

## **Giving prisoners a chance for a new start**

*Declaration of the General Synod of the Protestant Church  
(Lutheran Church and Reformed Church) in Austria  
on crime and criminal justice*

**The Protestant Church has been involved in the prison system in many ways, dealing with victims, offenders and their relatives. As the Church offers pastoral care and charitable activities (via its organisation *Diakonie*), it is particularly alert to developments in crime and criminal justice, and wishes to state in that regard:**

1. The Protestant Church takes sides with and raises its voice for those who are excluded from society, are powerless or become silent. Therefore, the Church is close to victims of criminal offences and their relatives as well as offenders and their relatives, and cares for all of them in accordance with the principle of reconciliation in truthfulness and justice.

2. Victims of criminal offences and their relatives require the protection and support of society and the church to restore their personal and social dignity. Anyone who suffers psychological, bodily or material damage must not be left begging for help. It is the responsibility of the state and all social organisations to approach people who might require help and offer it to them.

3. Everyone who has brought guilt upon himself or herself is also in a situation of personal crisis and social exclusion. Therefore, the Protestant Church asks all responsible entities and persons to see criminal offenders who are being detained as human beings who need a chance for a new start and a life on new terms.

4. In the opinion of the Protestant Church and many experts, the present criminal justice system does not provide real prospects for the future to the people concerned. Every prison sentence also results in massive damage to persons, their social situation and their environment. It is observed with great concern that after having been released from prison, prisoners have too little prospects of, and motivation for, an independent life free from further sentences.

➤ In particular, there is a lack of sufficient public relations activities, and of offers of help and the willingness to enable prisoners to find suitable jobs and accommodation after their release. The aim must not only be to prevent further criminal offences, but also to enable prisoners to lead a life in independence, dignity, tolerance and joint responsibility.

➤ There is also a lack of sufficient possibilities to supervise offenders with mental health problems during and after their imprisonment or confinement in an institution for such offenders, dangerous re-offenders, or addicted offenders in need of rehabilitation, provide medical treatment and therapies to them, and support them on their way to leading a life of the greatest possible personal responsibility.

➤ We fear that further austerity measures will be imposed on the prison sector, favouring a system that simply locks prisoners away while making the treatment of prisoners more difficult, and also placing considerable strain on the motivation of prison staff.

5. In particular, the Protestant Church is committed to those who, as the relatives of offenders, become innocent victims of the massive restrictions imposed by criminal law. Through the help offered to relatives in its parishes and by means of its pastoral care and charitable activities, the Protestant Church has experienced that the state and the law focus too little on how these persons are affected.

6. Regarding criminal justice, the Protestant Church is committed to the following ethical principles:

- A stronger focus on the future instead of the past, as previously
- A purposeful focus on the system instead of the limited focus on the offenders
- A holistic focus on personalities instead of the criminal-law focus on offences
- Greater security for society thanks to successful measures for re-integration

7. Therefore, the Protestant Church sees the need

- to take a comprehensive view of the persons affected by criminal law; that means settling criminal offences out of court wherever possible, thus opening up opportunities for repairing the harm caused and reconciliation, and focussing on the future (sentences are not retaliation but create stability of the law);
- to publicly object to any kind of stigmatisation, any kind of call for stricter sentences as a cure-all, and any neglect of the presumption of innocence.
- to introduce innovative legal provisions for coping with guilt better and faster, as is already possible now in principle by means of diversion and early conditional release;
- to ensure better living conditions and job opportunities from the first day of imprisonment, because the first day of imprisonment is the first day of a successful release;
- to establish better cooperation between detention centres, interpreters, court experts and courts in passing judgments and in the case of conditional release;
- to reduce the number of persons imprisoned as far as possible;
- and to ensure staffing levels that guarantee better care of prisoners.

*Translation by Bettina Rittsteuer – with many thanks!*