Dignan, 2006) in which the authors seek to compare the political economies of a number of different Western nations with a focus on the effects the differences had on the penal systems of each country.

Social disorganization theory arose out of the Chicago school in the 1930's and gained in reputation in 1942 with the publication of the seminal work by Shaw and Mckay, '*Juvenile delinquency and urban areas*'. Its main thesis was that 'community distress created social disorganization, defined as the disruption of primary relationships, the weakening of norms, and the erosion of shared culture,' the result of which led to 'community differences in crime rates' (Reid and Pell, 2015, p.322). As are all sociological theories, this theory has been tested and disputed, but it has spawned a number of different theories and approaches to crime over the course of

the intervening decades. For the purposes of this dissertation, one of these of particular note is the concept of 'social capital'

The contemporary concept of 'social capital' forms part of the intellectual tradition resulting from the Chicago School and social disorganization theory. The concept of social capital is focused on the social ties within neighbourhoods and communities. An understanding of social capital formed a key element of the New Labour government's 'tough on crime, tough on the causes of crime' mantra of the late 1990's. They acknowledged 'that the causes of crime are ultimately located in the damaging effects of global economic and social factors over which individual offenders... have no control. Particular attention is given to social exclusion and disintegrating communities deficient in social capital' (Tierney, 2006, p.300). Consequently, criminal justice issues under the Labour government were intimately linked with a social policy incorporating multi-agency interventions (although the tough on crime part of the mantra also saw a continued increase in the overall level of penal harshness during this period).

Much of this socially aware policy direction can be viewed as an expression of collective efficacy. Collective efficacy is one of the contemporary theories with its roots in social disorganization theory and within criminological literature it is defined as 'the process by which a sense of community, social networks, and institutional resources are mobilized in such a way as to lessen crime' (Reid and Pell, 2015, p.324). This theory is therefore also of particular interest as it points towards the importance of the role of the community in responding to, or preventing, crime – an

area with which the church could become increasingly involved as a means of responding to criminal justice issues. This is an argument that will be returned to later in the thesis.

Outside of these two significant strands of theory, there have been other schools of thought which have emphasized a link between society and crime. In the 1960's 'the new criminology' marked the beginnings of a radical and critical criminology which 'sought to illustrate how crime was socially constructed ... [and] the aim was to transform criminology from a science of social control and into a struggle for justice' (McLaughlin, Muncie and Hughes, 2003, p.227). It was a deliberate attempt to counter some of the perceived over-emphasis on scientific, positivist theories and practices within criminology and criminal justice policy-making at the time.

This brief overview of some strands of criminological theory over the last three centuries demonstrates that the concept of linking society, social conditions and crime is not new. The primary importance of acknowledging the links between society and crime lies in the fact that when theories dominate which are focused on the management of risk and offenders rather than on the causes of crime, it follows that 'academically as well as politically and administratively, it now becomes respectable to regard criminals as unconstrained agents, and to regard a crime control policy as divorced from questions of social justice' (O'Malley, 2003, p.451). This increases the likelihood of responses to crime being based increasingly on socially exclusionary practices.

Social exclusion and social inequality in our society are considered to be two key interrelated factors which pose problems for the creation and operation of a just CJS in our nation. Sedgwick, (2004, p.204); Cook (2006); and Butler, (2007, p.41) all support the view that it is vital that any future responses to criminal justice issues 'move beyond questions about criminal justice alone to consider its relationship with social justice' (Levad, 2014, p.45). When considering questions of criminal justice it is therefore important to consider whether policies, practices and rhetoric have social inclusion or exclusion as their focus. Faulkner characterizes an exclusionary approach as one whereby 'crime is to be prevented by efficiency of detection, certainty of conviction and severity of punishment... 'Criminals' are to be seen as an 'enemy' to be defeated and humiliated, in a 'war' in which the police are seen as the 'front line'" (1996, p.6). The echoes of this found within the above media quotes by Johnson and Patel are both unmistakable and concerning. In contrast, socially inclusive approaches to tackling crime pay attention to the criminogenic effects that 'social exclusion and disintegrating communities deficient in social capital' have on communities which means that 'crime itself is specifically linked to poor socialisation within the family and school, coupled with weak community-based social controls' (Tierney, 2006, p.300). Responses to crime based on this understanding consist of multi-agency approaches designed to strengthen social bonds and social capital, and to eradicate poverty and social inequality. As such, these are forward looking approaches which seek to prevent crime, rather than backward-looking approaches which seek to respond to it. According to this understanding, social policies, social justice, and criminal justice cannot easily be separated.

## **A just penal system?**

The penal system is the element of the justice system which has long been understood to be suffering from a crisis both in terms of legitimacy and in the size of the prison population (Bottoms and Preston, 1980; Cavadino and Dignan, 2002; Menis, 2018) and therefore warrants a discrete discussion. There is a significant body of literature addressing these issues. Whilst acknowledging the concern that focusing on prisons potentially lets 'other parts of the system 'off the hook' for their failures to provide early and effective support for people with the most complex needs' (Frazer, 2016, p.15), it nevertheless provides a useful case study that serves to highlight a few of the multiple grounds for considering the CJS to be an unjust structure of the society, as well as pointing towards some of the various justifications for engagement with criminal justice matters.

Whilst the proportion of the population imprisoned in England is nowhere near the extreme rate of imprisonment in the United States, there is nevertheless a significant concern that it is being overused. Scotland and England and Wales have the highest rate of imprisonment in western Europe (Prison Reform Trust, 2019, p.2) and the overall size of the prison population has grown from 44,246 in 1993 to 85,134 in 2016 (Ministry of Justice, 2016, p.6), yet there is no link between the prison population and levels of crime (Prison Reform Trust, 2019, p.2). The absence of this link suggests that there are other reasons for the increase in prison population – a complex interplay of social and political factors that have resulted in a punitive penal policy. According to Levad, the primary factor that has created the problem of mass imprisonment is the 'policy decisions to which politicians, academics, criminal justice

professionals, and voters have consented' (2014, p.27). This suggests that it is the responsibility of all citizens, including Christians, to question the grounds on which imprisonment is used – in other words to question the legitimacy of mass imprisonment, particularly when it is undertaken in all of our names.

Whilst the number being incarcerated is in itself concerning, it is highly problematic that 'across the board, poor and marginalised communities are overrepresented in prisons' (Jacobson, Heard and Fair, 2017, p.v). This overrepresentation is in and of itself a significant factor in the argument for church engagement with criminal justice matters as it indicates that sections of society are suffering from oppression and injustice, both of which the church is called to act against. The basis for this action is God's 'identification, very clearly... with the poor and the oppressed – *the very sections of society from which most of those whom we prosecute in our system*' (Wood, 1991, p.74, italics in original). The poor are not the only group overrepresented in prison. There is also a significant degree of racial inequality. The Prison Reform Trust states that 'there is a clear direct association between ethnic group and the odds of receiving a custodial sentence. Black people are 53%, Asian 55%, and other ethnic groups 81% more likely to be sent to prison for an indictable offence at the Crown Court, even when factoring in higher not-guilty plea rates' (2019, p.7). This inequality harms not only the individuals, their families, and their communities but society more widely both morally and also financially, since it is estimated that this overrepresentation costs £234 million per annum. Again, this injustice is an issue with which the Anglican church, in its commitment to justice, should be engaging.

This increase in prison population has led to significant problems with overcrowding and, consequently, inhumane conditions which then makes it increasingly unlikely that prisons can deal effectively with prisoners in their care. There has been a rapid increase in rates of self-harm and suicide within prisons. In 2018 there were 55,598 incidents of self-harm – a rate of incidence of 667 per 1,000 prisoners (Prison Reform Trust, 2019, p.4). Assault rates on staff have also risen – from 3,266 in 2013 to 10,213 in 2018 (ibid, p.4). There has also been a significant increase in the availability of drugs, particularly the New Psychoactive Substances ('Spice') (Wyld and Noble, 2017, p.4). Prisons, then, are not safe places. Inhumane conditions cannot contribute to the development of human flourishing and one can have some sympathy with Griffith, who argues that 'prisons are identical in spirit to the violence and murder that they pretend to combat' (1993, p.106). Responding to those suffering inhumane conditions, wherever they are to be found, is again something Anglicans are called to do, whether that is by responding practically or by questioning the reasons that these conditions exist in the first place.

### ***Summary***

In summary, this section of the dissertation has briefly outlined the scope and complexity of the 'problem' of criminal justice matters and their link with social issues, including social justice. A problem of this scale requires nothing short of a transformative response by the Anglican church. However, before considering the shape that such a response should take, it is first necessary to establish the justification for any such Anglican response.



At this point it is worth noting that, for the purposes of this thesis, when the term 'Anglican' is used this will normally be in a very narrow sense to mean the Church of England. Whilst the Church of England is part of the much wider Anglican Communion and is inevitably shaped by this relationship, the focus of this research is on the Church of England's response to criminal justice issues. Where the term 'Anglican' is employed in relation to thought and theory, the scope is more extensive and refers to particular ways of reasoning which are not necessarily limited to the Church of England.

## **Justification for Anglican engagement with criminal justice issues**

### ***Introduction***

Before considering the justification for engagement with criminal justice issues specifically, it is first necessary to establish the justification for Anglican engagement with any social or political issue. The questions of whether Christians should engage with issues of public life and, if so, how are of very longstanding. Indeed, Pannenberg (1981, p.7) suggests that 'the starting point of a long series of attempts to define the relationship of the Christian faith to society and to state was Jesus' statement to Pilate that 'My kingship is not of this world' (John 18.36).

This section of the thesis begins by briefly sketching out the shape of some of these arguments but there is not space for an in depth consideration of these issues which are well rehearsed elsewhere.<sup>1</sup> This thesis is premised on the fact that it can be demonstrated that the Anglican church understands itself to have a mission of

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<sup>1</sup> See for example: Niebuhr (1951); Messer (2006) chapter 9.

engagement with the world. This will be demonstrated through consideration of: Anglican history and tradition; statements by the Archbishops of Canterbury and York; the five marks of mission; and the various resources the church has available to it to enable a transformative response to be developed.

### ***A place for an Anglican voice on public issues?***

Arguments against the participation of religious voices in the plural public square come from both secular and religious sources. The nature of the public square in twenty-first century Britain is complex, to say the least, which can make it hard for a Christian voice to be heard in public discussions on any subject. The secularization thesis asserts that there is an inexorable decline of the religious in modern (and post-modern) states, and it proposes that religious voices should be absent from the public square (Bruce, 2002). The public square is to be 'neutral' – although how neutral it can be given that it has judged and excluded some voices, is questionable. As such, those who advocate a radical or programmatic secularist public square can be viewed as arguing for a more marked division between public and private; between politics and religion. This form of secularism has significant implications for Christian engagement in any area of public life as this absence from discussions would limit its prophetic role and its ability to contribute to the common good through discussion and collaboration with others.

The secularization theory is, however, far from uncontested due, in part, to the increased visibility of religion in public life over the last twenty years that is partially the result of the development of a faith-based multiculturalism (Grillo, 2007). It is also

not realistically possible to neatly divide the public and the private spheres since the beliefs and opinions individuals hold privately necessarily inform their thoughts on issues discussed in public. Instead, two leading Anglican theologians, Nigel Biggar and the former Archbishop of Canterbury, Rowan Williams, argue that radical secularism is not the only possible form of secularism. Biggar notes a difference between a *secular* public square that requires an 'ad hoc negotiation between plural parties' and a secularist public square that is 'religion-free' (2012, p.144). Similarly, Rowan Williams suggests it is beneficial to engage with, and promote, a form of 'procedural secularism' or 'interactive pluralism'. A procedural secularism allows for participation of faith in the public square by offering a place for religious voices in public debate without privileging them (Williams, 2012, p.33). An 'interactive pluralism' is a pluralism which allows 'active partnership and exchange between communities themselves and between communities and state' (ibid, p.61). Both of these forms of engagement are based on openness and allow a place for discussion and disagreement. Consequently, they offer a greater potential for a prophetic role or for working towards a common purpose, than do forms of engagement which are based on exclusion and segregation.

Whilst these two Anglican theologians argue strongly in favour of participation in the public square, there are other theological standpoints which reject any such engagement. Christian arguments against significant participation often rest on a sectarian or dualistic theology which emphasizes the differences between the church and the world. Hauerwas, for example, views the liberal project with some suspicion and accordingly limits engagement primarily to witnessing to an alternative way of

being community, arguing that the 'political task of Christians is to be the church rather than to transform the world' (Hauerwas and Willimon, 1989, p.38). Or, to put it another way, 'the church does not have a social ethic, the church is a social ethic' (Hauerwas, 2003, p.99). Hauerwas argues that church engagement in public life should be limited to an ad hoc engagement, undertaken only if the church is dealing with the same issues. The Christian voice in any discussions should be critical and distinctive and does not need to be accessible, and this approach therefore avoids the danger of contamination or translation. If the church is only to be a witness to a different way of living, and engages only with issues with which it is dealing internally, it is unlikely to focus on criminal justice issues, which are viewed as part of the fallen world.

Rowan Williams does not disagree that the church's first priority is to be the church and to witness to the world (2011), but he does not agree that this is where engagement with the world should end as the world, including its political life, is in need of transformation. A dialogical engagement with public issues can have many benefits, including broadening the moral sources on which public debate is based, and providing the opportunity to form temporary alliances with other groups in the public square. This can be a creative way forward in working for the common good since it can lead to a 'convergence of diverse pragmatic and principled concerns' (Williams, 2012, p.28). Engagement in this collaboration should contribute to a 'grass-roots politics and activism of generosity and mutuality' (Williams, 2011). This type of engagement and collaboration does, however, need to be done with a self-reflective awareness to avoid the potential dangers of translation.

Williams' call for a dialogical engagement with the world is also premised on his understanding of mission as *Missio Dei*. *Missio Dei* theology is commonly summarized as 'finding out what God is doing in the world and joining in'. The introduction of the language and theology of *Missio Dei* sought 'to emphasize that God was the agent of God's own mission. The Church was not the agent of mission but was the fruit of God's work. The Church did not exist to do mission but existed in God's mission' (Heaney and Sachs, 2019, p.184). Furthermore, God was always going ahead of the Church in his mission to the world. In this way, 'the *Missio Dei* recognises something crucial in God's ecology of mission. Namely, that God might choose to speak *from* the world *to* the church' (Percy, 2019a, p.218).

To summarise, Rowan Williams and other Anglican theologians offer a theological basis for an Anglican engagement with public issues in contemporary society. Our attention now turns to considering, briefly, the longer history and tradition of Anglican engagement with public issues, with a particular emphasis on aspects that relate to the broader concept of justice.

### ***History and tradition***

Within Anglican tradition there is a long-standing concern with social issues and issues of justice. One only needs to think of Wilberforce's campaign for the abolition of slavery, or the creation of church schools as a means of improving conditions for the poorer members of society, or the founding of hospitals and religious orders for nursing to understand that the Anglican church has frequently sought to transform

institutions and society. Evidently, the majority of these examples stem from a time when the relationships between church and society, and church and state were different. Nevertheless, they serve to demonstrate that the Church of England has a history of seeking to engage in transformative practices within the broader society.

The fact that the Church of England is the established church is another factor that points towards the Anglican church having a role in public life. Whilst the concept of the establishment might be viewed as controversial or as 'a nest of contested issues and theories that is not easy to disentangle' (Percy, 2011, p.28), the particular nature of the relationship between church and state suggests that the Anglican church does have a role in public life. This is evidenced not least through the presence of 26 bishops in the House of Lords. Of course, the existence of this relationship does not dictate what stance the church might adopt in relation to the state - whether it is one of tacit support or prophetic challenge for example. Nevertheless, this unique relationship is currently enshrined in law and provides in itself a justification for engagement in social and political issues.

Since its development in the nineteenth century, Anglican Social Theology (AST) has offered a theological justification for engagement in public issues. This tradition dates its origins from the work of FD Maurice in 1848 and traces its intellectual development through Christian socialism, the Christian Social Union and William Temple. There are two key distinctive features of AST. The first being the 'way it connects foundational theological principles with recommendations for the reform of the social and economic structures of society as a whole' (Spencer, 2017, p.xiii). One

way in which it seeks to do this is ‘through changing relationships across social groups’ (ibid, p.xii). This distinguishes it from strands of social theology and social action which are focused on single-issue concerns. The second distinctive feature is ‘its pastoral motivation and intent’ since social, economic and political obstacles to human flourishing are considered legitimate areas of engagement (Manley-Scott, 2017, p.170). Interestingly, one of the motivations for this engagement lies in the acknowledgement that it is incumbent upon the Church of England to make ‘the opportunities and responsibilities of establishment function well’ (Brown, 2014, p.177).

Publications by the Church of England itself also provide evidence of a justification for engagement with public issues and political life. *Who is my Neighbour* (WIMN) is one such document (House of Bishops, 2015). Prior to the election in 2015, the Church of England published WIMN, a pastoral letter, which encouraged parishioners to work towards providing ‘a fresh moral vision of the kind of country we want to be’ (p.3) by seeking the common good of all people through participation in the public square and the formation of ‘constructive alliances’ (p.39). It is this pursuit of the common good that forms the basis of the ‘obligation’ for Christians to be involved in political life (p.4). As a side note, it is interesting to note how the media and political storm that followed the publication of this letter suggests that the place of the church in political and public life is, as mentioned above, far from uncontested.

## ***Archbishops***

The publication of WIMN was supported by Archbishops Sentamu and Welby, and their views on the role of the church in relation to public life are of significant interest since it must be expected that their views will at least partially influence the future direction of the Church of England. As might be inferred from the discussion of WIMN, both Archbishops are unequivocal in their belief that the church should engage fully with all elements of public life, including the political. Christians are impelled to speak into public discussion on social issues – not only as involved citizens but also because of ‘the Christian understanding of what a just and sustainable society looks like’ argues Sentamu (2015c, p.5). This position is echoed by Welby, who states that the church’s ‘vocation includes supporting a good society, and preserving and developing its character on the basis of incarnational activity that is an outworking of the commands and nature of God’ (2018, p.267). Furthermore, Welby writes elsewhere of the need for Christians to reflect on our ‘vocation as Christ’s people in witness, and in transformative action’ (Welby, 2014, p.viii).

Anglican tradition, from centuries ago right up until the present day, thus provides a not inconsequential number of grounds for justifying church engagement with society, social issues, and justice issues.

## ***Fourth mark of mission***

The Archbishops’ views suggest that Christian engagement with political life and social issues, including through transformative action, is not simply desirable but an essential part of the church’s mission. The impetus to participate in transformative



action is encapsulated in the fourth mark of mission which calls for Christians to 'seek to transform unjust structures of society, to challenge violence of every kind and to work for peace and reconciliation' (Anglican Communion).

The five marks of mission 'express the Anglican Communion's common commitment to, and understanding of, God's holistic and integral mission' (Anglican Communion).

The mission of the Church is the mission of Christ and this holistic mission is conceived as incorporating the call:

1. To proclaim the Good News of the Kingdom.
2. To teach, baptise and nurture new believers.
3. To respond to human need by loving service.
4. To transform unjust structures of society, to challenge violence of every kind and pursue peace and reconciliation.
5. To strive to safeguard the integrity of creation, and sustain and renew the life of the earth.

(Mission Theology Advisory Group, 2017, p.3). The shorthand for these five marks is: Tell, teach, tend, transform, treasure (*ibid*, p.3).

The marks have evolved since their initial introduction in 1984. Originally there were four marks of mission – the fifth mark being introduced in 1990. The fourth mark of mission was originally 'to transform unjust structures of society', with the additional call 'to challenge violence of every kind and pursue peace and reconciliation' being made in 2012. These marks were adopted by the Church of England in 1996.

The background to the development of these marks is of particular interest for this thesis since the concept of transformation played a key role in their development. The 1983 Wheaton conference and report sought to consider what the Christian church's response to human need should be, and the result was summed up in the word 'transformation'.

Transformation is the change from a condition of human existence contrary to God's purpose to one in which people are able to enjoy fullness of life in harmony with God (John 10:10; Col. 3:8-15; Eph. 4:13). This transformation can only take place through the obedience of individuals and communities to the Gospel of Jesus Christ' (Lausanne Movement, 1983, para. 11).

Furthermore, this transformation could only take place by involvement in challenging unjust structures of society since 'if we, as Christians, do not get involved in political and other actions, our very non-involvement lends tacit support to the existing order. There is no escape: either we challenge the evil structures of society or we support them' (ibid, para 3). This report is highly significant since the 1984 report from the Anglican Consultative Committee (ACC), which led to the five marks of mission, employed the concept of transformation as one of its central themes and quoted freely, 'almost verbatim' from the Wheaton report (Zink, 2017, p.151).

Whilst numerous aspects of Anglican history and tradition, and the call to engage with political life and social issues in order to seek the common good could in themselves justify an engagement with criminal justice issues, it is the existence of this fourth mark of mission which perhaps forms the strongest rationale for engagement with criminal justice issues – issues which are related to injustice and violence. This fourth mark of mission is a justification for a prophetic and

transformative response to criminal justice matters. That is to say, it contains within it the obligation to speak truth to power, to see the situation as it is, to challenge the injustices, and to suggest constructive ways forward.

The fourth mark of mission is, however, not the only mark of mission which obliges Anglicans to develop a response to criminal justice issues. The third mark of mission, 'to respond to human need by loving service,' is also relevant as many of the issues surrounding crime, its causes, and the state response to it are linked to need and suffering, whether it is those suffering as a result of being a victim of crime (remembering that offenders are not infrequently also victims of crime), those suffering because relatives are in prison, those suffering in prison, or those suffering social exclusion after their release from prison. All of these areas and many others are areas in which a practical Christian response is called for.

### ***Resources***

The fact that the Church of England has resources available to it which could enable it to make a more significant contribution to conversations about criminal justice issues, is itself a supporting factor in the argument for a greater engagement with criminal justice concerns. These resources include theological and practical resources, some of which will be very briefly outlined here before being built on later in the thesis.

The first question that arises is whether the church has anything to say in discussions on criminal justice matters. Can state and church concepts of justice have anything to

say to each other? Clearly, if it is believed that state concepts of justice are too distinct from Christian concepts of justice this will discourage any engagement since it will be assumed that the Christian faith has nothing relevant to contribute to discussions on justice. The concept of justice is a complex and contested term in both state and theological understandings of it. There is no single 'state' understanding of justice and there is, likewise, no single Christian understanding of what is meant by justice. Although Zehr (1990, p.126) argues that there is one single biblical paradigm of justice, the majority of commentators maintain that there is, and can be, no single grand Christian theory of justice, and that attempts 'to produce some grand theology of justice seem doomed to failure' (Forrester, 1997, p.198). This is not least because the biblical concept of justice is so 'protean and multi-faceted' (Donahue, 1977, p.68).

Zehr argues biblical justice has always 'stood in marked contrast to state justice' and thus one cannot speak to the other' (1990, p.225). It would be a fairly simple exercise to set up Christian and state understandings of justice as binary opposites since it might be argued that the Christian faith and the state differ in the way they speak about justice at almost every level: in the way that they understand justice; the means of arriving at that concept; the means of achieving justice; and even the ends of that justice. A natural conclusion would then be that the 'rival' approaches have nothing to say to each other and that therefore Christian thinking has nothing relevant to contribute to public discussions on criminal justice issues. This conclusion would then limit the viable options for a Christian response to criminal justice issues to either an advocacy for radical alternatives to the current CJS and the way in which

the state defines justice, or a complete disengagement with the issues. Whilst disengagement as a course of action is clearly not congruent with the thesis of this research project, the development of radical alternatives to the current system, and the justifications for it, could form part of a transformative response. However, if the development of new alternatives is undertaken without dialogue with others from the secular sphere then its impact can only ever be severely limited.

The dualistic view does not take into account the range of understandings of justice found in both state and Christian thinking on the subject. Although there is no grand unified theology of justice, there does exist a rich vein of millennia's worth of theological reflection and theorizing on what justice means and looks like when related to the nature of God. There are some obvious points at which aspects of state and Christian thinking coincide – one such point being the definition of justice as partially being about giving each their due or 'desert'. This is one aspect of the current favoured state justification for punishment, retribution, and has been part of the Judaeo-Christian tradition for thousands of years. Whilst both the values underlying, as well as the out-workings of these definitions of 'desert' do differ and need to be taken into account, this nevertheless demonstrates that Christian and secular thinking on justice are not completely distinct. It is also worth noting that, even if it is the case that there are significant differences between state and Christian understandings of justice, it does not automatically follow that there should be no engagement. Dialogue between two very different perspectives has the potential to be as creative as dialogue between two more similar perspectives.

Theologically speaking, there are numerous resources which could be employed in conversations about social and criminal justice. Some of these concepts include: human flourishing, the various theories of atonement, *shalom*, reconciliation, mercy, forgiveness, hope, love, to name but a few. The Christian theological tradition does, then, have theological resources at its disposal in order to be able to contribute to public conversations about criminal (and social) justice. How it currently does this and might do so in the future will be considered in later chapters.

Practically speaking, the Church of England also has a significant number of resources, or assets, which could help facilitate a transformative response to criminal justice matters. Some of these assets are structural. The extensive reach of both the parish system and chaplaincy means that there is a potential for a far-reaching response to justice issues to be developed. Although congregation numbers are dwindling, the church still has a presence in almost all communities in the country and both buildings and congregations could be used to strengthen social capital in troubled communities. Being the established church also gives the Church of England privileges not immediately available to other denominations and faiths such as representation in the House of Lords and the consequent platform to speak truth to power. The Church of England is thus not without practical resources that could be utilized in developing a transformative response to criminal justice concerns.

### **Summary**

In summary, this section has demonstrated that the Church of England has a strong mandate for engagement with criminal justice issues. Whilst the third mark of mission

can be viewed as a mandate for a practical Anglican engagement in criminal justice issues, the fourth mark of mission compels Christians to engage with issues that contribute to the maintenance, or growth, of unjust structures of society.

Although the fourth mark of mission is thus one significant imperative for engagement with criminal justice concerns, there are also others, including the concern for human flourishing, the commitment to work for the common good and the desire for justice of all kinds.

Since there is a mandate for Anglican engagement with criminal justice issues, the next step is to consider what form of response is needed to enable this engagement. This thesis argues that the scope and seriousness of criminal justice and related social justice issues requires nothing less than a transformative response. Outlining the shape of a transformative public theology, which would enable the formulation of such a response, is the focus of the next section of this thesis.

### **A transformative public theology**

Defining the concept of transformation is a necessary starting point when seeking to construct a model of transformative public theology. The dictionary defines transformation as ‘to change in character or condition; alter in function or nature’ (Oxford English Dictionary). This change is often ‘a radical change,’ with this term itself being a synonym of transformation (Roget’s Thesaurus).

The concept of transformation is one that has particularly been employed in business and organizational settings and this understanding is of relevance as transformation

of the various organizations and institutions that comprise the CJS is one of the goals of a transformative approach to criminal justice matters. In business, transformation suggests 'a complete change' or 'a process of profound and radical change' (Business Dictionary). Ackoff, a Professor of System Thinking and Organizational Theory, describes the difference between reforming and transforming systems. 'To reform a system is to change its behaviour without changing its structure or its functions. It continues to do the kind of things it has always done but does some of them differently. To transform a system is to change its structure and the way it functions. The changes it produces are radical... or even revolutionary' (Ackoff, 2010, p.110). Elsewhere he emphasizes that transformations will always involve a change in the objectives that are pursued (Ackoff, 2004, p.2). A transformative response to justice issues will thus necessarily include seeking far-reaching changes to the CJS and even to aspects of wider society.

### ***Tradition and innovation***

Developing a transformative approach to criminal justice matters requires, to some extent, a transformation of the current Anglican response to these issues. It requires the formation of an innovative approach to criminal and social justice issues.

However, this can be controversial and thus requires a consideration of the relationship between innovation and tradition within Anglicanism. Within the Christian faith there has long been a dilemma of how to balance tradition and innovation (Graham, 2017, p.172), and this discussion appears to be intensifying as the Church of England considers how to react to, and engage with, the fast-changing culture of the twenty first century. For the purposes of this brief discussion, tradition will be



understood 'loosely to refer both to the "inherited" structures, life and practice of the Christian church, and the articulated and received traditions of teaching, spirituality and liturgy' (Watkins, 2019, p.6).

Innovation and adaptation do not stand against tradition, and are, indeed, advocated by the Church of England itself. The Declaration of Assent is made by Readers and Lay workers prior to licensing, and by ordinands prior to ordination as deacons, priests, or Bishops in the Church of England. It states that:

'The Church of England is part of the One, Holy, Catholic and Apostolic Church, worshipping the one true God, Father, Son and Holy Spirit. It professes the faith uniquely revealed in the Holy Scriptures and set forth in the catholic creeds, which faith the Church is called upon to proclaim afresh in each generation. Led by the Holy Spirit, it has borne witness to Christian truth in its historic formularies, the Thirty-nine Articles of Religion, The Book of Common Prayer and the Ordering of Bishops, Priests and Deacons. In the declaration you are about to make, *will you affirm your loyalty to this inheritance of faith as your inspiration and guidance under God* in bringing the grace and truth of Christ to this generation and making Him known to those in your care?' (Archbishop's Council, 2007, my italics)

This statement implies that innovation, or proclaiming the faith afresh, is a matter of orthodoxy and orthopraxy when it is based on an acceptance of the importance of tradition. The roots of the Christian faith are to be used to inspire people in discerning new ways of 'bringing the grace and truth of Christ to this generation'. The call to be 'creative and critical' guardians of the tradition has been made by many commentators including Percy (2005, p.234) and Forrester (2010, p.478).

Of course, what constitutes faithful development will always be contested. However, a particular understanding of a healthy relationship between tradition and innovation may help to allay concerns that any departure from the received tradition is potentially dangerous. A grounding in tradition is essential if innovation is to be faithful. 'Tradition and innovation are not opposed, because deep immersion in tradition is not an awkward constraint upon improvisation but is its enabling condition... faithful improvisation ... requires communities and individuals deeply grounded in the Christian faith, knowing it well enough and richly enough to be able to see new ways of living it out appropriate to the new contexts in which they find themselves' (Faith and Order Commission of the Church of England, 2015, p.82). Watkins puts this more poetically, suggesting that one could understand "innovation" as tradition awaiting authorising discernment, and "tradition" as the fertile soil (soil and fertiliser) for its health and growth' (2019, p.6). The faith and order commission report suggests that the nature of this relationship between tradition and innovation is as old as Christianity itself since the story of the earliest Christians is 'a story of creative borrowing and critical adaptation... that required of them creative and flexible improvisation. In the process, they borrowed ... language, ideas, practices and even forms of organization from a wide variety of sources (2015, p.50). The knowledge and experience of tradition is what enables a *faithful* discernment of innovative, sometimes transformative, ways forward.

### ***Five Marks of Mission***

As argued earlier, the language of the fourth mark of mission itself suggests that a transformative approach to justice issues is an integral part of Anglican mission. The

fourth mark of mission incorporates the call to ‘*transform* unjust structures of society’ and, as discussed above a desire to increase the emphasis on transformation as part of mission was one of the motivating factors for formulating the four/five marks of mission. A transformative approach to criminal justice issues, and indeed mission more widely, thus requires a greater emphasis on the fourth mark of mission than is currently often found. In the course of this thesis, it will be argued that the strengths of the Anglican response to criminal justice currently lie in approaches that sit within the realm of the third mark of mission: responding to human need with loving service. Whilst the fourth mark of mission might be labelled as having a concern with social *justice*, the third mark of mission is better viewed as being concerned with social *action*. The differences between social justice and social action (sometimes also called charity) in terms of aims, focus, and activities are significant. These are summarized in the below table.

<b>Social action</b>	<b>Social justice</b>
Responds to immediate need	Responds to long-term need
Directed at the effects of injustice	Directed at the root causes of injustice
Provides a service	Promotes social change
Activities include: foodbanks, soup kitchens, homeless shelters	Activities include: advocacy, campaigning, political action
A relatively uncontroversial approach	A more controversial approach

(adapted from Charity vs Justice)

The overall difference between social action and social justice has also been described using a well-known analogy. Those engaged in social action are those fishing people out of a river and tending to their needs, whilst those engaged in social justice work are active upstream in working to understand why people are being pushed in the river in the first place, and seeking to prevent this.

An approach to criminal justice issues that is largely centred around the third mark of mission, as is currently the case, cannot be transformative in any wider sense but will remain largely palliative. This is not to dismiss social action as unimportant – it is, and always has been, a vital part of the church’s mission. Indeed, palliative care whilst the process of transformation takes place, is essential. However, a transformative approach to criminal justice issues could be developed through a more synthetic, or integrative, engagement with the two different marks of mission. Those who are currently engaged in social action activities could be encouraged to ask the question ‘why?’. Why are people not able to afford food? Why are some communities apparently more criminogenic than others? Why are many prisoners not given somewhere safe to live on their release? The question ‘why?’ begins to open up the possibility of social justice thinking and activities. An integrated approach would also make use of the learning and knowledge that those engaged in social action already have of the reality on the ground.

Social action can be viewed as having the potential to transform the lives of individuals as one or more of their needs are met. However, individuals do not live in isolation but are formed and impacted by their communities and wider societal

structures. Therefore, the goal of a transformative approach must be one that seeks significant change on a wider scale. When concerned with criminal justice issues, the scope and severity of criminal justice and allied social justice issues means that an approach is needed that seeks to be transformative at many different levels.

As outlined above, the links between, crime, communities and wider societal and economic structures are extensive. Social capital theory, for example, emphasizes the importance of community as the level at which cohesion is most effective but acknowledges a 'dependence on economic and social structures, as to whether it can develop and be maintained' (Atherton, 2018, pp.33-34). It will therefore be essential to have an understanding of the interrelated nature of these different levels at which transformative interventions might be employed, if their transformative potential is to be maximised.

The CJS can be viewed as one of the social structures which impacts on communities and individuals. As such, a transformative approach to the CJS, following Ackoff above, would require a significant rethink of the function and nature of the CJS and its component institutions rather than merely reforming aspects of them. The consideration of any transformation of the goals of the CJS brings us back to Tonry's earlier challenge to engage with the moral arguments for the creation of a more just criminal justice system. A transformative approach will thus require a multi-level transformation of theories as well as of practical reactions to crime and crime prevention.

In summary, a transformative public theological response to criminal justice and related social justice issues requires nothing short of an holistic approach which enables theoretical and practical interventions to be made at a number of different levels – from the individual to the societal, from the community to the academy, since these aspects are all inter-related. This transformative response needs to be far-reaching and comprehensive, and there are particular aims and methodologies which underpin this type of public theological response. These will now be outlined.

### ***Aims, nature and methodologies of a transformative public theology***

A transformative approach to justice issues must take as its starting point a concern with the oppressed and those whose voices are currently unheard in public conversations about justice issues. As such, it is intrinsically concerned with the root causes of injustice and of identifying the structures and values which contribute to any injustice. Consequently, this approach is necessarily prophetic as it seeks to speak ‘truth to power’ (Graham, 2014, p.235) about how things are – an aim which is labelled ‘essential’ by Sentamu (2015c, p.6). It should bring to attention areas of injustice which are currently overlooked by others and theologians and practitioners should act as ‘disruptors, challenging all sorts of assumptions’ (Welby, 2018, p.269). In order to do this, this approach is necessarily willing to engage in politics whether at a local or national level.

A transformative public theology also posits possible futures or solutions to various issues and these will often have been worked out in collaboration with others. The Church of England will not be able to achieve significant transformation in the

criminal justice system by acting alone. A necessary aspect of a transformative approach is thus collaboration with others which requires it to be dialogical in method. Working in partnership may be expressed through interdisciplinary work in the academy or through collaboration with activists, practitioners, policy-makers and other institutions.

The dialogical nature of a transformative public theology also requires that theologians are bilingual so that both (or all) parties in the conversation can understand each other. It acknowledges that the Christian faith 'cannot assume a right to be heard and must establish that right not only by its demonstrable commitment to the universal well-being and the good of all *but also by the competence of the contributions it makes* (Sentamu, 2015c, p.6, my italics). For a theology to be truly public there also needs to be a real openness in the conversation and an acknowledgement that our understanding of the Christian faith and tradition may be challenged, critiqued, and even refined by this engagement with 'the other'. This is one of the things that makes transformative public theology 'a genuine risk-taking venture' (Thiemann, R.F. 1991, p.23). It is also this willingness to take risks that can lead to new, creative, transformative responses being developed.

To summarise, it is necessary to adopt an approach to public theology which provides the creative space for transformative responses to public issues to be developed. This transformative form of public theology is prophetic and incarnational and has a particular emphasis on giving a voice to the oppressed. It is collaborative, open and dialogical in its approach to engaging with issues of common interest,

including justice issues, and has an openness to new ideas which leads to the possibility of formulating innovative approaches to public issues. In later chapters it will be demonstrated that this transformative approach is best served by Graham's model of public theology as apologetics since it contains all of these various elements.

## **Conclusion**

This introductory chapter has outlined the extensive scope and complex nature of criminal justice and related social justice issues. It has demonstrated that it is not merely desirable but essential for the Anglican church to respond to criminal justice issues and has outlined the basic shape of a transformative approach to these matters. The following two chapters will now consider the extent of the current response to justice concerns, identifying any strengths of engagement, and indicating where it falls short of offering a transformative response.



## **CHAPTER TWO – CURRENT ACADEMIC RESPONSE**

### **Introduction**

This chapter will critically analyse the current Anglican response to criminal justice issues at an academic and theoretical level. Initially it outlines some of the complexities of the nature of criminal justice which can pose challenges for those who want to engage with criminal justice issues from a Christian faith perspective. It then undertakes a review of the literature in this subject area, engaging first with criminological literature before considering the relevant theological literature, and it will be demonstrated that these two bodies of literature are best viewed as two distinct bodies of literature. Cursory conclusions will then be drawn before considering why Elaine Graham's model of public theology offers the best means of enabling a transformative response to criminal justice issues to be developed.

### **Complex nature of criminal justice**

The nature of criminal justice and the criminal justice system undoubtedly poses some challenges for those wishing to explore such issues from a Christian perspective. Before moving on to consider these issues, it must be noted that although, as outlined in the introductory chapter, there are several grounds for a Christian engagement with criminal justice issues, this view is by no means uncontested. This controversy in and of itself may have an effect on the numbers of people prepared to engage with criminal justice issues. However, this section of the dissertation seeks to explore the challenges that the nature of criminal justice poses for those who are not theologically opposed to such engagement.

The complex nature of criminal justice issues and the criminal justice system is particularly problematic for those wanting to engage in research in this area. It poses difficulties for theologians at various stages of the research task. Indeed, the complexity of justice issues may be a factor in limiting research into these matters. The complexity of the criminal justice system and theories underpinning it require a significant amount of grappling with before they can be put in dialogue with theology. When seeking to explain the complexity of just one aspect of criminal justice – the penal system, Garland writes of the need to be aware of: ‘the ways in which moral, political, economic, cultural, legal, administrative and penological conditions converge upon the penal realm and shape the forms of penalty; [and] how, in turn, penal measures serve to enforce laws, regulate populations, realize political authority, express sentiments, enhance solidarities, emphasize divisions, and convey cultural meaning’. (1990, p.284). Criminal justice is not, then, a subject area that lends itself to a cursory examination and a brief article as an aside from other theological research, and this may deter some from entering the field at all.

When undertaking research in this area, particularly with a view to informing policy or practice, an acknowledgement of the complexity of criminal justice issues is a necessity as the stakes are high, and ill-conceived research has the potential to cause significant harm to those caught up in the criminal justice system (Faulkner, 2002, p.5). This is one of Skotnicki’s criticisms of the Catholic Church’s response to criminal justice issues. He accuses the Bishops of ‘confusing their warrant to write theology with their ability to assess adequately the complex historical and theoretical components of the criminological discipline,’ thereby risking harm (Skotnicki, 2008b,

p.948). Elsewhere, Skotnicki highlights how 'methodological and terminological confusion' can inadvertently enable two positions, based on very different values, 'to imitate and legitimate' each other (2008a, p.141). It is, for example, possible to argue in favour of custodial alternatives as a means of minimizing the punitive aspects of the penal process. This can and has been done from both a Christian perspective and, on the criminological side, from a new radical perspective. However, new penologists have also argued in favour of custodial alternatives, but their underlying agenda is a desire to increase sanctions and the control of the state. This brief example serves to highlight the vital importance of theologians having some understanding of the terminology, methodology and theoretical and normative underpinnings of other approaches to criminal justice if they are to enter into serious research in this area, particularly if the research is collaborative or interdisciplinary in nature.

The lack of appreciation of the complexity of justice issues that undergirds faith-based engagement in criminal justice is one of the suspicions that criminology has in respect of theology. The belief that Christian engagement is based on common-sense rather than on well-researched criminological knowledge is a contributory factor to the lack of interdisciplinary dialogue.

Having thus far placed an emphasis on the challenges posed by the complex nature of criminal justice issues, it must be noted that this very complexity actually suggests that an interdisciplinary, dialogical approach to theology would be a valuable approach to adopt in this field. Complexity should also not deter those interested in

this area from engaging with research into both theoretical and practical elements of criminal justice. As suggested in the introductory chapter, theology does have the resources available to make contributions to discussions on justice issues, and, furthermore it has the mandate to do so.

### **A review of the literature**

When reviewing the criminological and theological bodies of literature relating to crime and the Christian faith, it rapidly became evident that, in numerous ways, they are indeed exactly that: two *distinct* bodies of literature. This is indicative of an absence of interdisciplinary dialogue and can in part be demonstrated through the lack of cross-over research that is published. Theologians rarely publish their findings in criminological literature and, likewise, criminologists rarely feature in theological publications. There are exceptions, such as Alison Liebling, a criminologist who has occasionally published in theological journals and whose body of work appears to be influenced by a Christian faith (2004, 2012, 2014). Looking in the opposite direction, however, it is difficult to locate any significant contributions of theologians in criminology journals. When undertaking a literature search for academic research on crime and faith it was therefore necessary to carry out two separate literature searches. The results of these two literature searches will now be engaged with separately before moving on to analyse critically what these reviews tell us.

### ***Review of the criminological literature***

One thing that both bodies of literature share, probably unsurprisingly, is their limited scope. Jang argues that 'criminological research on religion continues to be in its

infancy, with key conceptual, theoretical, and methodological issues remaining understudied or rarely examined' (2017, p.19) and that appears to be very much the case. There are one or two criminologists for whom faith-related issues represent one focus of their work. Zehr's contribution to the restorative justice movement will be noted below. Byron Johnson (2000, 2011, 2014,) has published relatively widely in this field and the title of his book, *'More God, Less Crime: Why Faith Matters and how it Could Matter More'* (2011) summarizes his position well. Francis Cullen has also considered the potential role that religion could have in criminological discussions (2012) and has co-authored a number of studies in this subject area. Apart from these academics, engagement is very limited and sporadic in nature.

There are three areas of criminological literature of particular note in this field. The most frequently researched area focuses on the impact of religiosity on criminality. Jang (2017) provides a useful overview of this area through a meta-analysis of the various literature reviews, and literature, in this area of religion and crime. Interest in this subject stemmed from the publication of the seminal work *'Hellfire and Delinquency'* published by Hirschi and Stark in 1969. Their finding that the religiosity of youth had little effect on their potential for delinquency caused something of a stir in criminological circles and spawned a number of studies which sought either to explain or to contradict these findings. Indeed, a significant number of studies have subsequently demonstrated that there is, in fact, a negative relationship between religiosity and criminality. This is a conversation that has continued intermittently ever since and there is consequently a significant body of literature in this area, latterly with a focus on religiosity and illicit drug-taking.

A second area in which there exists a sizeable body of literature is in the evaluation of faith-based programmes and ministry in various parts of the criminal justice system.<sup>2</sup> Reviewing this literature, Cullen concludes that criminologists are frequently suspicious of these kinds of interventions since they are often ‘implemented in the absence of a sound criminological foundation ... [and] draw their legitimacy not from science but from powerful common-sense beliefs about crime’ (2012, p.156). It is therefore natural that this aspect of faith’s involvement in the justice system will draw attention, albeit frequently starting out from a somewhat negative viewpoint.

A third area which is of significant interest for the purposes of this dissertation is the small body of literature which engages with theological concepts or values. Concepts such as compassion (Avgoustinos, 2007; Feenan, 2017; Shaw, 2015), justice, mercy and forgiveness (Bottoms et al, 1990; Dew, 2003; Lacey and Pickard, 2015; Zaibert 2010) are all considered in relation to the purposes, means and ends of the contemporary criminal justice system. Sanders, Young and Burton have developed an extensive ‘freedom model’ of criminal justice which has applications at every point of the CJS. They ask: ‘what is the point of protecting victims, offenders, and, indeed, anyone effected by crime and the justice system. In our view it is primarily to protect and enhance freedom’ (2010, p.48). Freedom provides the overarching goal of the CJS rather than, for example, retribution. Their approach can, to some extent, be described as transformative since it seeks to alter the nature and ends of the CJS. It

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<sup>2</sup> See, for example, Grimshaw and Sanchez (2003); McGarrell, Brinker and Etindi, (1999); Sparks, (2003); Tarleton, Kazi and Jenkins, (2003).

will be argued later that this type of engagement has the potential to lead to creative dialogue between the disciplines of criminology and theology.

It is, indeed, notable that those who do engage with religion and/or encourage more faith-based engagement with criminal justice issues, are often criminologists with a particular focus on re-imagining the contemporary justice system, particularly in response to the penal crisis. Cullen has authored and co-authored a number of articles and chapters which posit alternative ways forward out of the penal crisis. These possible solutions include the creation of virtuous, faith-based, or restorative prisons (Cullen, Johnson and Stohr, 2014). Here the engagement between religion and criminology is viewed in a more positive light, with faith-based contributions being perceived as having the potential to offer constructive and creative contributions to solving aspects of the penal crisis.

When criminologists do engage with faith-related matters, it is frequently accompanied by a plea for further research to be carried out in this area. However, this plea usually falls on deaf ears and no real interest in continuing the debate is stimulated. It is then often also the case that the individual authors, having pleaded for more engagement in this area, return to focusing their attention on other research interests. These other research interests are often those for which they may receive funding – an important consideration in the current academic climate.

### ***Review of the theological literature***

Having identified the significant themes in the criminological literature, our attention now turns to an assessment of the theological literature. Although the focus of this dissertation is on the response of the Church of England to justice issues, for the purposes of the following literature review it is necessary to include literature from a range of other denominations and countries, otherwise this review would be extremely brief indeed! As Levad comments, when it comes to Christian engagement with criminal justice issues, the 'conversation is still limited and its participants are few' (2014, p.47). It must also be noted that in the course of this dissertation reference will also be made to some other branches of theology such as Anglican Social Theology and some forms of Christian ethics. Although academics in these areas might not self-identify as public theologians, the fact that their work engages with public issues and seeks to have some impact on public discussion of these matters, is sufficient for inclusion in this chapter. The majority of the supplementary literature included in this review comes from the English-speaking global north, specifically Australia, New Zealand and the United States, and consists of books, chapters, and academic articles. The other denominations which are most frequently represented in the literature sample are the Roman Catholic and Anabaptist-Mennonite traditions. There is a very small body of literature published by those with a Church of England background. Tim Gorringer (1996, 2002, 2004) and Peter Sedgwick (2002, 2004, 2008, 2014), have published books and articles dealing with themes in this area. There does not, however, appear to be any significant current contributions to criminal justice debates from theologians with an Anglican background.



The literature in this field is relatively recent, with most works having been published since the late 1970's. The publication of an edited volume by Haughey (1977a) and a book by McHugh (1978) represent the beginning of the more recent theological engagement with criminal justice. This renewed interest coincided with a time of uncertainty in the realm of criminal justice with the collapse, during the 1970's, of the previously dominant 'rehabilitation' model of punishment. It was widely held that 'nothing works' in terms of rehabilitation yet it was not immediately clear what would replace this model. Ultimately there became a renewed focus on increased punitiveness within the CJS. Against this background of theoretical uncertainty, these early works can be viewed as an attempt to clarify the theological justifications for engagement in justice issues, and the identification of the appropriate ends of punishment. These initial works, however, failed to stimulate significant interest in the field with virtually no further works being published in the 1980's, save for the notable exception of Speller's *Breaking out: A Christian critique of criminal justice* in 1986. Again, this book can be considered as a timely response to shifts in criminology and the CJS since it represents a response to the developing penal crisis which itself was partly a result of the shift towards more punitive policies over the preceding ten years. Since this crisis was perceived to be 'both complex and grave... what is required is a fundamental reappraisal of imprisonment and its place within the criminal justice system' (Speller, 1986, p.54).

In the 1990's there followed a small resurgence of interest in justice issues in the United Kingdom, evidenced by the publication of books by Forrester (1997), Gorringe

(1996), and Wood (1991). The common focus of this interest was on penalty and prisons, and all three books can be considered as offering a response to the continuing confusion over the ends of the CJS, although their approaches to the theme obviously differ. Gorringer engaged in an in-depth examination of atonement theory with the aim of deconstructing the close links between atonement theory and retributivism, and demonstrating instead 'how a Christian theology of the atonement *ought* to bear on penal thinking' (1996, p.7) – with an increased emphasis on redemption. Wood's contribution to the literature was the result of a collaborative exercise of theological reflection conducted by the Centre for Theology and Public Issues at Edinburgh University. This resulted in a number of recommendations being made for churches, the public, and policy-makers and practitioners, one of which called for the end of punishment to be forgiveness (p.122). Forrester's book begins by examining wider issues of justice and public policy-making before focusing on punishment and prisons in chapter three since 'at times when there is much uncertainty and confusion about what justice is, people become unclear what prisons are for, what they are intended to achieve and how they should operate' (p.63). He concludes that 'theology's role in such a context should be modest, disturbing and constructive, offering, but not imposing, insights, values and convictions – 'theological fragments' - and hoping that some of them may be tested and accepted as 'public truth' (p.84). Making disturbing and constructive contributions to wider public discussions on criminal justice issues is one approach that could enable the church to contribute to a transformative response to criminal justice matters. Although these three works adopted very different approaches it is interesting to note that they all came to similar conclusions on the importance of seeing 'criminals as

fellow human beings' (Wood, 1991, p.123) and on the need for the church to 'exemplify in its behaviour, procedures and structures the justice of God' (Forrester, 1997, p.85) as a means of witness to the world.

Prison matters form one of the recurring themes in the extant literature and are much in evidence in the literature of the twenty-first century. The one area on which commentators predominantly focus in matters relating to prisons is the potential response to the penal crisis. It is not possible to identify an overall trajectory of the theoretical development of this literature since the conclusions reached are so varied. Skotnicki strongly advocates for the use of prisons for conversion purposes but argues in favour of reforming the prison system. Others argue in favour of restorative prisons, whilst, at the other end of the spectrum, Griffith (1993), after undertaking a multi-disciplinary investigation into the use of prison, argues strongly in favour of radical abolition on the basis that

the biblical identification of prisons with death unmask the pretenses. Prisons are not resisting violence; prisons are violence. Prisons are not resisting stealing; prisons steal people away and rob them in body and spirit. Prisons are not resisting immorality; ... prisons are the ultimate bastion of support for a system of immorality that cast modern-day widow and orphans out of their homes. From such a perspective, the question of alternatives makes no more sense than questions like "What are alternatives to slavery?", or "What are alternatives to concentration camps?". The only alternative is to stop' (p.203).

The significantly different approaches to, and conclusions of, research into the penal crisis does mean, however, that there are a wide range of theoretical bases from which to engage with criminological literature.

It was the advent of the 21<sup>st</sup> century which brought with it a more extensive academic engagement with criminal justice issues by a greater number of commentators. Of all the reports, articles, and books included in this literature review, over eighty of the items were published in the years since 2000 whilst fewer than fifteen were published in the twenty-five years prior to that. This could partially be explained by theologians seeking to respond to the crisis caused by the continued escalation of prisoner numbers. However, the larger number of publications is also partially the result of an increased focus on issues of restorative justice. Indeed, its leading proponent, Christopher Marshall, a Mennonite Professor from New Zealand, is responsible for over 30 articles, chapters and books in the area of crime and justice.

Consequently, the largest and most coherent body of criminal justice literature undoubtedly relates to restorative justice. Marshall's interest in this area was stimulated by the publication in 1990 of Zehr's '*Changing Lenses*,' a book that has been widely acclaimed in both criminological and theological circles. Zehr, frequently referred to as the 'grandfather of restorative justice,' is a criminologist who pioneered the concept of restorative justice – a concept that was in no small part informed by his strong Mennonite roots. Restorative justice is a response to some of the limitations of the current criminal justice system and offers an alternative framework for dealing with harm. It adopts a community focus and seeks to involve the community, as well as the offender and victim, in the process of repairing the harm that has been done by the offender (and also to the offender, in some cases). This contrasts significantly with the overwhelming majority of other contemporary

approaches to criminal justice which focus predominantly on individuals and, to a greater or lesser extent, on the punishment of individuals. Marshall's concentrated activity in this area has inspired others to engage more deeply with justice issues. The publication of '*Compassionate Justice*' (2012a) in which he undertook a theological reflection of two parables through engagement with the concept of compassion and a number of different social scientific theories, spawned a colloquium and associated book '*The Bible, justice and public theology*' (Neville, 2014). One effect of the dialogue between scholars in relation to restorative justice is that this particular element of justice literature represents an area which demonstrates a methodological and theoretical development over time.

The Roman Catholic tradition has engaged in some depth with matters of criminal justice, with their response largely arising out of the well-developed Catholic social thought literature. As such, it is worth considering as a discrete corpus. In 2000, the United States Catholic Church published a theological response to criminal justice issues entitled: *Responsibility, rehabilitation and restoration: A Catholic perspective on crime and criminal justice* (USCCB, 2000) whilst the Catholic Bishops' Conference of England and Wales published '*A place of redemption: A Christian approach to punishment and prison*' in 2004. Both of these documents start with a theology of justice, make links between social and criminal justice (USCCB, 2000, p.29) and advocate the incorporation of community and restorative elements into the justice system (Catholic Bishops' Conference, 2004, p.19).

Individually, the leading Catholic theologians currently engaging in this field, Skotnicki (1996, 2004, 2006, 2008a and b, 2014a and b, 2019) and Levad, (2011, 2014), are both from the United States. There are some similarities in their work, particularly in the way that they are both critical of the way in which the Catholic Church's reports 'reflect an inadequate understanding of current trends' in criminal justice theory' (Skotnicki, 2008, p.792). They are both also very conscious of the link between social and criminal justice, which, when observed as a whole, is a particular feature of the Catholic literature on criminal justice. However, the most notable aspect of this body of literature is the very different conclusions the authors reach concerning the issue of what a Catholic approach to criminal justice should look like. Skotnicki (2019) advocates the creation of a 'conversion model of confinement' which is the natural outworking of an engagement between penal policy and theology which, 'if it is any way to be true to the concept of a tradition, must be extended back to its religious roots and to the understanding of human nature that provided the impetus for its development' (p.104). In essence, he views the penal crisis as having arisen from an incorrect application of imprisonment that means the use of imprisonment has moved away from its original intentions. Whilst arguing for diversionary sentencing practices that would reduce the size of the prison population, Skotnicki also strongly advocates the building of prisons which would operate from a different moral framework – a framework that is based on the concept of conversion rather than punishment, and always with the image of Christ as prisoner kept in mind. Prisoners held in these prisons, 'the unrepentants', are the ones who 'need to recover their natural belonging to the human community; it is they who are in need of the methodological discipline and gentle accompaniment that inevitably summon conversion' (p.131).

Levad takes issue with this approach, calling it 'flawed practically, morally and theologically' (2014, p.67) and critiques Skotnicki's arguments in some detail. Levad criticises the retributive elements she perceives within Skotnicki's approach to incarceration, as well as an inaccurate assessment of the Catholic tradition's relationship with imprisonment, and a failure to engage sufficiently with the criminological literature on the penal crisis and the role and effectiveness of prisons. Instead, Levad is an advocate of a restorative approach to criminal justice, and defends this argument from a Catholic perspective, deeming it to be a sacramental and liturgical response to the penal crisis since its aims of the restoration of the offender into community are consonant with the theology underpinning the sacraments of Penance and Reconciliation (2014). Where restorative processes are not warranted or effective, she argues in favour of a rehabilitative model of criminal justice, whilst noting that this is an unfashionable model, particularly in criminological circles. Rehabilitative practices should 'encourage and facilitate healthful change in the behaviors and attitudes of criminal offenders' in a way analogous to sacramental practices of Penance and Reconciliation (2014, p.126).

These differences between Skotnicki and Levad can partly be explained in their theological approaches to criminal justice issues. Whilst both can claim to be Catholic responses as they flow out of their individual understandings of the Catholic tradition, and both are deeply theological in their thinking, Levad approaches matters from a predominantly sacramental and liturgical stance, whilst Skotnicki adopts a more traditional approach. Given that the nature of Anglicanism is such that most

theological issues are open to interpretation, it is therefore to be expected that Anglican responses to criminal justice issues will also be contested and varied in nature. The transformative approach advocated in this thesis will certainly be only one way in which the Anglican church might respond to criminal justice issues.

### ***Critical assessment of the literature***

There are a number of conclusions we can draw from these reviews of the relevant criminological and theological literature. Firstly, it is evident that theologians and criminologists do not engage extensively with the literature from the other discipline. Whilst many theologians engage with some of the better-known criminological theories and findings, it is rare to find any theological works cited within criminological literature. Even the most critically acclaimed works by theologians, such as Marshall's *'Compassionate Justice'* are largely ignored. A glance through the sources citing this book confirms that its impact is limited to within the theological academy. This is indicative of the barriers that exist between theology and social sciences and the suspicion with which each sometimes views the other. Yet there is more to it than that. The very fact that there is often a failure on theology's part to engage positively, constructively and creatively with criminological findings and theories means that theology is likely to continue to struggle to engage meaningfully with criminologists. This is a point picked up on by Sedgwick in his review of Marshall's book, *'Compassionate Justice'*. Although Marshall's work represents some of the most theoretically and methodologically sophisticated and innovative theological work in this field, the one weakness is that he does not sufficiently engage with the arguments and theories outlined by the leading criminologists, and instead engages



with theories and thinkers on the edge of the debate. This is partly a result of his focus on restorative justice theories which are viewed critically by many in criminology, and this in turn means that his 'account of criminology, or what is in effect a profound political theology, simply marginalises itself' (Sedgwick, 2014, p.360). It appears to be the case that theology must be viewed as being well-informed on criminological issues, and as having something positive to contribute to academic discussions on criminal justice issues, if it is to earn a place at this particular public table.

The fact that the subjects with which the two disciplines engage frequently differ in substance is both indicative of the fact that the bodies of literature are distinct and simultaneously also offers a partial explanation of the reasons for this distinction. If the two disciplines are focused on significantly different aspects of the intersection between faith and criminal justice, then it is to be expected that there is little in the way of interdisciplinary dialogue as the two disciplines are having very different conversations. This need not necessarily always be the case. Johnson and Jang spend several pages making suggestions of the various points at which a focus on faith could be productive (2012, pp.124-129), and encouraging an interest in these areas. One thing that is striking about these suggested areas for research is that they are largely theoretical in nature with little scope for practical application. This raises a question of whether religion and theology are viewed as having a role to play in practical and policy directed research or are to be confined to theoretical and moral aspects of research. This issue will need to be borne in mind when considering possible future responses to justice issues. Jang and Johnson go on to suggest that those

researching into these intersections are 'likely to discover research questions rarely asked before' (2012, p.128). Here, though, the small number of people engaged in researching these areas from either criminology or theology means that many of these potential areas of investigation will inevitably go unresearched. It is encouraging, however, to note that opportunities for creative engagement in this area do exist! I will outline some of these potential areas of fruitful investigation below.

Outside of the few theologians mentioned above, and the relative strength of contributions in the areas of penology and restorative justice, the remainder of the theological literature on criminal justice can be described as episodic and piecemeal at best. As was the case with criminologists, it is notable that theological authors in this field will often publish one or two articles, or occasionally a book, devoted to criminal justice issues, in which they frequently call for a greater engagement with the subject area, but then they themselves appear to withdraw from the stage, and little further interest in the topic is stimulated. One reason for this is the small number of academics working in public theology as a whole – there simply isn't the scope for a significant number of public theologians to engage with criminal justice issues which represent just one small area of potential exploration in a vast landscape of alternative and pressing issues.

The two issues that have attracted the most theological attention were identified above as restorative justice and prison policy, and it is worth briefly considering why this is the case. These two areas are perhaps more preeminent because they both address a widely acknowledged crisis in criminal justice – the penal crisis. The penal

crisis is well-documented as causing unnecessary suffering for individuals, and indeed, particular sections of society, as well as demonstrating (and enforcing) racial and economic inequalities in the wider society. The justification for engaging in research in this area is evident and it appears that there is the potential for theological contributions to have an impact in this area, practically or theoretically, which makes it attractive. However, many of the other problematic aspects of the criminal justice system are neither fashionable, nor critical, nor macro-level issues. Rather, criminal justice is often perceived as unglamorous and many problematic aspects of criminal justice appear intractable. Engagement in these areas is therefore less likely to be attractive to theologians who have many issues competing for their interest and time. The injustices and oppression caused at times by the criminal justice system seems, then, to be one of the, as yet, overlooked issues in public theology. Yet, if public theology does seek to be prophetic and to advocate for the oppressed, then criminal justice is an area with which it should be engaging.

The small numbers of people engaged in the area of public theology, combined with the often less than attractive appearance of criminal justice issues as research areas, has a further impact on the potential for greater public theological engagement with justice issues. Robust and rigorous academic research requires lively and critical conversation partners, yet it appears that these are hard to come by in theological circles if one is studying criminal justice issues. The example given above of the publication of Marshall's book spawning a colloquium and associated book is a largely unique situation within this field. This lack of conversation partners could then further deter others from engaging in this field and contribute to the lack of long-term

engagement by theologians with the subject. Furthermore, this lack of consistent and coherent engagement can also be seen as a contributory factor to the relative theoretical weakness of the body of literature as a whole.

However, it is not only the small numbers of academic public theologians that contributes to the lack of coherence and the limited theoretical development of the current literature. Academic isolationism and fragmentation are evident, in a number of ways, in the body of literature as a whole. Academics from different countries do not always engage frequently with one another. This was particularly evident when undertaking the literature review. Although mining the bibliographies of major works was sometimes productive, there were also many cases where whole areas of literature could be overlooked, particularly those works stemming from a different country.

This academic isolationism is then frequently further compounded by denominational isolationism. For example, Levad's advocacy of a restorative justice model of criminal justice, based on a Catholic perspective, demonstrates a surprisingly limited engagement with the extensive restorative justice literature that stems from Marshall and others from an Anabaptist-Mennonite background. One brief sentence in an overview of the relevant theological literature states that Christopher Marshall has written a 'survey of the biblical texts that address these issues' (Levad, 2014, p.46) and this constitutes the full extent of her engagement with Marshall's significant body of work.

This isolation is further compounded by the numerous theories on crime and punishment that exist. It can be argued that almost all of the contemporary penal theories can claim some theological justification. Consequently, there are both numerous theological *and* criminological starting points for theologians wishing to approach this area, and this combination will almost inevitably result in a huge variety of ways in which criminal justice issues are approached, and in the subsequent research findings or theses. This was demonstrated by the very different approaches and findings of Skotnicki and Levad. All of this results in the fact that some commentators who adopt one particular approach, for example restorative justice, find it hard to engage with those scholars advocating a more 'punitive' approach, as little common ground can be perceived.

Having identified a number of negative aspects relating to the low number of scholars working in this area and to academic fragmentation and isolationism, it is necessary to point out that there are some small grounds for optimism in this area. The publication of Marshall's '*Compassionate Justice*' and the associated colloquium is an example of a dialogue related to criminal justice which could indicate that there might now be a real opportunity for further genuine dialogue. This potential is further expanded since the number of academics engaging with this area at the same time is increasing, as is evidenced by the increasing rate and number of publications in this subject area. This position contrasts with the past, when academics interested in focusing on justice issues rarely overlapped with each other, which meant a creative dialogue was almost impossible.

Despite the fact that there is an increasing public theological interest in criminal justice matters, the actual impact of this research on other publics appears to be very limited. Yet, if public theology is to be public, then one of the marks it needs to be measured against is the impact it has on different publics. The impact public theology has within academia is difficult to measure. The indications are that even those 'stronger' areas of theological engagement, such as restorative justice, struggle to have any significant impact outside of the theological academy and the church. Noakes-Duncan comments that although the original development of restorative justice owes much to Christian academics and activists, and the practical impact it has had is clear, those involved with it now would be surprised to learn of these origins, and theologians now struggle to have an effective voice in the current literature (2018, p.217). The publisher's notes also state that 'as restorative justice has moved into the mainstream of criminological thought and policy, the significance of its originating spiritual impulse has been minimized or denied' (Marshall, 2018, publisher's notes). This minimization or denial of the Christian roots of a concept or practice is far from unique to criminology as it occurs in all spheres of public life. However, it does raise questions over the relationship that theology and criminology could have: questions which will be further reflected on in the course of this thesis.

The impact that academic public theology has on wider publics such as the media is similarly not easy to assess. However, once again, the signs are not particularly promising. The media do not always consult the Church over its views on public issues, yet when they do they often, somewhat unfairly, want 'the' Christian response to an event or issue. Determining exactly what the Christian response to, for

example, the penal crisis is, is not straightforward. As noted above, there are a range of responses to this question from Griffith's advocacy for abolition to Skotnicki's call for the building of more, albeit different, prisons. This may cause confusion for outside commentators who seek *the* Christian response rather than *a* Christian response.

The extent to which public theological engagement with criminal justice issues has, or is able to have, an impact on policy and practice is also questionable. There are some collaborative and interdisciplinary research centres set up in universities which can claim to have a degree of impact on policies and practices within the criminal justice system. One example of such a centre is the Crime and Security Research Institute at Cardiff University. The purpose of this centre is to:

'foster creative and innovative conceptual and methodological approaches to shape policy and practice development in relation to crime and security challenges locally, nationally and internationally; we are committed to sustaining a record of achieving real-world impact as well as addressing community concerns... The knowledge and expertise of those involved in our Research Institute has already directly influenced national government policy, contributed to the former UK coalition government's plans and been cited in a White House press release'. (Cardiff University website)

This sounds exciting and it is encouraging to hear that collaborative and interdisciplinary academic research can have an external impact. Members of the institute are drawn from the fields of law, criminology and criminal justice studies, management, finance and statistical analysis. The potential place for a theologian in such a research centre is uncertain and the grounds for this uncertainty are again

related to academic isolationism and to the suspicion with which theology is viewed by some other disciplines.

### ***Summary and cursory conclusions***

In summary, the review of the literature at the intersection of these two disciplines has highlighted its limited scope and episodic nature and has suggested some of the reasons for this. When considering whether the current public theological response to criminal justice issues might be viewed as transformative, then, looking at the body of a work as a whole, it clearly misses the mark since it is neither extensive nor coherent enough and does not yet appear to have any significant impact on other publics. It could be argued that restorative justice is transformational as it seeks a different end to justice. However, in practice, the focus of much of the literature is often on working within the current structures of the CJS, rather than seeking to change the nature or functions of the CJS.

The most significant conclusion that can be drawn from this literature review brings us back to where it started – the acknowledgement that these are two distinct bodies of literature which is indicative of a current lack of interdisciplinary engagement. The simple answer to this absence of engagement is to engage. As suggested above, the literature review has highlighted that there are research areas which could enable a dialogue between the two disciplines, potentially leading to their mutual enrichment. This would mean theologians being willing to sit with criminologists and learn from and with them, and would, in all probability, require an approach to be made by the theologian to the criminologists. From the theological side, the resulting dialogue



requires a particular form of public theology to be employed – one which enables transformation, as was outlined in the previous chapter. At this point it is therefore necessary to consider what model of public theology could facilitate this engagement, and where a transformative approach sits within the broader field of public theology. The following section thus begins with a very brief survey of the field of public theology as a means of demonstrating the very varied nature of the aims, methodologies and foci of different public theologies. It will then spend time outlining one particular model of public theology, Elaine Graham's public theology as apologetics, and establishing why this offers the best means of addressing the challenges of engaging transformatively with criminal justice issues.

## **Public theology as apologetics**

### ***Introduction***

Defining public theology is a far from straightforward exercise and the term itself is a relatively recent one, coined only in 1974 by Martin Marty writing on Reinhold Niebuhr (Lee, 2015, p.45). Some definitions restrict the scope of public theology to a purely theoretical exercise, whilst others argue that public theology includes the lived-out experiences of Christians in their everyday lives. This thesis adopts a broad understanding of public theology as relating to both theory and practice (acknowledging that there is by no means necessarily a clear-cut dividing line between the two).

Public theology is probably better thought of as a field rather than as a distinct discipline, and it is perhaps more accurate to speak of public theologies in the plural

rather than assuming public theology, even limited to within the academy, to be monolithic in nature, content, and methodology (De Gruchy, 2007, p.27). Various commentators have classified the different approaches to public theology in different ways. Forrester (2000, p.118) identifies two different categories of public theology: magisterial, which engages in public theology by teaching authoritatively from above; and liberationist, which is a theology from below, and which has a particular interest in denouncing injustice and oppression. Graham (2014, pp.241-242) suggests that there are four types of public theology: engaging with issues of policy from a faith-based perspective; the processes of guidance or formation that equip Christians ... to exercise faithful witness in relation to the secular world; the study of how a faith commitment might inform the conduct of public figures; and Christian activism and social engagement. Finally, Breitenberg (2003) also proposes a threefold categorization of public theology literature: interpretive, historical, descriptive literature; apologetic literature 'which is concerned with discussions about what public theology is and how it should be carried out' (p.64); and constructive public theology which offers 'theologically grounded and informed interpretations of and guidance for institutions, interactions, events, circumstances, policies, and practices, both within and outside the church' (p.65).

From this brief survey of the field it can be surmised that public theologies have a plethora of different aims and methodologies. Public theology can, for example, be descriptive, apologetic, or constructive; focused on theory or on practice or on a combination of the two. However, this heterogeneity need not necessarily be viewed as a weakness since different contexts and issues will require different forms of

public theology. What it does do, though, is indicate the importance of locating a transformative public theology within this broader field.

A transformative response to criminal justice issues requires a public theology which is constructive and liberationist and which is not concerned with teaching authoritatively from above, nor primarily concerned with discussions on what public theology is and how it is undertaken. Of all the available models of public theology, the one with which the transformative approach to criminal justice matters is most closely aligned is Elaine Graham's model of public theology as apologetics. The grounds for this assertion are numerous and will be sketched out here before being developed in greater depth in chapter four.

### ***Public theology as apologetics and criminal justice issues***

Graham's model of public theology as apologetics arose out of a concern with how the church might engage in public life in the context of a post-secular society, 'characterized by a growing gulf between people of faith and others, and the concomitant deficits of religious literacy, and in the face of reasoned sceptics who question the very legitimacy of religious voices in public, let alone the benevolence of faith-based interventions' (Graham, 2013, p.179).

It was argued earlier that any transformative response to criminal justice issues needs to operate at numerous different levels – from the individual to the societal, in the church and the academy. One of the criteria for any selected model of public theology therefore needs to be that it is holistic in nature. Public theology as

apologetics offers such a synthetic and integrative model. Graham argues that for early Christians 'witness, on the whole, was a communal and holistic enterprise. Christians cared for the sick, fed the hungry, and clothed the naked... and in so doing they proclaimed the Lordship and salvation. Perhaps apologetics ought to work at integrating not just other disciplines, but also the practices of Christian life and discipleship into and along with intellectual discourse' (Graham, 2017, p.124). This statement suggests that public theology as apologetics should be academically-speaking interdisciplinary, seek to engage with both theological and non-theological sources in its method, and be concerned with practice as well as theory.

The integrative and holistic nature of this model can be demonstrated in the way that various aspects of it can be related to the first four marks of mission; tell, teach, tend, transform. Whereas the transformative approach outlined in chapter one suggested the importance of linking the third and fourth marks of mission when responding to justice issues, Graham's model takes an integrative model considerably further, although it must be noted that she does not talk explicitly in terms of the marks of mission. The integrative nature of this model will be outlined here using the shorthand of the first four marks of mission.

*Tell* – apologetics should be a means of 'proclaiming God-in-the-world to the world' which it achieves through words and action, through collaboration and dialogue. In this way, Graham links apologetics to the *Missio Dei*.

*Teach* – Graham suggests that there is a ‘deficit of religious theological literacy’ within churches (2017, p.131). However, faithful innovation and discernment, as was previously argued, can only be undertaken by those who are well-steeped in the theology and tradition of the church. If we are to have ‘faithful innovation’ within the Anglican church then this necessarily involves paying attention to the formation of lay members of the church. Similarly, since apologetics requires the ability for people to explain their faith in ways that can be understood by others, this also requires an emphasis on teaching all members of Christ’s body. This model thus has a concern for discipleship.

*Tend* – Public theology as apologetics involves performative practice based on compassion and service as a means of working for human flourishing. It is a model based on word and deed, on acting and speaking. However, action alone is not enough and ‘the Petrine exhortation to “give an account of oneself” is still vital, in terms of articulating the motivations behind the practices of witness and activism’ (Graham, 2017, p.130). The idea of ‘articulating the motivations’ also points towards the need to consider the deeper reasons behind social action which could lead to more ‘transformative’ social justice patterns of thought. For example, instead of understanding the reason behind volunteering at the foodbank to be because people are hungry, people could be encouraged to search for the deeper motivation behind these actions: an uneasiness with the social injustice that leads to food poverty.

*Transform* – ‘Christians need to cultivate a public vocation that is more interested in the well-being of society than the survival of the Church, which is prepared to “speak

truth to power”, and enables them to be advocates for the marginalized and powerless in society’ (Graham, 2014, p.235). Following Bretherton, she argues that the primary focus of mission should be seeking ‘to heal and transform human social, economic and political orders so they can be the world (an arena of human flourishing to which the world can contribute) rather than worldly (the world turned in on itself) (2017, p.136). As with the third mark, it is important to be able to offer an explanation for the motivations behind this action. This explicitly missional focus of the apologetics model is in and of itself, grounds for arguing in favour of its use in engaging with criminal justice matters.

Methodologically, public theology as ‘mission-shaped apologetics requires a threefold hermeneutic of discernment, participation, and witness’ (Graham, 2017, p.125).

Firstly, there is ‘an act of discernment and theological reflection, in terms of trying to attend to what God is doing in the world and where... in signs of human flourishing and the integrity of creation’ (Graham, 2017, p.139). The second stage is ‘the task of participation in that mission: a vocation of discipleship and activism. Thirdly comes the apologetic task, of bearing witness to God at work in ways both prior to and beyond the conventionally ecclesial or religious’ (ibid, p.139). In this way, apologetics is ‘the public theology of the church’s mission: a testimony to God-in the world, addressed to the world’ (ibid, p.139).

Returning to our initial definition of the approach needed to enable a transformative response to criminal justice issues, which emphasized its holistic, prophetic, dialogical, outward-looking, innovative, and collaborative aspects, it becomes clear

that Graham's model of apologetics offers the framework for such a response to be developed. In summary, Graham's synthetic model of public theology as apologetics has the potential to facilitate transformative engagement with criminal justice issues at every level from the individual to the societal. Having here simply sketched out some of the grounds for asserting that this model might facilitate such transformative engagement, a consideration of the out-workings of this approach will be developed more extensively in chapter four when discussing potential future engagement and research in this area.

## **Conclusion**

One of the conclusions that can be drawn from this chapter is that theology has a significant amount of work to do and challenges to overcome, if the church is to develop a transformative response to contemporary criminal justice issues.

Measured against the aspects of a transformative theological response outlined in chapter one, the current Anglican, indeed Christian, academic response struggles to attain many, if any, of these marks. The focus of the following chapter will be on critically evaluating the current institutional and practical Anglican response to criminal justice issues with the aim of discovering whether the practical Anglican response is stronger or more transformative than the academic response.

## **CHAPTER THREE – THE CURRENT RESPONSE IN PRACTICE**

### **Introduction**

This chapter focuses on mapping the current ecclesial and practical response to criminal justice issues, whilst also highlighting the challenges and limitations faced by those in the church who seek to engage with criminal justice issues in a more practical manner. It will be evident that some of the challenges faced by theologians in the academy are echoed in the challenges faced by those in the church. This chapter will assess the practical responses of the church at national, diocesan, and local levels as well as the response of individuals who engage with criminal justice issues. When considering the assets possessed by the church in the opening chapter, it was found that one of its most significant assets is the parish structure and consequent spiritual and social capital provided by having a presence in most communities. Therefore, whilst the first part of this chapter provides an overview of the current response at different levels, the second section considers in more depth the current response in parishes. There are, unsurprisingly, significant methodological challenges faced when considering the practical responses of the church both as an institution and as a collection of individuals and these will be discussed. Despite these challenges, this area offers a potentially highly fruitful area of interest when considering how Anglicans might productively engage with contemporary criminal justice issues.

### **The National Church**

When considering the church as a national institution there will be four, somewhat interrelated, areas of focus: reports published on criminal justice issues; Bishops;



chaplaincy; the Department for Mission and Public Affairs. Each of these aspects has the potential to contribute significantly to Anglican thought and practice on criminal justice matters but each faces significant challenges in doing so.

### ***Reports published on criminal justice***

Reports written on criminal justice issues in the name of the Church of England are few and far between. Limiting the search parameters to the last 25 years, only three extended contributions to debates on criminal justice issues can be found. In 1999, the now defunct Board for Social Responsibility, under Bishop Bob Hardy's direction, commissioned a book, '*Prisons: A Study in Vulnerability*'. As Bishop Robert Harries writes in his introduction to the book, this report represents an unusual report for General Synod insofar as it was not commissioned directly from General Synod, but was, rather, commissioned by the Board for Social Responsibility themselves. The purpose of this book was to 'inform members of General Synod, and the general public about what it means to be a vulnerable person caught up in the Prison System, and so help to bring about greater compassion and understanding for an often forgotten group of people.' (Board for Social Responsibility, 1999, p.xi).

The book itself consists of contributions from a number of different experts in their fields. For example, Paul Cavadino, a leading criminological researcher into the penal crisis, authors a chapter on recent trends in imprisonment. Martin Narey, then Director General of the Prison Service, wrote on the initiatives in prisons that were seeking to support offenders, and Peter Sedgwick, a theologian with an interest in criminal justice issues authored a piece on a theology of vulnerability. Although the book was authorized by the Board, the views expressed by individual authors were

not endorsed by the Church. Consequently, this report cannot be read as an official statement of the Church of England's views relating to criminal justice issues. It does, however, represent a potentially innovative way forward for producing reports in this area on behalf of the Church. It exemplifies a proactive response to a perceived problem and, as such, raises awareness of an issue to the national church, rather than waiting for the national church to recognize the issue. Historically, criminal justice has been a largely overlooked area and the publication of this report suggests that it is the interests of powerful and, perhaps, more importantly, committed individuals within the church who can get these issues on the national church's agenda.

In 2004 the Mission and Public Affairs Council, part of the Archbishop's Council, commissioned and published a report entitled '*Rethinking sentencing: A contribution to the debate*' (Sedgwick, 2004) which was debated at General Synod in 2007, with a strong intervention by then Archbishop, Rowan Williams. It can therefore be viewed as an official document which sets out something of an Anglican perspective on sentencing-related issues. The individual chapters are authored by people who are both Christians and experts in their field. Although the chapters have varied foci, the obvious and recurring theme is an argument in favour of restorative practices as representing an appropriate Christian response to sentencing and imprisonment issues, not least because this represents a relational and inclusionary, rather than exclusionary, approach to offenders. Throughout this document, there are also repeated calls for churches to acknowledge the importance of criminal justice issues as a significant ethical and moral problem which cannot be ignored by Christians.

Pryor argues that concern with the treatment of offenders and prisoners is ‘the peculiar responsibility of the Church... under the mandate Christ gave, that we fail to love him where we fail to love the prisoner. Perhaps we might recognize that injunction better if it were rephrased to read that our exclusion of the prisoner reflects our exclusion of Christ’ (Pryor, 2004, p.38). Later on he offers a series of questions that he believes the church must engage with. ‘The Church must have a view on the issues that prison raises. What does overcrowding denote? What does a major rise in the custody of women and youngsters denote? What is the importance of penitence and forgiveness in sentencing? How right is the involvement of the victim in sentencing and parole? By what right do we deny some lifers any hope of release? And how do we, particularly but not exclusively Christians, demonstrate our love and inclusion of offenders throughout the sentencing process?’ (ibid, p.44). Meanwhile, Dew bases his call for engagement on the fact that criminal justice issues are human issues and asks people to ‘consider that criminal justice is not only about broken laws, it is also about broken lives – the lives of victims, the lives of offenders, and of communities. Jesus was especially good with those whose lives were broken, and he commended his approach to us’ (2004, p.63).

As Sedgwick notes in his introduction, this paper and debate is the first of its kind in General Synod since 1991 – a break of some 13 years (Sedgwick, 2004, p.vii). This length of gap indicates that criminal justice issues do not occupy the forefront of the church leadership’s mind. Of course, there are many social issues which need to be considered by Synod and they cannot all appear on the agenda at annual, or regular, intervals. However, given the speed at which changes within the justice system are

introduced, and the turnover of Synod members, this length of gap between discussions almost amounts to needing to understand the situation from the beginning again, which makes any incremental, transformative or innovative response to criminal justice issues difficult to achieve.

Only three years later, in 2007, Butler produced what is perhaps one of the most comprehensive, as well as one of the most recent, reports into criminal justice issues: *Taking responsibility for crime*. Although only 42 pages in length, it offers a useful summary of a number of different issues in the criminal justice system – from public attitudes to crime or criminal justice policy, to offender management, and from sentencing to restorative justice. It then continues on to consider possible and current Christian responses and resources, and argues in favour of adopting an approach to crime which has due consideration of its social causes and an emphasis on restorative practices.

In addition to simply publishing its own reports, on occasion, the Church of England also supports others researching in this area, for example, Theos – a thinktank focusing on religion, politics and culture. The Church of England supported the launch of this thinktank and some of the rigorously researched reports that it produces. This think tank is held in high regard and its voice is heard in policy-making circles which gives it some influence. Understandably, criminal justice issues comprise only one small part of the think tank's focus, with the production of two reports in this specific area.

In 2012 Theos published *Collaboration or competition? Cooperation or contestability?* This was the result of research commissioned by the Joseph Rank Trust which sought to 'investigate a perceived lack of cooperation, collaboration and partnership between voluntary sector agencies work in the criminal justice field, and to consider the extent to which closer collaboration would add value to organisations active in the field' (Bickley, 2012, p.4). It found that there were significant structural challenges which made it difficult for voluntary organizations to collaborate successfully in this area. They also noted that voluntary agencies were likely to find an increased need for their services as government cut funding for state organizations. In 2015 the report *Speaking up – defending and delivering access to justice*' (Caplen and McIlroy, 2015) was published. This was 'a timely reminder to Christians both of the importance to our faith of justice, and of the particular responsibility upon Christians to advocate on behalf of those who do not have a voice' (p.6). Although this report was triggered by concerns over changes to Legal Aid which threatened access to fair and affordable justice, it offers a compelling call to consider issues of 'justice as being just as integral to mission and the coming of God's kingdom as is serving the poor, visiting the lonely, teaching the young, healing the sick, and accompanying the dying' (ibid. p.6). Justification for this call is then provided by an examination of biblical passages and aspects of the Christian tradition. When considering these two reports together, it can be seen that Theos has engaged in some depth with both the theological and practical aspects of the criminal justice system.

Outside of these narrower criminal justice concerns, a significant number of Theos' reports are focused on the broader concept of social and economic justice, and on the church's role in fostering a greater sense of community and cohesion as a means of contributing to human flourishing and challenging social injustice. As such, the work of Theos is one way in which the Church of England, perhaps somewhat tangentially, contributes to public debate on justice issues at a national level.

In summary, when considering reports as a method of Anglican response to criminal justice issues, the only evaluation of this response can be that it is piecemeal at best, yet these existing reports provide a potentially useful resource in offering guidelines and good practice for future research and reports in this area. However, producing reports is only one way in which the church can respond to criminal justice issues and so now our focus will turn to other possible responses.

### ***Bishops***

There is an argument that the Bishops in the House of Lords actually have a very limited influence since 'they are a small group... they vote relatively little, and do not vote as a cohesive block. On most occasions there is one Bishop 'on duty' in the House (they have a formal rota) and the average turnout from the group in government-whipped divisions is only 3.2% (i.e., less than one person)'. (Russell and Sciara, 2007, p.311). Although they are thus unlikely to be able to play a significant role in amending or defeating bills passing through the House, they can, nevertheless, contribute to the debate from a Christian perspective, thereby potentially influencing others. Indeed, Russell and Sciara state that 'this is where

their presence is generally more important' (ibid, p.311). However, the extent to which the Bishop for Prisons has an influence on matters relating to criminal justice is partly down to the person in the post and rests largely on their activities outside of Parliament alongside their activities within the House of Lords. A Bishop is invited to become the Bishop for Prisons by the Archbishop of Canterbury when the previous incumbent of the post retires. As such, some Bishops naturally have more of a heart for criminal justice matters than do others. Bishop Bob Hardy was Bishop to Prisons from 1985 to 2001 and his ministry in this post 'had an unusually wide scope' (Sedgwick, 2002, p.175), due in part to his many gifts, and in part to his feeling of personal calling to this area. He saw three strands to this ministry as Bishop to Prisons: resourcing and supporting chaplaincy; being a bridge between prison and the Church of England; advocating for Christian values and concerns within the CJS (ibid, pp.178-179). Outside of this extensive remit, Bishop Bob also organised conferences, chaired the Justice committee of the Board for Social Responsibility, authored papers, and spoke extensively on these issues.

Other Bishops to Prisons since have not had the same extensive ministry but they are still a voice in Parliament and in other aspects of public life. The Bishop of Rochester, James Falstaff, the current Bishop to Prisons has spoken on criminal justice issues 15 times in four years (The Church of England in Parliament) but he has spoken on homelessness frequently, which is one of his passions. Clearly, this subject is not unrelated to criminal justice due to the significant links between social justice and criminal justice issues. Outside of this he makes speeches to relevant bodies but, nevertheless, his ministry in this area is nowhere near as comprehensive

as was Bishop Bob Hardy's. This demonstrates that the place, scope, and function of this post varies according to the incumbent of the post.

Sedgwick suggests that Bishop Bob's ministry itself is grounds for supposing that 'it is still possible for there to be a Christian input into the future of criminal justice in England' (2002, p.176). Bishop Bob 'held prisoners and offenders before the church and the wider public, so that they were not forgotten' (ibid, p.177). It is perhaps notable that it was during Bishop Bob's tenure on the Board for Social Responsibility that the report on prisons was commissioned as a means of holding prisoners before the church. Since this time, Tom Butler, Bishop of Southwark, was responsible for the reports on criminal justice in 2004 and 2007 in his role as Vice-Chair of Public Affairs in the Mission and Public Affairs Council. More recently again, Rachel Treweek, Bishop of Gloucester has taken an interest in criminal justice, particularly in women caught up in the CJS. In October 2018 she introduced a debate in the House of Lords calling for a change in the way women are sentenced, and spoke again on the issue in October 2019. During Prisons Week in 2019, together with the Bishop of Newcastle, she hosted an event to raise awareness of these issues in the House of Commons. The contributions of these Bishops suggests that an individual with a passion for and knowledge of criminal justice issues is an important factor in deciding the extent of exposure that justice matters receive both within the higher echelons of the church, and on the impact this has on other publics.



## ***Chaplaincy***

Prison chaplaincy is perhaps the best-known chaplaincy within the CJS but other parts of the system also have chaplains. There are police chaplains in every force and, increasingly, courts are beginning to appoint chaplains to look after those who attend court in any capacity. Currently, around 30 courts have chaplains available. Across the different parts of the CJS, some of these chaplains are employed whilst the majority volunteer in this capacity.

The impact that chaplaincy can have on the CJS is hard to assess as there has been little research undertaken in this area. What little exists is largely focused on prison chaplaincy. As is the case with wider chaplaincy studies ‘there can be little doubt of the need for further chaplaincy across a very broad front. While chaplains themselves are typically passionate about their role and contribution and can tell many stories of their impact upon individuals and events, there is still very little objective or generalisable information about what chaplains do and achieve’ (Kevern and McSherry, 2015, p.47). This view is held by chaplains themselves who argue that ‘it is almost impossible to quantify the impact of chaplaincy, usually because the work is located within one to one encounters’ (Todd, Slater and Dunlop, 2014, p.32).

Through these one-to-one encounters, prison chaplains can have a clear effect on the lives of individuals within the CJS (ibid, p.32). Their main role is perceived to be pastoral and, although employed by the prison service there is ‘a widely held perception that they hold a non-prison, independent, neutral status within prisons’ (Todd and Lipton, 2011, p.33). This perception enables chaplains to build relationships with prisoners that are of a very different quality from prisoner-prison

staff relationships. This emphasis on a pastoral and supportive role within chaplaincy suggests that, in terms of transformative potential, its effects are largely limited to the transformation of individual lives rather than any farther-reaching transformation.

### ***Department for Mission and Public Affairs***

At a national level, the Mission and Public Affairs division (MPA) is now the branch of the Church of England which officially deals with criminal justice issues. The introduction to the webpage for Justice, Prisons and the Law starts off positively, asking the question 'What do justice and mercy mean in today's context?' but then contains four very brief paragraphs with a link to four documents published in the last four years. These documents are responses to particular issues: debate on the age of criminal responsibility in the House of Lords; current pressures in the prison system following escalating violence and disturbance; a submission to the Justice Select Committee on the role of chaplaincy in the light of prison reform; and a submission on prisoners' voting rights to a Parliamentary Joint Committee. This latter document is the most extensive, offering an eight-page, well-informed, extended analysis of the context to the debate as well as an overview of the different positions. It is also an interesting example of how it is difficult to voice a Church of England opinion, noting in its introduction that, in respect of the voting rights of prisoners, 'the whole range of views is represented among members of the Church of England' (Fletcher, 2003, p.1), and in the conclusion that 'there is no Church of England view' (ibid, p.8). Instead, it offers theological thoughts that can be shared by the Church's members:

‘a refusal to dismiss anyone as a pariah, as less than human; a commitment to universal suffrage as broadly defined as possible, since all are created in the image of God and none is beyond his love; a recognition of the calling to ‘administer true justice; show mercy and compassion to one another’ (Zechariah 7:9); and an acknowledgement that to balance the punitive and rehabilitative purposes of imprisonment will men (*sic*) striking difficult balances on many issues, not least the issue of votes for prisoners’ (p.8)

As was argued in the previous chapter, external bodies may not be able to understand that within the Church of England there exists a whole range of views on a whole range of issues, and they might simply be seeking the Church’s or the Christian viewpoint on a particular issue. When this cannot be offered then the relevancy of a Christian viewpoint is brought into doubt. This raises the question of the extent to which the church can ever truly inform policy. However, what this submission does demonstrate is the potential for the church’s contributions to broaden the moral sources of debate, in this case, for example, by suggesting what attitudes to prisoners may be appropriate.

The four brief paragraphs and four documents on the website do not, however, represent the extent of the MPA’s engagement with criminal justice issues, but is, rather, an indication that the website is irregularly updated, and that not all of their work is available in the public domain. When contacted regarding the scope of the MPA’s engagement with criminal justice issues, the head of the MPA, Malcolm Brown stated that ‘in a normal period, our involvement will include responses to HMG consultations (which are not usually published unless MoJ choses to do so), close

liaison with (e.g.) the Prison service (including but not confined to chaplains) and doing quite a lot of work under the radar through our contacts with civil servants and others. So the big, set piece, papers for Synod etc are only the tip of the iceberg in terms of our work on criminal justice – but, naturally, a lot of it is not in the public domain’ (private email exchange, December 2019).

The immense scope of the subjects with which the MPA is charged with responding to suggests that they cannot respond to every request for information received. The introductory webpage indicates the areas with which they are engaged: ending global poverty and injustice; building communities urban and rural; race and ethnicity; family, marriage and sexuality; medical ethics, health and social care; migration; gambling and addiction; justice prisons and the law; new religious movements; poverty, welfare and financial inclusion; the environment and climate change (<https://www.churchofengland.org/more/policy-and-thinking/our-views> ). The scope of the remit is immense yet the numbers working in the department are relatively few. However, the MPA does have a ‘sophisticated triage system’ which enables them to respond to important issues and requests relating to all areas of criminal and social justice. With the appointment of a new Home Affairs Policy Adviser and Project Manager, it will be interesting to see what impact he has in this area. He will ‘lead on ethics and public policy in fields including criminal justice, immigration, drug and alcohol policy. He will also work on projects designed to help dioceses and parishes respond to the needs of their local communities in these, and similar, areas of concern’ (Church of England news webpage, 2019). This summary of his

responsibilities suggests that the national church might develop a greater focus on giving a lead to dioceses and parishes in this area.

It is also worth considering the MPA's statement of how it functions: 'At national level, the Church of England responds to consultations on many issues, which may be initiated by Government departments, professional bodies or other institutions. The General Synod may call for a debate, and papers, on an issue arising from the pastoral experience of the church at local level. And the bishops may intervene in national debates, including through their presence in the House of Lords' (MPA, 2020). This indicates that the department has evolved to operate in a largely reactive manner and responds to issues which are brought to its attention. Again, this is unsurprising, given the vast scope of its remit as it cannot possibly be proactive in all areas of its concern. If the MPA is reactive then this suggests that their agenda is largely driven by external influences, be they Government departments, Bishops, or General Synod. Consequently, the issues it deals with are likely to be those which already attract significant attention from other quarters. This then means that less popular or less obviously critical issues may go largely overlooked – issues such as criminal justice matters which are often perceived to be intractable. If the MPA does have a tendency to be reactive rather than proactive, it raises the question of how the Church of England, as an institution, might seek to be more prophetic in terms of its ability to bring to public attention issues that are a matter of concern. A focus on reacting to issues arising from within the current CJS will limit the development of a transformative response to justice issues which seeks to offer alternatives to the existing structures.

Whilst the Mission and Public Affairs Council, being part of the Archbishop's Council, is a different body from the MPA division, it is notable that, when appointing a new Chair of the Committee in 2017, Archbishop John Sentamu said: 'On this occasion, the Archbishop of Canterbury and I decided that we wished to place particular emphasis on the Mission aspect of the role, though we were also looking for a clear aptitude for picking up and running with the Public Affairs aspect of it' (Sentamu, 2017). This statement does raise the question of to what extent public affairs are seen by the leadership as being an integral part of the Church's mission rather than as an addition.

### ***Other initiatives***

Outside of the above categories, there are two aspects of the Church of England's mission which are worthy of mention here; ecumenical work, and the Clewer Initiative. As a national institution, the Church of England is also a member of the Churches Criminal Justice Forum (CCJF), an initiative of Churches Together in Britain and Ireland (CTBI). Its purpose 'is to uphold Christian values in the field of criminal justice. It seeks to raise awareness of criminal justice concerns in local churches, to stress the relevance of criminal justice to Christian teaching, and it encourages churchgoing people to get involved' (Dew, 2004, p.60). Stuart Dew was himself a leading force in creating this forum. Set up in 2002, initially the forum was very active and employed three members of staff as they sought to achieve their aims. One significant project they undertook, in association with the Prison Advice and Care Trust (PACT) was to produce an extensive booklet entitled '*What can I do?*,

a guide to volunteering and achieving change in the criminal justice system (CCJF and PACT, 2002). This publication has been reprinted and updated a number of times, with more than 10,000 copies distributed. However, in recent years the publication of this booklet has been taken over by the Prison Reform Trust and this appears to reflect the decline of the CCJF. Today, the CCJF page on the CTBI website has very little information on it and it has been difficult to ascertain whether this forum is currently active.

The Clewer Initiative 'is the national work of the Church of England to combat modern slavery' (Clewer Initiative, 2020). It operates at many levels across the church and seeks to raise awareness of the issue, as well as to identify those in slavery, and to provide practical support to those victims. It does this through a variety of means such as; a nationally available Safe Car Wash app, partnering with a number of organisations, and locally delivered training and awareness-raising courses. Further analysis of the Clewer Initiative, and the lessons that could be learned from its approach, will be undertaken in the final chapter.

### ***Summary***

In summary, the national church's response to criminal justice issues is limited and cannot yet be described as a transformative response. This is in part due to the overwhelming number of public issues that it seeks to engage with. However, it also appears that there is little in the form of structures which would facilitate a transformative response to criminal justice issues (or, indeed, many social and public issues). Until now, it appears that the most successful means of getting criminal

justice issues on the agenda of the church is through the work of individuals, for example through the ministry of Bishop Bob Hardy, Bishop Tom Butler or Bishop Rachel Treweek.

### **The Diocesan Church**

Mirroring, somewhat, the situation at a national level, at a diocesan level there also appears to be only sporadic engagement with criminal justice issues. Dioceses have vastly differing levels of engagement with criminal justice issues. In the majority of cases there is no discernible official response. In those dioceses where there is an engagement, the extent varies dramatically from fully-fledged Criminal Justice Affairs Groups to a single link on a social justice webpage. Attempting to identify all criminal justice related activities in every diocese is a far from straightforward exercise, and is beyond the scope of this research. The following section of the thesis is based on data mined from diocesan websites. Links were originally followed from the Social Responsibility Network website which offers a directory of diocesan contacts for those taking a lead in social responsibility. Where links did not exist or were out of date, I visited the websites of individual dioceses in an attempt to identify any criminal justice related activities the diocese was engaged in under headings such as community engagement, social justice, social responsibility or simply 'mission' and through conducting a search of their website with the terms 'criminal' or 'justice'. Some of the significant drawbacks to this approach include the fact that some websites are not frequently updated, some dioceses do not put all activities on their website, and there is no way of capturing the informal or under-the-radar work that takes place. Ethnographic work with a diocese would doubtless bring to light a



greater number of criminal justice related activities and could illuminate the varied ways in which this engagement takes place. However, for the purposes of this dissertation, the internet-based search will provide a sufficient overview of the extent of the visibility of criminal justice matters at a diocesan level.

Worcester diocese leads the way in providing a coherent response to criminal justice issues. In 2015 it launched the Criminal Justice Affairs Group (CJAG) which seeks 'internally within the Diocese to offer a Christian perspective and provide expert advice on criminal justice matters, and externally to raise public awareness and be catalysts of criminal justice-related social action' (Worcester Diocese, 2020). Its members include clergy, a former barrister, a former probation officer, academics, and a magistrate. It has links with a number of organizations from different sectors including prisons, the University of Worcester and the West Mercia Criminal Justice Board. As such, the CJAG has a significant scope and one of the particularly interesting projects it has undertaken in conjunction with the University of Worcester is the 'volunteering for justice' project. Having identified the fact that many individuals were interested in volunteering in some capacity within the criminal justice arena but were unsure as to how to go about it, they put together a database of volunteering opportunities within the diocese, identifying over 50 opportunities. This one project demonstrates a relatively straightforward way in which Christian faith and practice can facilitate engagement with the CJS – particularly engagement by Christians, although the database is open to all.

Outside of Worcester, a few other dioceses also have criminal justice or penal affairs groups. Ely diocese has an active Criminal Justice forum, whose aim it is 'to work at raising awareness of current and long-term issues. We also provide information so that people can make educated decisions and if necessary challenge policies'.

Chester diocese also has an active criminal justice group, supported by the Committee of Social Responsibility, which in 2018-2019 toured an exhibition of prisoners' art around churches across the diocese as a means of raising awareness of criminal justice issues and 'to help shape and change attitudes towards prisoners'.

Manchester diocese adopts a more practical approach to work in criminal justice through its Greater Manchester Community Chaplaincy. This chaplaincy helps ex-offenders 'make a fresh start after their release from prison by offering a friendly listening ear, pastoral support and help with benefits and accommodation'

(Manchester Diocese). In a particularly well-integrated model, it receives referrals from prison chaplains across the diocese and works with offenders in the six months prior to their release as well as for around six weeks after their release, unless they require extended support in the case of more complex needs. Meanwhile, other dioceses' engagement is very limited. Chichester diocese's social justice webpage contains a link to the Howard League for Penal Reform, whilst other dioceses might provide a single link to Prison Week resources or the Churches Criminal Justice Forum.

Other dioceses have had active criminal justice related groups, only for them to then disband or become inactive. St Alban's Diocese formed a Penal Affairs Group in 2009 but further research shows no evidence of them after 2015. Meanwhile, Oxford

diocese initially appears to have a significant interest in criminal justice issues, but ultimately offers only a token response. Oxford's webpage states that:

'Christians have a tradition of bringing our theological heritage into dialogue with politics on a variety of issues: what kinds of sentences to mete out to wrong-doers; how those sent to prison should be treated; how those who have paid the price for their wrongdoing should be welcomed back into society. But the questions are ongoing: what might the theological concepts of 'justice' and 'mercy' have to say in our current social context? Who are the vulnerable and the weak? When perpetrators of crime are victims of other kinds of injustice, does that make a difference to our perspective on how they should be treated?' (Oxford Diocese, 2019).

All of this sounds very promising. However, further investigation shows that there are only two reports available – from 2006! My most recent visit to the upgraded Diocese of Oxford website showed that this page has now been removed and there is no longer any mention of criminal justice on their website.

This brief summary of the diocesan response to criminal justice affairs demonstrates both the general absence of engagement in most dioceses, and also the extremely varied depth of engagement with criminal justice affairs in those dioceses which currently offer a response. Understanding the reasons behind this varied response is far from straightforward. It does not appear to be the case that those dioceses which engage most strongly with criminal justice affairs are necessarily those with the highest number of prisons or other criminal justice institutions within them, nor are they necessarily the areas with particularly high rates of multiple deprivation and the associated criminogenic causes. Whilst Greater Manchester may fall into this

category, Worcester and Ely do not. There must be other explanations for the inconsistent level of engagement yet there has thus far not been any research that seeks to explain this.

Unsurprisingly, some of the same obstacles to engagement that are found at a national level are also to be found at a diocesan level. Dioceses are resource-strapped in terms of finance and, consequently, staff. Social justice often comprises part of the mission department of dioceses and social justice issues form just one aspect of mission. Then, within social justice, criminal justice affairs are one of a seemingly almost unlimited number of competing social and ethical issues that could be engaged with. It is unsurprising if this then results in the area of criminal justice being overlooked. At a diocesan level, it does not appear to be a deliberate decision to overlook criminal justice affairs, rather, it is a matter of them being overlooked in a crowded arena. The fact that some dioceses have seen criminal justice or penal affairs groups come and go suggests that individuals are again key in promoting criminal justice issues higher up the agenda. Criminal and penal affairs are complex and long-lasting so it cannot be the case that groups disband because their aims have been achieved. Instead, it appears to be the case that, where there exists an individual or group with the knowledge, passion and resources to instigate the formation of a group to focus on these issues, then these groups can flourish. However, when this individual or group leaves, then, without that underlying motivating energy, the group seems to founder and disappear. With the demise of the group, or departure of the committed individual, criminal justice issues then fade into the background again.

If the diocesan approach to criminal justice affairs is absent, or very limited, then it cannot offer either theological or practical leadership on these issues to individual parishes. This, in turn, may limit the ability of Anglican parishes to respond to criminal justice affairs. This parish response will be considered below.

Thus far, it appears that the church as an institution does not play an extensive role within the CJS (outside of chaplaincy). It is therefore necessary to consider how individual members of churches respond to criminal justice issues in a variety of capacities; as employees, volunteers, or prisoners. This approach accords well with the understanding that the Christian faith is more about practices than it is about beliefs (Graham, 2014, pp.241-242; Ammerman, 2007; McGuire, 2008). However, attempting to map the response of individuals is fraught with difficulties due to the diffuse nature of the responses. Nevertheless, the following section will consider varied responses, grouped under a number of headings, as a means of initially categorising the numerous potential responses to criminal justice issues.

## **Individual Engagement**

### ***Charities***

One way in which individual Christians have a place and function in the CJS is through work with and for Christian charities involved in some way with the justice system. There has been a long history of Christian involvement with different aspects of the CJS – one only has to think of Elizabeth Fry and her work towards reforming prisons and improving the dreadful conditions prisoners were held in. It is worth

noting, though, that not all historical Christian engagement with the CJS can be seen as positive, reformative or transformative. Van Ness notes that 'the role of the church in criminal justice reform has often been that it has resisted reform' (2002, p.3). Some Christian charities do have long-standing roots in the reforming tradition. The Prison Advice and Care Trust (PACT) traces its beginnings back to a nineteenth-century Catholic prison reform charity. An initial search for Christian charities in the criminal justice sector indicates that there are also some other longstanding Christian charities in this arena, yet many more have been formed more recently in response to the current situation of higher imprisonment rates and high reoffending rates. Although there are several national charities in the criminal justice sector, the majority of charities appear to be local charities working with, or for, those in their own communities. This is one factor that contributes to the diffuse and fragmented nature of Christian charitable involvement in this area.

Another issue that contributes to the diffuse nature of Christian activity in this area is the extensive scope of the criminal justice system itself. Charities involved at different points of the justice system will have very different aims that may or may not be sympathetic with charities working at other points in the system. The aims of these individual Christian charities are also diverse. Some are overtly evangelistic in nature (for example, Prison Alpha). Others seek to transform the character of offenders through the inculcation of Christian values. Some are educational in nature and others focus on practical issues or dealing with addictions. The majority of charities appear to engage with prisoners or ex-offenders, whilst fewer focus on victims, or

those at risk of turning to crime. Very few charities appear to have advocacy as one of their primary aims.

It would be an interesting, if time-consuming, exercise to undertake a more comprehensive review of the place and function of Christian charities in the CJS. The extent of them is quite considerable and, considered together, they must have a significant impact on the CJS, yet currently, because of the fragmented and diffuse way in which they operate, little is understood of their scope.

The overall extent of Christian involvement in charitable work related to the CJS is difficult to assess. A 2009 survey estimated 'that there are at least 20,000 dedicated volunteers whose inspiration for their rehabilitative work among prisoners and ex-prisoners is derived from their spiritual faith'. (Prison Reform Working Group, 2009, pp.43-44). There are no figures breaking down the numbers by faith but it seems reasonable to assume, given the faith make-up of this country, that a significant proportion of those 20,000 faith-inspired volunteers are Christian. These figures, however, relate to voluntary work with prisoners and ex-prisoners alone, and there are numerous other charities working with people at different points of the CJS so the number of Christian volunteers is likely to be significantly more than this figure. It is, of course, necessary to note at this point that one of the difficulties in assessing the place and function of Christian volunteers in relation to criminal justice issues is that it is not easy to discern someone's private motivations for their public actions. How can you know, for example, whether their participation is based on their faith and sense of mission or based on their past experiences with some aspect of the justice system,

or whether it is a combination of these and other factors? You might think that all those working for Christian charities do so because of their faith but this is patently not the case. Non-Christians work and volunteer for Christian charities just as Christians also work and volunteer for secular charities. Furthermore, it is far from easy labelling someone as a Christian – how is being a Christian to be understood? Is it as someone who regularly worships at church, or who goes twice a year, or who prays alone at home, or who self-identifies as Christian? These questions, and more, can largely only be answered by very time-consuming, in-depth qualitative research. Nevertheless, the fact remains that significant numbers of individual Christians, whatever their motivations, do undoubtedly volunteer in this area. Thus, it could be argued that, currently, one of the most significant Christian responses to criminal justice issues is achieved through people living out their faith by their actions rather than through words or theory.

### ***Christians in the workplace***

It is obvious that many Christians are also paid employees of the various institutions that make up the CJS. There are a number of CJS related Christian workplace groups including the Catholic Police Guild of England and Wales, the Christian Police Association, and the London Christian Police Family. There are also Christians in government and in other areas of influence within the criminal justice world.

There is, however, little research undertaken into the effect that being Christian in the workplace has. Again, there are similar problems here as mentioned above in the section on Christian volunteers. Furthermore, as Hull (1985, pp.27-29) argues, many



people are actually able to compartmentalize their life, so that being Christian and going to church on a Sunday doesn't mean that it will necessarily affect how your working life is lived out and the decisions you make in the workplace. There has likewise been little research into the impact of the institutions on individual employees – what happens if there is a clash of values between those held by the Christian employee and those of the institution? How does the employee make any adjustments?

### ***Christian individuals with national influence***

Some individual Christians in the workplace have significant influence and there are other Christian individuals who are likewise able to exert some influence on institutions or public opinion. Browsing through the list of contributors to the journal 'Justice Reflections', a journal that publishes articles linking the Christian faith and criminal justice, it becomes apparent that there are some influential individuals who are Christian and actively reflect on their faith and practice. People such as: Elizabeth Butler-Sloss and Barbara Hale, who are judges; Dame Anne Owers, former Chief Inspector of Prisons and now involved with many charities; Nick Davies, a journalist; and Cherie Booth and David McIlroy, who are barristers. Attempting to evaluate the place and function of individual contributions is challenging but the fact remains that there are people of influence who consciously and critically place their Christian faith in dialogue with criminal justice matters.

### ***Christians caught up in the CJS***

It is easy to overlook the fact that some offenders and others caught up in the CJS are also Christian – whether they are actually practising Christians or merely self-identify as Christian on their intake into the prison system. Statistics from 2016 show that 48.5% of prisoners identified as Christian. Although by their very presence, Christian offenders have a place within the CJS, the extent to which offenders/prisoners can shape any of the various institutions of the CJS or the underlying values on which they are based is less clear. There are some individual instances of Christian ex-offenders becoming mentors to other ex-offenders or to those at risk of offending, and Jonathan Aitken tells the story of how he came to faith through Alpha in prison and also attended a prayer group in prison set up by an Irish inmate (Sherwood, 2018). There is perhaps, then, scope for individual Christian prisoners to have a small amount of influence on those around them and the general ethos of a particular place.

Jonathan Aitken himself is also an example of an individual Christian ex-offender, with national influence, who has become quite vociferous in his campaigning for better conditions for prisoners and for better support for ex-offenders on their release. He achieves this through his patronage and involvement with charities such as Prison Fellowship, NACRO and Caring for Ex-offenders, as well as by making use of his celebrity status to further raise awareness of the challenges faced by those caught up in the CJS.

## **Summary**

The obvious conclusion that can be drawn from this brief overview of current Anglican engagement with criminal justice issues is that, like it's academic counterpart, the current response is far from transformative in any comprehensive manner outside of a concern for the transformation of individuals through the work of charities and the acts of individual Christians. Having identified a current lack of a transformative response at national and diocesan levels, and a lack of research into the response of individuals to justice issues, our attention now turns to considering the response to criminal justice issues at a parish level – is this where the strength lies?

## **The parish church**

Attempting to map the response of individual parishes to criminal justice issues is fraught with difficulty, not least due to the fact that there are over 12,600 Church of England churches and any information is therefore necessarily fragmented in nature. It is possible to glean some information through national reports and through a consideration of the ways in which churches are engaged with particular charities in this area. As was the case with research at a diocesan level, a useful future exercise would be to conduct a deeper ethnographic study of one diocese as a means of uncovering those activities taking place at parish level related to justice areas.

Through viewing the activities of charities such as Prison Fellowship and Prison Alpha, it is clear that individual churches (by no means always Anglican) are involved in criminal justice issues, particularly in work with prisoners, ex-offenders and

providing mentors to those released (or transitioning) from prison. Working with ex-offenders is the one area in which most work is done by churches. In the Church in Action report, 21% of churches said that they were involved with rehabilitation support for ex-offenders – with the majority doing so by offering financial or prayer support, and only 2% being involved in running the schemes (Sefton and Buckingham, 2018, p.15).

The same report also assessed the extent of social action undertaken in parishes via a survey of 1094 Anglican church leaders from a broad cross-section of parishes. It found that the overwhelming majority of churches are actively engaged in their communities and seek to increase social capital by responding to need with loving service (the third mark of mission). This action is undertaken either informally or through organised activities such as toddler groups or foodbanks, and addresses some key challenges posed by issues of poverty and social exclusion including; supporting those who are homeless, in debt, unemployed, suffering from family breakdown, or who have low education skills. As has been argued previously these social factors can be closely linked to criminal justice issues, and, as such, this level of social action can be viewed as an element of the church's response to criminal justice matters, albeit a somewhat unintentional response. Somewhat ironically, it appears that this unacknowledged element of the response to criminal justice, one which acts to prevent crime and promote social cohesion, is actually the area of the church's response which is most far-reaching in its scope. Whilst many parishes have a significant engagement with social action, it is equally clear that many

parishes are not intentionally involved with criminal justice issues and only to a limited degree with social justice matters in general.

It is necessary to pause here to consider why local churches may not be engaging with criminal or social justice issues. In part, one answer is that there is not always a strong lead from the national and diocesan church in this area. However, this is a very partial answer indeed. There is a much wider question that needs to be considered, especially in relation to the fourth mark of mission. One of the arguments of this thesis is that there should be a greater Anglican engagement with criminal justice issues since the criminal justice system, particularly when viewed from the perspective of social justice, is an unjust system. However, it is acknowledged by Church reports that the fourth mark of mission is the mark that is given the lowest priority by the clergy in terms of time, money and resources, scoring 41 on a scale of 1-100, compared to 71, 65 and 68 for the first three marks respectively (Sefton and Buckingham, 2018, pp. 26-27). This is despite the fact that 88% of clergy 'agree that campaigning for social justice is an important part of the role of the local church' (ibid, p.19). The same survey found that only 33% of churches are frequently involved in 'fourth mark' activities which suggests that the lack of priority given to the fourth mark of mission by clergy results in congregations for whom the fourth mark is also of low priority. This assertion is supported by a finding from a report into the links between discipleship and community engagement which was based on research with over 1000 worshippers across 32 congregations. It was found that 'the role of local church leaders in encouraging or limiting a culture of community engagement was often noted by interviewees' (Foster et al, 2015, p.5). The reasons behind this lack of

engagement need to be explored if a way forward is to be found – the lack of engagement with the fourth mark of mission cannot simply be explained away through clergy lacking the time and resources to prioritise this aspect of mission.

The lack of engagement with the fourth mark of mission is, as you would probably suspect, multi-factorial, comprising a number of socio-cultural factors as well as more pragmatic factors. Clearly, many of the macro-level limiting factors discussed above in relation to the culture in general impact on congregations since the social and cultural structures within which the church exists necessarily impact upon the church and its members. Pluralism and secularism have a role to play in the formation of obstacles to Christian engagement in criminal justice matters at a local as well as national level. Likewise, some of the challenges faced by academic theologians are also relevant here – not least the issue of whether Christians should engage in public and political matters at all, or whether the perceived dangers in doing so are too great. The decision on whether to engage with issues such as criminal justice can be morally and theologically challenging for individuals and congregations.

The theological challenges are not limited to the discussion of whether the church has a mandate to speak on public issues. There are several other issues which can inhibit the willingness of individual Christians and congregations to engage in matters of public interest. There are numerous aspects to living in our current western postmodern society which might inhibit Christian ability to engage with justice issues. However, only a few will be discussed here.

One of the significant features of our society is the dominance of individualism. A 2009 study found that Britain was the most individualistic country in the world (Charlesworth and Williams, 2017, location 995). When this tendency to individualism is expressed in church it can create a congregation that is less of a community and more a 'collectivity of individuals who happen to meet together ... to engage in an inner worship' (Hull, 1985, p.17). The focus then becomes on an inner, individual spirituality and the social and political elements of the Gospel are lost. Kane suggests that a commitment to finding out about the problems in society is needed for Christian engagement with social issues (1975, p.125) but where the emphasis is on the individual this is unlikely to happen.

This focus on the individual spiritual life, at the expense of other aspects of the faith, is also seen in the way in which congregation members often view the church as a place to which they can retreat from the chaos of the world. Here, the church provides a place for refreshment so that people can recharge their batteries ready for facing the world again. This aspect of individualism is also indicative of, and possibly exacerbated by, the fragmented nature of people's lives today. Hull (1985, pp.27-29) argues that the plurality of roles which people have today means that they are very comfortable with moving between different roles that are based on different values and which require different behaviours. People have become adept at keeping these different aspects of their lives separate and so the Christian role or world becomes one of many and it is easily disconnected from the rest of life. Instead of the Christian faith underpinning all roles, and all of life, it only informs one of the many parts of people's lives. This disconnect between faith and everyday life is a particularly

difficult issue to overcome and has clear implications for Christian engagement in social and political issues, including criminal justice. At this point, it is also interesting to note that both of these aspects of individualism and plurality of roles are in some way indicative of an implicit acceptance that religion is a private matter which can be separated from the rest of life.

One final societal factor to be considered is that of globalization which can affect Christian congregations in a number of ways, just one of which will briefly be looked at here. Today, people are so overwhelmed by information about the large-scale suffering of many across the world that it can lead either to compassion fatigue, or to feelings of helplessness in the face of overwhelming suffering and a subsequent form of inertia. 'The global focus also helps us ignore local problems' (Cavanaugh, 2001, p.187) or, as Bradstock comments, it creates a form of moral long-sightedness' (2007, p.67). It is easier to be appalled at the injustices we see taking place amongst the Rohingya, for example, than it is at the structural injustices in our own society. Thinking of criminal justice issues specifically, it is perhaps even harder to make that imaginative leap of feeling empathy with those imprisoned 'justly' than it is with those suffering from persecution, famine, or natural disaster. The leap needed to comprehend that offenders might themselves, in many instances, be viewed as victims of society is a leap too far for some.

This concept of 'more deserving' and 'less deserving' people might also be exacerbated by the social structure of the church and lingering class divisions. This in turn contributes to a lack of engagement with justice issues. Demographically, recent



statistics by YouGov show that, across denominations, over 60% of the church's membership identify themselves as middle class (Jones, 2015). If the church is made up of largely middle-class people then it is likely that the church's agenda will be driven by their understanding of the faith and the needs of those around them (assuming that an element of the social gospel *is* a part of the agenda). This would be at the expense of an agenda set by those who are poor or working-class. There is little in the way of a British liberation theology. Charlesworth and Williams (2017, foreword) asks:

“Do we actually have the poor among us in our churches today? For many churches, the answer is a definite no. Somewhere along the way, those churches became a respectable haunt for the middle classes instead of a radical haven of hope for the poor, the oppressed and the marginalised. Churches are closing down across the Western world and, by and large, the poor aren't noticing because the poor are not among them”.

A further interesting point made by Charlesworth and Williams (2017, location 756) is that many of those from a working-class background who do join church end up adopting middle class behaviours, aspirations, and attitudes as a way of integrating themselves into the community. Instead of being open to learning from those who are different (in this case in terms of class) those who are different are expected to adapt to the 'normal' way of doing things. Again, this precludes the development in churches of a theology by and for the poor. Being a church of and for the poor seems a long way away from the current incarnation of the Church of England, and many other western churches.

Individuals are influenced by many aspects of present-day society. The combination of materialism and cynicism is a powerful one which has the potential to create significant barriers between people (Charlesworth and Williams, 2017). The way society is structured today is such that it produces winners and losers (Kane, 1975, p.71) which can lead to an “us and them” mentality. At its worst, this can then mean that whole sections of society are written off by those who are the winners, (the winners including the middle class). It is erroneously assumed that all people have equal access to the same opportunities and privileges so those who don't ‘win’ only have themselves to blame. This lack of knowledge of the significant injustice in terms of opportunities etc. leads to the idea of the undeserving poor. And, as mentioned above, there are many more deemed the ‘deserving’ poor with whom the churches can engage.

This lack of understanding of the structures that oppress sections of society combines with the social structure of the church to produce another significant obstacle for Christian engagement with criminal justice issues. Impoverished young men make up the majority of criminals (and victims) yet this section of society is very much under-represented in churches and consequently their trials and tribulations frequently go unnoticed or are not understood. Young men as a social group have long been viewed with suspicion and as troublesome, and this suspicion remains in place across society, including within many churches.

In summary, the psychological, emotional, social, cultural and theological barriers that are created and present in churches today mean that the liberating force of the

Gospel is frequently muted, one effect of which is that criminal justice issues are not high on the agenda of churches. However, there are other more pragmatic factors which also contribute to this lack of engagement with the transformative fourth mark of mission. Firstly, there is the matter of time. With declining clergy numbers, significant and increasing demands are placed upon the shoulders of many ministers who have to prioritise all of these competing demands. The fourth mark of mission is often viewed as an area that can be engaged with if there is time left over after dealing with more pressing demands. Secondly, there exists a lack of confidence amongst significant numbers of clergy in their ability to lead others in this area. This is often a result of a lack of training in this area, both in initial training at theological colleges and in continuing ministerial training in dioceses.

The above-mentioned *Church in Action* report notes that those churches which engage significantly with the fourth mark of mission also score higher on the other marks of mission, thus suggesting that these churches are the healthiest (Sefton and Buckingham, 2004, p.28). If this is the case, exploring how parishes might develop their mission further in this area could benefit both the church and those suffering as a result of the unjust structures of society. Further research could be helpful in illuminating the relationship between the different marks of mission and uncovering, for example, whether those churches which engage most deeply with the fourth mark of mission do so as a result of their health and a well-developed understanding of discipleship and the Christian faith's outward-looking aspect; or whether a focus on faith being relevant to all aspects of life leads to a healthier church overall.

Having outlined some of the factors that combine to limit the church's engagement with the fourth mark of mission in general, it is now necessary to consider how some of these factors impact on criminal justice issues specifically, as well as considering whether the nature of criminal justice itself poses challenges for Christian engagement in this area.

Viewed from an emotional perspective, the subject of crime can arouse a range of responses which inhibit engagement with criminal justice issues. Emotional responses to crime include shame, anger, embarrassment, discomfort, distaste and fear. Taking fear as one of those negative emotional reactions to crime, it is clear to see why this would preclude individuals from engaging with most criminal justice issues. As mentioned previously, individual Christians live in the secular world and are exposed to the same things as all of society. It would therefore not be surprising if the attitude of individual Christians towards crime, particularly the fear of crime, were consistent with those of wider society. Fear of crime rates have remained consistently high over the last few decades but bear little relation to actual crime rates which have fluctuated during this time. There is a complex interaction of factors at work here including; the way in which news reporting of crime focuses on serious and unusual crimes, TV portrayals of crime, and a lack of knowledge of the criminal justice system and related issues.

The emotions and opinions of Christians are as likely to be formed by this combination of factors as are any other individual. Charlesworth and Williams (2017, location 1054) note that Christians beliefs about some social issues are more

susceptible to being shaped by the media than by the bible. If you fear something, or it causes you to feel any uncomfortable emotion, this will limit the desire to engage with 'unsavoury' issues. It is also the case that if you fear criminals or 'the other', often assumed to be young men, then you are less likely to feel empathy with them. This links back into the point made above about it requiring a significant imaginative, or empathetic, leap to recognise the suffering of prisoners or criminals.

Some of the challenges which were discussed earlier in previous chapters also have an impact in the practical arena. Secularism and a suspicion of religion can inhibit Christian engagement with political issues at a theoretical or policy level. However, it can also inhibit Christian engagement with criminal justice, and other, issues at more local and practical levels too. One example of this relates to funding for projects. Although some government funding is given to Christian organizations for projects in this area, the support by them and other agencies is limited as faith-based organizations are often still regarded with some suspicion. This suggests that even if there is the desire for Christian engagement with criminal justice issues, this engagement can be inhibited by a lack of support from other agencies.

The complex nature of the justice system, and the concern over the legitimacy of engaging in an arena that could contribute to being a tool of power and the state are both aspects which could limit engagement in this area at a local and an individual level. Similarly, there appears to be a lack of understanding of whether state and theological aspects of justice have anything to say to each other as there also exists a debate over whether the CJS is an area which needs attention from groups in

society or whether the CJS should be viewed as a state system which provides justice with little help needed from rest of society. This latter perspective of the CJS as an independent justice-dispensing tool is common not just amongst Christians but also in the wider community (Faulkner, 2002 p.3, p.6). Clearly, such a belief will inhibit individuals, who are not involved in it, from engaging with criminal justice issues.

It is here that a lack of theological confidence is evident and where a lack of knowledge transfer between the academy and the church can also be viewed as becoming a barrier to engagement itself. As was argued in the previous chapter, the current academic theological response to criminal justice issues is very limited in itself. However, this is not to say that it has no theological resources to offer those in church who wish to think through their response to criminal justice or social justice issues. These resources are provided not only by those who perceive themselves as public theologians but are also to be found in other areas of theology. Biblical scholars, systematic theologians, Christian ethicists, and liberation theologians, to name just a few, are other fields which have engaged in depth with the concept of justice and which could therefore offer resources for those beginning to wrestle with these issues themselves. One of the foci of Graham's model of public theology as apologetics is that of improving the religious and theological literacy of the laity and it appears that this aspect would be a foundational step in enabling the development of a transformative Anglican response to criminal justice matters.

## **Summary**

There are numerous and varied obstacles to engagement with criminal justice issues at a parish level. These relate to a range of practical, theological, psychological, emotional, cultural and social factors. Having said this, it is at the parish level where much of the response to criminal justice matters is taking place. This response is frequently not directly related to criminal justice issues but is through parish churches' social action and engagement with their local communities in ways that seek to respond to, or mitigate, the effects of poverty and social exclusion – elements of social justice that have links to criminal justice, particularly the causes of crime. Consequently, it can be argued that the current parish response to criminal justice issues is largely unaware of its own contribution in this area.

## **Conclusion**

This chapter has provided an overview of the current Anglican response to criminal justice issues in the church. Currently, this response is limited and cannot be viewed in its entirety as transformative, although there are elements of transformative work in various areas. This conclusion applies to the current Anglican response at every level of theory and practice – from national bodies through diocesan to parish-level responses. There are bright spots in which a real passion for engagement with criminal justice issues can be discerned, yet there are always obstacles which appear to get in the way of this passion being nurtured and grown, so instead it often fades away. The next chapter will consider some ways in which it might be possible to overcome some of these obstacles and facilitate a more transformative Anglican response to criminal justice issues.

## **CHAPTER FOUR – FUTURE DIRECTIONS**

### **Introduction**

Until this point, the dissertation has focused largely on assessing the scope and nature of the current Anglican response to criminal justice issues, with an emphasis on identifying the obstacles that currently limit the Church of England's ability to develop a transformative response to these concerns. In this chapter we now turn our attention to identifying points of intervention which might best afford the opportunity to strengthen this response.

It is first necessary to revisit our definition of a transformative response to criminal justice and other public issues. A transformative response is prophetic and incarnational and has a particular emphasis on giving a voice to the oppressed. It is collaborative, open and dialogical in its approach to engaging with issues of common interest, including justice issues, and has an openness to new ideas which leads to the possibility of formulating innovative approaches to public issues. It must be noted, however, that it may not be the case that every intervention or response need necessarily encompass all elements of this definition, but they must encompass some. It has also been argued that this transformative response needs to be holistic and synthetic in nature as it must have the capacity to be transformative at many different levels.



## **Seven possible interventions**

Seven specific interventions have been identified which, if introduced, would have the potential to contribute to the development of a transformative response to criminal justice matters. These interventions are:

- Strengthening dialogical and interdisciplinary academic work.
- Advocacy at a national level.
- Training of local congregations.
- Advocacy and engagement at a local level.
- Learning from other denominations.
- Learning from best practice.
- Ethnographic research.

Throughout the first section of this chapter, it will be demonstrated how the various interventions might contribute to the development of a transformative public theological response to justice matters, with a particular consideration of how these elements are supported by Elaine Graham's model of public theology as apologetics. The methodology for this chapter was initially planned to be a form of appreciative inquiry or asset-based approach. That is to say, having identified the strengths of the current response, possible strategies would be suggested which would build on those existing strengths. However, in terms of the academic response, the current state of the field is sufficiently fragile that it is difficult to identify any significant strengths. Arguably, the greatest strength remains the biblical and theological resources the Christian faith offers as a basis for engaging with other groups in public life. Although the literature review revealed more gaps than it did strengths in the current academic

response to criminal justice issues, these gaps will be viewed optimistically as providing the opportunity for innovative and transformative ways forward to be developed. When the current ecclesial and practical responses are assessed, the situation is somewhat more hopeful and there are some areas of strength which could be built on as well as opportunities for new responses to be developed. This twin asset-based and gap-filling approach will offer a range of opportunities for developing a more transformative response to criminal justice issues.

It must be noted that a transformative approach to justice issues is not the only possible form of Anglican response to justice issues. There are potential drawbacks to a transformative approach, not the least of which are the potential difficulties associated with disturbing the existing order and way of doing things, or the unforeseen effects of innovative interventions. However, one of the main theses of this thesis is that other responses, for example, responding to need by loving service, are currently much better developed, and the focus therefore needs to be on strengthening a transformative response.

### **Strengthening dialogical, interdisciplinary academic work**

A transformative public theology actively seeks partnership and collaboration when engaging with issues of common interest and has a 'commitment to engagement with non-theological sources' (Graham, 2014, p.242). This partnership may be expressed through interdisciplinary work or through collaboration with practitioners, policy-makers and other organisations. As was demonstrated in the literature review,

currently there is little evidence of academic theological work in criminal justice areas which is either interdisciplinary or collaborative.

It will be necessary to be proactive in trying to develop such an approach. This accords with Graham's suggestion that it 'is necessary to search for points of engagement and dialogue' (2017, p.72). It cannot always be expected that others will seek theologians out, theologians might well have to seek out opportunities for collaboration for themselves. As mentioned in the second chapter there is a centre at Cardiff which is interdisciplinary and collaborative in its approach to crime and justice issues. Currently there are no theologians in this centre but it is unclear whether they would be unwelcome or whether it is because there are no theologians with anything they wish to contribute to the discussions. If the latter is the case, and a theologian with an interest and experience in criminal justice matters was interested enough, seeking a place in this centre (or other similar ones) would be an innovative and potentially fruitful approach to doing public theology in this area.

Working outside of theology departments, even if not as part of centres like the one in Cardiff, might also be a means of breaking down barriers between academic disciplines and strengthening interdisciplinary work. Christopher Marshall and Tom Noakes-Duncan, for example, are both based within the School of Government of Victoria University Wellington, rather than in the theology department. When seeking out possible dialogue partners it may be particularly fruitful to seek out interlocutors 'where the veil is thinnest' (Graham, 2014, p.248). That is to say, that there would be benefits in connecting with criminologists already engaged in developing

transformative responses to criminal justice issues rather than those of a more conservative theoretical stance.

One interdisciplinary approach to public theology that could be adopted is one that centres on the concept of values as this may be one of those 'thin' places. Earlier in this thesis it was noted that Archbishops Sentamu and Welby were both strong advocates of a theology, and a church, that engages with issues relating to oppression and injustice. Interestingly, they have themselves both sought to address these issues on a values basis. In the volume edited by Sentamu (2015) a number of commentators approach different social issues from a values perspective whilst Welby's book (2018) is focused on the numerous values which he suggests would, or should, contribute to the development of a robust civic life.

A values-based approach offers numerous benefits and could support some of the aspects identified as necessary for forming the basis of a more transformative approach to criminal justice issues. It could help contribute to interdisciplinary engagement in this area and simultaneously strengthen research in criminology and theology as well as, potentially, the philosophy of punishment and the wider field of sociology. Currently, though, research into the area of values is under-developed within theology, values being 'little understood in either theory or practice' (Pattison, 2007, p.27). This is not to say, however, that it should continue to be overlooked and there are some researchers in both theology and sociology who encourage the development of this area of study (Pattison, 2007; Bachika and Schulz, 2011).

There appears to be little explicit research into values and the criminal justice system overall, or as its constituent parts. There is often an implicit assumption that people know what the values underpinning the justice and penal systems are. In fact, the lack of clarity on this issue is problematic. There are numerous and competing values at play in the criminal justice system and there is no agreement as to which values are more important than others. This also means that policy-making in this area is particularly prone to numerous and significant changes as successive administrations prioritise a new value at the expense of others.

Thomas and Pattison suggest that 'the language of values enters to fill – or even to perhaps disguise – a fundamental void around conflicting ends, purposes and functions' (2010, p.229). These conflicts can be seen in the criminal justice system as a whole and in many of its constituent parts. As mentioned previously, amongst criminologists, there is widely acknowledged to be a penal 'crisis of legitimacy', which rather suggests that it is necessary to talk about values and ends. Yet values talk in criminology seems to be lagging behind sociology, and is far behind that found in other fields such as education or healthcare. It would be interesting to try and gain a deeper understanding of the reasons behind this lack of explicit values talk in criminology.

Alison Liebling appears to be the leader in the field of studying values within criminology - especially in relation to prisons. Her lengthy book '*Prisons and their moral performance*' (2004) represents a significant, and pioneering, contribution to the studies of values and prisons. This work has been continued and developed by

the Cambridge Institute of Criminology's Prisons Research Centre which seeks to produce 'methodologically rigorous and theoretically relevant field-based studies addressing problems of human and social values, punishment practices, and the organisation and effects of aspects of prison life' (Prisons Research Centre, 2020). Methodologically, Liebling's approach has been to work in partnership with prisons, their staff and prisoners, in developing a values-based framework that can assess the moral performance of prisons alongside the more conventional standard-of-living or target-based performance assessments. Liebling's work can therefore be viewed, to some extent, as one form of criminological response to Tonry's calls for more research to be based on moral rather than instrumental grounds.

Values are important to some strands of criminology, particularly those branches which are forward-looking and seek to imagine how elements of a more just criminal justice system might look. Some criminologists will focus on one value and apply it to an aspect of the criminal justice system.<sup>3</sup> However, this focus is often only short-lived and generally fails to inspire further engagement with the issues raised. One group of criminologists - Sanders, Young and Burton (2010) – have, though, focused considerable energy on promoting a 'freedom model' of criminal justice that offers an alternative to due process, crime control, or human rights models. They argue that the single over-riding value on which a justice system should be based is protecting freedom, and in a substantial work they demonstrate what this would mean for almost any aspect of the criminal justice system – from policing to courts and victims.

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<sup>3</sup> See, for example, articles on forgiveness (Duff, 1990; Preston, 1990; Lacey, 2015) or compassion (Acorn, 2004; Feenan, 2017).

Within theology, most of the research which involves values is linked to education, particularly religious education. Despite the fact that theology operates in the moral realm and has a concern for philosophical questions of what is good and true, the concept of values themselves is rarely engaged with, and it is interesting to ponder why this might be the case. Sometimes this may be because those things that are seen to be Christian values are also categorised as fruits and gifts of the spirit: love, patience, peace, kindness, gratitude etc. so values are understood theologically rather than socially, philosophically, or psychologically. Or perhaps it is the case that all positive values and moral concepts, such as forgiveness, justice and righteousness, can be seen as being derived from God and his will for his creation and do not need further rigorous, creative examination. Research in to the social, philosophical, and psychological origin of values can then seem to be of only secondary importance.

Pattison's, *'The challenge of practical theology'* (2007) appears to be one of the only theological works that explicitly engages with the concept of values, including the fuzzy nature of what values are and how they differ from morals, goals, preferences or attitudes, for example. It is interesting to note that in the bibliographies of the first four chapters (which deal explicitly with values) only a very small minority of cited works are 'theological'. This suggests that there is little in the way of theological literature on values – an assumption backed up by the lack of findings in further literature searches in this area.

The most significant work that brings together theology and criminology and the study of values (or a value) is by Christopher Marshall. Marshall offers a more sophisticated understanding of values than is often found in theological literature. In arguing for a restorative justice approach in '*Compassionate Justice*', he discusses the importance of values for a restorative justice system, the ways in which values and process are interlinked, and the importance of remaining committed to these values (2012, pp. 6-7). In '*Beyond Retribution*' he also offers an explanation as to how Christian values and ethics might relate to other disciplines, arguing that 'the distinctiveness lies not so much in the *content* of the moral values themselves (Christians and non-Christians share many similar values) but in its mode of moral reasoning – in other words, in the way in which Christians understand the origin, sanction and achievement of these values' (Marshall, 2001, pp. 4-5). However, this does not preclude Marshall from advocating an interdisciplinary approach.

The book *Compassionate Justice* is grounded in theology but can, nevertheless, be seen as interdisciplinary in nature as his method of research is to undertake an extended theological reflection on the parables of the Good Samaritan and the Prodigal Son (a method not dissimilar to Forrester's 'theological fragments'). As part of this reflection Marshall uses insights from legal theory, moral philosophy, social psychology and the restorative justice branch of criminology. Through this he identifies compassion as being of primary importance in thinking about justice which leads him to a fuller discussion of what compassion is and the place it might have in the justice system. It is hard to find any other research based on values, theology and criminology that is more significant than Marshall's.



There are a few other examples of interdisciplinary work in the field of values. When Bednarek-Gilland was seeking to understand the nature of values she consulted with sociologists, philosophers and theologians. Hordern introduced theological themes at the end of his article on compassion in primary care. In Liebling's book on prisons and values, she made use of theological literature on criminal justice and the concluding quote she uses talks about sin being 'a discrepancy between values and actions' (2004, p.492). It seems, then, that theology might have something to contribute to interdisciplinary discussions on values - and it could prove to be a creative and transformative contribution.

For a public theology to be truly transformative there needs to be a real openness in the conversation and an acknowledgement that our understanding of the Christian faith and tradition may be challenged, critiqued, and even refined by this engagement with 'the other'. It requires that Christianity 'tests its claims against competing and complementary frameworks and then shapes not just the life of believers but the common life of all humanity' (Graham, 2017, p.141). This is one of the things that makes such a transformative public theology 'a genuine risk-taking venture' (Thiemann, 1991, p.23). It is also this willingness to take risks that can lead to new, creative, transformative responses to justice issues being developed.

### **Advocacy at a national level**

Whilst this thesis argues strongly in favour of practical responses to criminal and social justice issues, it is important to acknowledge that there are potential difficulties

caused by focusing too greatly on practical projects. Sentamu contends that too great a focus on a form of 'salvation by projects' is an insufficient response to issues of poverty and injustice (2015d, p.241). He emphasizes the importance of the church needing to maintain an overall vision of how society should operate. Although the extent to which the church is currently capable of witnessing to this vision is debatable, the argument is sound enough. It can be the case that those individuals and groups engaged in the practice of something are not always best placed to see the bigger, or overall, picture. Instead, those outside of practice are able to have a broader overview of what is going on in practice. Garland alludes to something similar when he argues in defence of theoretical approaches to criminology. Theory, he states, 'is not some kind of flight from reality ... [since] theoretical argument enables us to think about that real world of practice with a clarity and breadth of perspective often unavailable to the hard-pressed practitioner ... Theoretical work seeks to change the way we think about an issue and ultimately to change the practical ways we deal with it' (Garland, 1990, p.227).

The church says Sentamu should 'act as a body which can stand back and be a voice for the powerless, the weak and the dispossessed' (2015d, p.241). This prophetic vocation accords with Graham's call for a church 'prepared to speak truth to power and to be advocates for the marginalized in society' (2014, p.235). Two aspects of Graham's model of public theology are of particular relevance to this intervention, both of which are related to her understanding of the church's mission. Firstly, she argues that 'mission is not about increasing the size of the church but seeking to heal and transform human social orders' (ibid, p.136). The theology

behind this statement that speaks of a desire to contribute to human flourishing and the welfare of the city, is supported by Welby, who writes that ‘the church should thus speak, but more importantly act, in a way that is coherent with seeking to bring light and healing’ (Welby, 2018, p.21).

Secondly she emphasizes the prophetic nature of the church’s mission - the calling of the church to speak ‘truth to power’ (Graham, 2014, p.235) – an aim labelled ‘essential’ by Sentamu (2015c, p.6) – and which can also posit possible solutions or futures that have been worked out in conjunction with others. The church should bring to attention areas of injustice which are currently overlooked by others and members of the church should act as ‘disruptors, challenging all sorts of assumptions’ (Welby, 2018, p.269). Part of this prophetic stance is achieved through advocacy for the oppressed and the powerless in society. It points out places in society where there is injustice or where there are barriers between people and seeks to dismantle these barriers. This prophetic role for faith has significant roots in tradition as public theology’s prophetic concern for justice and the common life run deep throughout the long history of Christianity (Lee, 2015, p.46; Graham, 2018, p.6). Percy, however is concerned that today the lack of prophetic voices is ‘alarming,’ ‘demoralising,’ and ‘damaging’ (2018, p.265). A re-emphasis on, and recovery of, the prophetic calling of theology is necessary if significant progress is to be made towards an increased transformative engagement with criminal justice issues. This recovery will not be simply or speedily achieved but will require a concerted effort to educate Christians on the ‘public and structural’ as well as personal and spiritual’ aspects of discipleship (Graham, 2017, p.141).

It is at a national level that an overall vision for society could perhaps best be maintained, whilst local congregations and communities are free to work on projects. If communication between the national and the local church functions well then those local initiatives would be able to theologially locate their own actions within the church's broader vision for society, whilst the national church would be able to learn from on-the-ground experience. This, in turn, could facilitate a more coherent and comprehensive Anglican approach to social issues, including those relating to criminal and social justice.

As well as maintaining the overall vision for society, the national church also has a role in advocating for those marginalised and oppressed by unjust structures of society. Strengthening theoretical approaches to criminal and social justice issues has the potential to contribute to the church prophetically seeking to transform the institutions of the CJS and related policy-making. It is frequently the case that 'unjust structures are the result of wrong or misdirected goals and values' (Ayallo, 2012, p.61). If the church is to be the body that holds an overall vision for the ordering of a just society and the structures within it, then it will necessarily have to engage with the issue of the values that underpin this vision. These values may derive from the bible or be found in liturgy but there are many Christian values which could be used as a basis for the ordering of a more just society; freedom, inclusion, justice, fellowship, generosity, shalom, to name just a few, have all been suggested by different commentators. It is, though, far from clear how any one of these values, either individually or as part of a constellation of values, would function as the basis

for the ordering of society. As we have seen, Archbishops Welby and Sentamu have already begun this work and it is vital that more research is undertaken in this area so that there is a better understanding of how values function within the systems and structures of both just and unjust societies.

As was proposed earlier in Ackoff's description of transforming systems, 'to transform a system is to change its structure and the way it functions. The changes it produces are radical... or even revolutionary' (Ackoff, 2010, p.110). 'Transformations always involve a change in the objectives that are pursued' (Ackoff, 2004, p.2).

Transforming, rather than reforming, the CJS would thus involve changing its structure (its institutions) as well as its objectives, which would be transformative indeed. This is likely only to happen through changes in policy and policy will only change if, or when, there are viable and robust theories which could underpin such change. This brings us back to Tonry's plea for moral rather than instrumental arguments to be developed since 'if the moral arguments are never engaged, they can never be won. If they are not won, nothing will change very much' (Tonry, 2011a, p.644). The importance of this engagement should not be underestimated since, at some point, 'when policy makers reconsider contemporary approaches and attempt to devise new ones, some will look for and want to find theoretical critiques of the recent past and justifications for possible futures. It will be a pity if the work has not been done to help them' (Tonry, 2011b, p.22). Influencing policy-making in this arena is far from straightforward for either academics or church leaders, yet this should not dissuade theologians or church leaders from engaging in this important task.

## **Training**

When assessing the current practical response to criminal justice issues, it was found that it was at the local (and individual) level that the most significant contribution was made. Earlier in this thesis it was also suggested that one of the major assets, or resources, possessed by the Church of England is its presence in every community – not just a physical presence in terms of buildings etc. but also a spiritual presence in terms of faithful worshipping communities. It is also the case that it is at the local level at which many measures taken to tackle or prevent crime are best put into practice (Hughes, 2003, p.15). Taking all of this into account, this section of the thesis therefore focuses largely on training and education at a local level, although this is not to the exclusion of considering points of intervention at national and diocesan levels. Although our focus is on criminal justice issues, when considering a transformative response to these issues, which we can frame as one aspect of the fourth mark of mission, it is necessary to consider training related to strengthening the fourth mark of mission, particularly its prophetic aspect, as well as training and education pertaining to criminal justice issues specifically.

According to the latest Church in Action report, ‘88% of clergy agreed that ‘campaigning for social justice is an important part of the role of churches’ yet only a third of churches are frequently involved in such activities’ (Sefton and Buckingham, 2018, p.29). The reasons behind this discrepancy in numbers needs further research which could then lead to a greater understanding of how to improve engagement with the fourth mark of mission. However, for the purposes of this thesis this statistic is evidence that the vast majority of clergy are not theologically opposed to such

engagement which is encouraging. Instead, there are other reasons for the lack of engagement. As was suggested in the previous chapter, one of the main reasons that the fourth mark of mission is less engaged with in parishes than other marks of mission appears to be linked to a lack of confidence amongst clergy in this area. It is generally accepted that priests play a significant role in shaping the ministry and mission of the parish to which they are posted (Foster et al, 2017, p.11), so if clergy are lacking in confidence in this area this will necessarily have an impact on their ability to offer leadership in this aspect of mission. This lack of confidence can only be rectified through training and education at all levels from the initial training of priests to continuing ministerial development (CMD).

The notion of the importance of strengthening the training of priests as leaders of mission is far from radical. In 2002 a joint report from the Archbishops' Council's Board of Mission and Churches Together in Britain and Ireland was published entitled "*Presence and prophecy: A heart for mission in theological education*" (Mission Theology Advisory Group, 2002). It argued that missional thinking should permeate all aspects and subjects of theological education and should enable those being trained to understand the world in which they are living, to reflect theologically on their contexts, and to discern what action they should take in response to this process. The extent to which theological training today, especially for ordination, actually enables a focus on prophetic mission is still debatable. Even with the advent of Common Awards from Durham there seems little emphasis on this aspect as a particular focus. Certainly, in my (relatively recent) ordination training there was little preparation offered for missional leadership in this area.

The extent to which an emphasis is placed on the fourth mark of mission in training centres is partly determined by the members of staff in the colleges or on the courses, and there are examples of good practice in this area. The approach taken at Queen's Theological College in Birmingham, for example, was strongly influenced by the presence of John Hull on the staff. Hull (2014) devotes an entire chapter of his book, *'Towards the prophetic church'*, to considering the shape theological education for a prophetic church should take, and he outlines the approach taken at Queen's. This involves every student undertaking some action for social justice as part of their formation. He acknowledges that there is a significant amount of fear on the part of many students about being engaged in this action, but also suggests that there are signs that involvement in this area is having an impact on their ministries after ordination and that, as a result, 'some churches are changing' (Hull, 2014, p.239). Even following his death, a social justice group remains and 'the ethos of the group continues to be influenced by the passion of the late Queen's tutor Professor John Hull who understood student engagement in acts of social justice and prophetic witness to be a key part of their formation for future ministry and mission' (Queens website). An intentional and experiential approach to training ordinands for prophetic ministry could have a significant and positive impact on the confidence and skill-level of future priests.

Whilst strengthening the initial training of priests will help develop a response to social justice matters in the future, currently the majority of serving priests have not been equipped with the necessary skills to lead others in this form of mission. The



corresponding lack of confidence necessarily has an effect on the ability of congregations to either recognise advocacy and social justice activity as a form of mission, or, if they do, to be enabled to participate effectively in this mission. It would therefore be necessary to offer training at a diocesan level under the auspices of CMD as a means of strengthening skills and confidence in this area. One problem with CMD, however, is that attendance is often self-selecting so that it is only those who are already interested and engaged in these concerns who attend. Offering training at a deanery level at either synod or chapter meetings could reach more clergy who might otherwise not prioritise attendance at such training. Training or awareness-raising at deanery synod would also have the benefit of reaching beyond clergy to lay representatives from parishes and could thus extend its scope considerably.

Of course, priests are not the only leaders in mission in a church community. Lay leaders would also benefit from training in relation to the fourth mark of mission and the church's prophetic role so that they could also enable others to develop skills in advocacy and challenge. Readers are, after all, 'called to help the whole Church participate in God's mission to the world' (Archbishop's Council, 2007b, p.5), part of which is a call to challenge unjust structures of society. Readership is a ministry of preaching and teaching so their contribution to strengthening the church's engagement with the fourth mark could be invaluable.

The training of leaders in mission is focused on providing them with the skills and confidence to lead others in this area of mission and thus always has the education

and formation of laity as its ultimate goal. One focus of a transformative public theology should be the equipping of 'ordinary believers' (Graham, 2017, p.149). Mission is the responsibility of the whole church and therefore there needs to be a renewed emphasis on training and awareness-raising of social and criminal justice issues, and appropriate responses to them, within parishes (Kane, 1974, p.101; Kane, 1975, p.126; Ayallo, 2012, p.57). It must be noted that a particular concern for the fourth mark of mission will not be everybody's calling. There are, after all, many different parts that comprise the body of Christ, the church. However, currently there may be many in our churches who are yet to discern this aspect of their vocation, or who are aware of it but are unable to articulate it, because of the lack of leadership in this area. Releasing the gifts of these individuals could make a significant difference to the church's response to many social issues, including criminal justice matters. Potentially, some of these individuals could then, with appropriate training and support, become leaders in prophetic mission themselves. It could even be possible to develop a ministry of 'social justice facilitators' across deaneries and within dioceses who could offer each other support and encouragement and which would therefore contribute to a more coherent and comprehensive response to social justice issues – and hopefully a more enduring one. These could also potentially be groups in which innovative and even transformative approaches to social and criminal justice issues could be developed through creative conversations between passionate individuals.

Having argued that there should be a renewed focus on training surrounding the fourth mark of mission and its prophetic component, it is now necessary to consider

in a little more detail how this training might look, particularly in a local context. Bradstock (2007) has numerous suggestions about the shape such education should take. He writes with poverty and social inequality in mind yet much of what he suggests could also be relevant to the narrower subject area of criminal justice. There are a number of aspects to his approach but here the emphasis will be on just one of them: 'consciousness-raising'.

Consciousness-raising is an important aspect of training in this area (Bradstock, 2007, p.69). Both consciousness that the fourth mark of mission is an aspect of church life that should be engaged with, and also consciousness of some of the issues facing others in our society. Any initial training in this area needs to include elements of a theological justification for prophetic engagement, particularly where there has been little prior teaching about this. This could include any of a number of theological approaches that have already been mentioned in this research, ranging from engaging with liberation theology, the works of the Archbishops, biblical passages and concepts, the marks of mission, Christian values of justice or shalom, *Missio Dei*, or whole-life discipleship. The important thing is that people begin to consider the wider implications of a personal faith and the broader implications of an holistic understanding of mission which incorporates all five marks of mission. It is essential that Christian congregations come to understand that faith has 'public and structural as well as personal and spiritual' elements to it (Graham, 2017, p.141).

Consciousness-raising of issues that oppress many in our society today can be achieved in a number of ways. It was argued in earlier chapters that one of the

reasons for the current lack of response to criminal justice issues is an ignorance of these issues since many in our churches do not come into contact with the justice system. The same can be said for many issues surrounding poverty and social inequality, particularly amongst those churches in areas that are well-insulated from their worst effects. This 'insulation' may also be a contributing factor to the relatively low number of churches engaged in a significant amount of social justice (referred to above) and is why the same report suggests it is important 'to help churches where poverty is less evidently 'on the doorstep' to find creative ways of engaging 'at a distance' (Sefton and Buckingham, 2018, p.29). Intentional consciousness-raising of some of these issues is a starting point in fostering engagement – after all people are not going to engage with things of which they are not aware.

Consciousness-raising can be done in any number of different ways within parish: through sermon series, lent/home-group courses, film nights, etc. Whatever method is chosen, one of the most effective ways of raising awareness is through the use of stories. Listening to other people's stories, either directly or indirectly, invokes an emotional as well as intellectual response and it can thus often be more effective than 'theory'. Hearing how unjust structures of society have real-life impacts on others - perhaps in the local city - can serve to lessen the insulation found in some churches. As engaging as stories are, though, it is also important to be in a position to provide evidence that situations are unjust. Consciousness-raising therefore also requires that stories are backed up with evidence, so there is a need to have up to date facts about the specific issue being engaged with and how it harms sections of society. Bradstock suggests that this approach also helps to 'break the simplistic

stereotypes of deserving and undeserving poor' (2007, p.69) – something which is a barrier to engaging with the fourth mark of mission in general and particularly, as we saw earlier, to responding to criminal justice matters. A combination of facts and stories can be a powerful method of persuading congregations that there is a need to engage with particular issues of injustice – some of which could be criminal justice concerns.

Engagement with values-talk is one way in which training courses at a parish level could stimulate interest in topics related to the fourth mark of mission. 'Churches foster and focus distinctive values that are derived from the process of training (often through hidden curricula rooted in shaping virtues and character) that then go on to provide leaven in complex contexts' (Percy 2019b, p.8). Whether members of congregations are explicitly aware of it or not, they encounter values-talk frequently in worship (Levad, 2011, p.6) and are thus to some extent formed by these values, even if these values are understood differently by each individual member.

Training courses that include some engagement with values relating to the fourth mark of mission, and which are also based in worship, could offer a relatively unthreatening means of encouraging congregations to deepen their missional theology – an approach which could also strengthen an understanding of the link between worship and the church's mission.

Finally, we return briefly to the statistics above that demonstrated the discrepancy between the numbers of clergy who believed social justice to be a vital part of the church's mission and the number of churches actually engaging in this area. Another

contributing factor to this discrepancy is the limited time that parish priests have in which to engage with this mark of mission alongside all of the other marks of mission, as well as administrative, practical and pastoral concerns. Across the board this was the area in which clergy self-reported they invested least time (Sefton and Buckingham, 2018, p.27). This suggests that one aspect of awareness-raising and training could be the provision of resources that could be deployed in parish with relatively minimal input from the parish priests themselves. These resources could take the form of social justice calendars, newsletters, lent/advent/home-group courses, sign-posting to the not insignificant resources currently available elsewhere, people willing to speak from social justice campaigning groups, and others. This level of support or guidance could be provided at either a national or diocesan level.

### **Advocacy and engagement at a local level**

It is only when local congregations are aware of the theological imperative to engage in social justice, and of some of those justice issues, that they can be empowered to become advocates within, and for, their communities. There are a number of different ways in which the fourth mark of mission might be enacted. Letter-writing campaigns, intervention in party politics, organising/joining protest marches, community organising, advocacy for people experiencing poverty, and many others are all elements of this mission. Consequently, initial training in this area would need to highlight the number of different approaches that might be taken and provide opportunities for an initial consideration of the theological and practical resources available to support these actions. Once a course of action has been discerned, signposting to existing resources which support each of these various options, and

which are available from those either participating in, or pioneering, these approaches would also be valuable in facilitating local engagement.

When considering a transformative local-level response, there is an emphasis on the importance of collaboration. The need to work in partnership with others has been noted by many including Ayallo, 2012, p.66; Howson, 2011, p.132; Levad, 2014, p.198; Milbank, 2017, p.32. Although partnership working with those outside of the church brings risks, as was discussed in earlier chapters, it also brings with it significant benefits and opportunities for the church. This fact is increasingly being recognised, with the result that amongst churches there has been a noticeable 'increase in partnership working' over recent years (Sefton and Buckingham, 2018, p.29).

Collaboration is a naturally barrier-breaking activity. It also helps the church in its attempts to discern the signs of the times as those already working in areas concerning social and criminal justice often have a much deeper understanding of the real issues facing people in our communities and of the injustices that lie behind them. Graham argues that one of the roles of public theology as apologetics is 'to facilitate and nourish collaborative solidarities around shared common moral tasks' (2017, p.146). This suggests that collaborating with other groups is something which churches and individuals should be proactive about and prepared to take a lead in rather than only responding when invited into collaborations. Collaborating this way around fourth mark of mission issues could also present new opportunities for social action and justice – new opportunities which would be based on a deep knowledge of

the real needs of a community rather than on the perceived needs and priorities, as can sometimes currently be the case.

Community organizing is one example of a collaborative approach to transforming communities which creates 'common spaces of discourse and political action' (Graham, 2017 p.117). One benefit of working alongside the Citizens UK movement, for example, and others like it, is that they are concerned with enabling the voiceless to have a voice and not only with advocating on behalf of those who do not have a voice. This work in and of itself helps to transform power structures thereby contributing to a more transformative response to justice issues. This form of collaboration also has the potential to contribute to a more comprehensive, innovative and transformative response to justice issues since 'the people who have changed the world have never succeeded by winning over the powerful. Rather, they have done it by stirring the masses' (Percy, 2018, p.3).

As was suggested in the academic section of this chapter, engagement with values is one potential way of participating in dialogue with other groups. This is equally applicable in the realms of practice where it can be a paradigm 'to enrich shared understandings of values that underpin our common life' (Graham, 2017 p.119). Bradstock argues that one of the advantages for other groups of working with churches is that they have a strong values-base (2007, p.79). Naturally, there are also risks involved when seeking to collaborate on the basis of shared values, not the least of which is highlighted by Brown, Pattison and Smith, who note that such an approach can lead to theology being marginalized since 'there is little need to speak



specifically about things theological, or indeed Christian' (2012, p.5). Engagement in values-talk based collaborative activities does therefore need to be undertaken with this warning in mind.

Moving forward, there also needs to be a consideration of the nature of the relationship between the Church of England and groups involved in social justice outreach. Watkins, a Roman Catholic commentator on Church of England pioneering, comments

'that research, with over 12 different church groups involved in "outreach", seemed to make clear that effective mission and evangelisation was extremely difficult for established ecclesial, and especially hierarchical/ clerical, structures, and was far better served by more entrepreneurial lay-led, "in the world" groups... at the same time, it also could be seen that the most sustainable and effective of these more entrepreneurial groups intentionally founded their work on both traditional spiritual/liturgical practice and thinking from the longer, inherited traditions. (2019, p.7).

An approach that honours all that people already do in their lives, and which supports them in their ability to do this by grounding it in faith, would help to strengthen confidence in individuals' own response to justice issues. This approach accords well with the philosophy and theology behind the '*Setting God's people free*' report which 'looks beyond and outside Church structures to the whole people of God at work in communities and wider society - not to 'fixing' the institutional Church (Archbishops' Council, 2017, p.1).

## **Learning from other denominations**

Having thus far considered a number of different points of intervention, it is necessary, to advocate a further potentially fruitful avenue of exploration. This collaborative approach consists of considering and reflecting on what other work in this area is being undertaken by churches of other denominations. Other churches have suggested and adopted a range of practical responses to criminal justice issues, some of which are more radical than others. The Evangelical Lutheran Church of America (ELCA) calls for a comprehensive suite of responses including prayer, advocacy, campaigning creatively for system reform, the creation of appropriate liturgies, and a preferential hiring for ex-offenders (ELCA, 2013, p.42). Oasis church has recently been appointed by the Ministry of Justice to run an education-focused alternative to youth jails in a secure centre in Kent. This is seen by leadership as a 'great opportunity for us to show that a Christian ethic, a Christ-centred ethic produces a different result' (Preston, 2019). SPAC Nation is an example of a radical church run by former gang members who seek to turn people away from gang culture to Christ, and who are prepared to offer mentoring to young people and to invest considerable sums of money in offering them a different way of life. These three brief examples serve to demonstrate that the development of more transformative Christian responses to criminal justice is a possibility. Whether any future transformative Anglican response will, or should, encompass any of these aspects remains to be seen. Engaging with these different responses, even at a theoretical level, has the potential to inform the development of a transformative Anglican approach to justice issues.

## **Learning from best practice**

When mapping the current Anglican response to criminal justice issues earlier in the thesis, it was evident that there are a small number of initiatives which could point to ways forward for the church in this area. Learning from current best practice is a means of strengthening future approaches to criminal and social justice issues. The model that will be examined briefly here is the Clewer Initiative.

The Clewer Initiative engages in anti-modern slavery work, an area of engagement which has strong links with organised crime. This initiative stands out as a shining beacon within the field of the current Anglican response to criminal justice issues as is evidenced through its initial overview of what it does and how. The church, being at the heart of communities, should take a lead on issues such as slavery, by operating across levels from national, through diocesan to parish level, in schools, and by encouraging individuals to become involved through downloading the Safer Car Wash app and being aware of those most at risk of slavery. The Clewer Initiative works collaboratively in partnership with wider faith networks and many secular agencies, including the police (Clewer Initiative website).

This response to an issue which links criminal and social justice meets many aspects of our definition of a transformative response. It is holistic, prophetic, incarnational, collaborative, open, dialogical, and has a particular emphasis on giving a voice to the oppressed. It operates at every level of church and society – from national to diocesan, community, parish and individual levels. Through this extensive approach, it links the second, third and fourth marks of mission by providing resources to raise

awareness of, and confront, modern slavery in communities, whilst also partnering with other national groups seeking an end to modern slavery which gives it a voice at national level conversations around this issue.

Of course, when arguing for this to be viewed as best practice in this area, it is necessary to discern the actual impact that this initiative has had. Founded in 2016, the Clewer initiative is a relatively new project, and there has therefore been little research into its real-life impact. However, it was reported in early 2019 that the nationally available Safe Car Wash app had been downloaded over 8000 times in its first five months, and had generated over 2200 reports which identified 900 cases of suspected modern slavery (Strangwayes-Booth, 2019). This indicates that the initiative has had an impact already in one area of its work and there is evidence of other aspects of its engagement also bearing fruit, particularly work in parishes and schools across the country. Even with this limited evidence, the extensive scope of its activities, along with its emphasis on partnership working to give a voice to the oppressed, is sufficient to consider this initiative as an example of best practice for our purposes.

### **Ethnographic Research**

This dissertation has conducted a preliminary mapping exercise of the Anglican response to criminal justice issues. As was noted in previous chapters, there are methodological limitations to the approach adopted for this mapping exercise. It is reliant on up to date and accessible information being available in the public arena. For an exploratory exercise in mapping an overview of this subject area, this

approach has been sufficient. However, future ethnographic research would undoubtedly uncover a significantly more extensive and nuanced response to justice concerns than has been uncovered here. This research could be conducted at numerous different levels: diocesan; deanery; or parish, and would enable a greater understanding of interplay between the formal and informal responses to justice matters that exist in the church today. This would, in turn, provide a sound foundation for developing a more transformative approach to these issues.

### **Summary**

This section of the thesis began by revisiting our definition of a transformative response. A number of possible interventions have been proposed that could assist in developing a more transformative response to justice matters. Some of these involve engagement with criminal justice issues specifically whilst others are more broad in their outlook, or require that a step backwards be taken in order to strengthen engagement with the fourth mark of mission and facilitate a greater understanding of the prophetic calling of the church. Various themes have come to the fore, particularly the need for collaboration, the potential benefit of engaging in values-based approaches, and the importance of training and education. Ultimately, this section has demonstrated that there are numerous ways in which a transformative Anglican response to criminal justice issues could be further developed in the future.

## **Conclusion**

### ***Summary of research findings***

The first part of this concluding section will summarize the findings of this thesis and consider the potential impact of these findings, before moving on in the second section to outline three possible future paths for research that could ultimately lead to the development of a more transformative response to criminal justice issues.

It is essential not just desirable for the Church of England to be in a position to develop a coherent and transformative response to contemporary criminal justice issues. The reasons for this urgency are numerous, including: the continuing penal crisis which is symptomatic of the unjust nature of significant elements of the criminal justice system; the recent escalation of punitive approaches to criminal justice which ignore the social causes of crime and seek to demonize offenders; the absence of other voices which can offer an overall vision for a just society; and the need for the development of moral rather than instrumental arguments as grounds as the basis for the transformation of the CJS.

There are several grounds for a justification of an Anglican engagement with criminal justice matters, a significant one being the fourth mark of mission and its call to 'transform unjust structures of society'. Although the church has a mandate to engage with justice issues, the mapping exercise conducted in chapters two and three highlighted the fact that the current response to criminal justice concerns is fragmented and limited in scope. The Church of England's ability to develop a transformative response is seriously curtailed by a number of limiting factors which

are both internal and external to the church itself. Some of these barriers to engagement will require innovative approaches to be developed. Whilst the importance of the academic response should not be underestimated and urgently needs to be continued and strengthened, it is at a more practical, ecclesial level where there is currently most potential for developing a more transformative response to criminal justice issues – despite the challenges faced in parishes.

When the research question for this thesis was conceived, it was originally assumed that it would be relatively straightforward to identify some points of intervention that could contribute to the development of a more transformative response to criminal justice issues. However, in the course of the research undertaken for this thesis it became apparent that it may be necessary to take a step further back and, instead of seeking initially to develop more transformative responses to any individual issue of injustice, it is first necessary to work on strengthening the church's overall engagement with the fourth mark of mission. Developing a transformative response to criminal justice issues will take a significant amount of time and effort as there does not as yet appear to be a firm foundation on which to build this response. Nevertheless, a number of potential interventions have been outlined which could contribute to the development of a more transformative response. The next section will now propose a number of future directions for research which could also facilitate such a response.

### ***Directions for future research***

As might be expected, given the relative lack of research in this area, there are a number of possible directions for future research, only three of which will be mooted here. These approaches have the potential to contribute to the formulation of transformative responses to criminal and social justice issues.

### ***Engagement with criminological theories and findings***

The scope for theologians engaging in original research with criminological theories and findings is enormous, given the fact that thus far there has been only a relatively small amount of research undertaken in this area. Identifying which criminological theories, findings, or indeed, criminologists might offer the most fruitful engagement is not a simple task and requires some preliminary knowledge of the subject field. There are some obvious candidates, for example, the theory of collective efficacy which is defined as 'the process by which a sense of community, social networks, and institutional resources are mobilized in such a way as to lessen crime' (Reid and Pell, 2015, p.324). Conducting research into the potential role of the church in contributing to this process, and thereby putting this theory in dialogue with the theological theory underpinning asset-based or community organising approaches to mission could offer benefits to the academy and the church as it has the potential to critique and strengthen both missiological and collective efficacy theories to the benefit of all parties. This research could generate novel research questions as theological and criminological understandings inform, critique and challenge each other. It could also strengthen understandings of the role of the local church in contributing to the lessening of crime in communities.



### *Best practice*

As was suggested above, learning from current best practice is a helpful approach when considering how to develop and/or implement innovative interventions. Whilst the Church of England's engagement with the fourth mark of mission is, on the whole, under-developed and lacking in coherence and comprehensiveness, its engagement with the fifth mark of mission 'striving to safeguard the integrity of creation' is significantly more coherent and comprehensive. Consequently, conducting research into the way in which the church responds to environmental issues has the potential to illuminate and inform future responses to criminal and social justice issues.

A brief exploration of the Church of England's engagement with environmental issues, conducted through internet research, indicates that it offers a wide range of approaches and initiatives that, when considered as a whole, have the potential to contribute to a transformative response to environmental concerns. The Church of England's main website has multiple pages of resources available for those interested in seeking guidance on how to approach environmental issues and thus provides a strong lead for dioceses, parishes, and individuals who are interested in formulating a Christian response to environmental concerns.

Although there is some overlap between climate and social justice, it must be acknowledged that a response to a global crisis that threatens the future of the planet will be of a different nature and scope from 'lesser' crises such as the penal crisis, or from some of the apparently 'intractable' problems of social and criminal justice.

Nevertheless, there is learning to be gained from researching more deeply into the Church of England's response to environmental issues: the development of the response; the theologies that underlie it; the practices and structures that support and sustain it.

### *Action Research*

Another option would be the implementation of an action research project which would include a deep ethnographic study of a small number of parishes, in different contexts, that have different approaches towards social justice/fourth mark of mission. This study would have the aim of identifying the different theologies, missiologies, ecclesiologies and values which underpin these different approaches, as well as other factors that currently inhibit engagement (e.g. time, resources, lack of awareness or confidence in this area) or, indeed, that facilitate it. This learning would enable a greater understanding of the various dynamics at work and, consequently, would help in identifying approaches that might work to foster greater engagement. Following a period of reflection on the findings and identification of those factors that limit engagement, one or more interventions would then be devised and implemented in the parishes with the aim of strengthening understanding of, and engagement with, the fourth mark of mission. Material based on criminal justice issues could be employed as one of the interventions. The results of the intervention would then be analysed and reflected on.

Employing action research as a methodology is a good choice for a research project which seeks to have an impact on practice. It is advocated as a useful methodology

for those 'who are interested in researching their practice or solving a problem and researchers who have an interest in what can be learned from practice' (Cameron et al, 2010, pp.36-37). Having identified that engagement with the fourth mark of mission is currently limited, research into how that manifests in practice and how the response might be strengthened requires a methodology such as action research. Reflection on interventions, practices and outcomes forms an integral part of the research process in action research and thus can also be viewed as working to break down the divisions that sometimes exist between action and reflection.

Action research also has the capacity to overcome some of the barriers between theory and practice, academy and church, and is always 'generative of new knowledge' (Greenwood and Levin, 2006, p.99). Theological action research aims to assist 'organisations in defining and seeking new ways of taking up their mission amidst a rapidly changing and increasingly secular, post-modern and post-Christian society. In addition, theological action research makes a particular contribution to academic theology, especially ecclesiology, in enabling the voices of theology 'on the ground' to become active parts of the theological discourse" (Theology and Action Research, 2020). These voices on the ground are not always heard in the lofty realms of academic theology so enabling them to be heard could also (possibly mischievously!) be argued to be aligned with one of the aims of a public theology: enabling those without a voice to be heard! One of the findings of this thesis is that the reasons behind the relative lack of engagement with the fourth mark of mission are currently not sufficiently well understood. An action research project which engages operant theologies, identified in the actual practices of groups, will enable a

clearer understanding of the ordinary theologies and values that lie behind engagement or disengagement with social justice issues. These findings could then be used to inform some aspects of academic theological engagement in this area, and contribute to shaping any future response to justice issues.

### **Closing comment**

It is essential that the Church of England works towards the development of a more transformative response to criminal justice issues. This will no doubt be a time-consuming and challenging process, requiring a combination of patience, determination and effort as well as creativity and inspiration. If the challenge should appear too great or too lengthy, remembering the underpinning motivation – to contribute to the formation of a just criminal justice system, and indeed society, which is not based on exclusion and in which nobody should ‘literally feel terror’ – should be sufficient to refocus the mind.

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