

Should criminals be
rehabilitated or
punished?



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'Two thirds of prisons in England and Wales are overcrowded, Government figures have revealed' ^[1]. This statement sparks the debate as to whether prisoners should be released following rehabilitation, to solve the problem of overcrowding in prisons. However, this is only one of the myriad of reasons why a prisoner should be rehabilitated. Another is to address the problem of why the individual has ended up in prison in the first place- is it their mental state of mind? For example, drug use, physical and emotional abuse and poverty are all factors that lead to this. Is it fair to impart blame on them for the crime that they have committed if there is a correlation between their unhealthy state of mind and their crimes? The criminal will therefore have an emotional detachment to the community and hence doesn't care what their actions may cause, so they must be rehabilitated; gaining skills that they are able to use in the workplace and this in turn will reduce recidivism.

Rehabilitation by definition is 'to return someone to a good, healthy, or normal life or condition after they have been in prison, been very ill, etc.' ^[2] Therefore if prisoners are to be released into society, it must be safe for the public, and hence they must be rehabilitated as well as to reduce recidivism. Punishment can be defined as 'the infliction or imposition of a penalty as retribution for an offence.' ^[3] Punishment is used as a deterrent for criminals reoffending and as compensation to victims and their families, but is it really effective? Should we be looking at the bigger picture and seek out what is beneficial to society? Should the level of crime affect whether the criminal is punished or rehabilitated? Can a murderer be rehabilitated or only a petty thief?

It may be better to rehabilitate prisoners to improve their mental health, learn from their mistakes and eventually be able to return to society. We need to ask the question why individuals have ended up in prisons in the first place and what led them there. It is a necessity and not a luxury that prisoners should be offered medical treatment if they are unwell- it is only humane after all. Just because a physical symptom cannot be seen, doesn't mean there isn't a psychological problem present, preventing them from connecting with society and leading a normal life. This emotional detachment from society leads to them committing crimes and not caring of the consequences of their actions to others in society. The underlying causes are complex. ' Poverty, parental neglect, low self-esteem, alcohol and drug abuse can be connected to why people break the law. Also, some are at greater risk of becoming offenders because of the circumstances into which they were born.' ^[4] According to the US department of Justice, it says ' today, somewhere between 15-20% of people in prison are mentally ill'. ^[5] If these mental health issues were addressed in prison, the offender would be able to understand the crime they have committed, and learn from it, allowing them to progress and be rehabilitated; gaining skills for the workplace to better equip them to rejoin society. ' Of those who took a full length rehabilitation course, 83% fewer returned to jail within a year, in contrast to a group of men who did not partake in the programme.' ^[6] The poll taken of prisoners reoffending after a rehabilitation course is a solid confirmation that addressing the underlying problem of the offender has a positive effect. It reduces the effect of recidivism and also helps the offender

become a normal member of society and can relate to others in the community and so care for them. So I believe that rehabilitation is key.

It is important to rehabilitate prisoners for the safety of the community. '95% of individuals sentenced to prison eventually return to their communities- they will become your neighbours'. [7] Therefore it is vital that the community feels safe and is safe and this can only be achieved by rehabilitation and the offender has a healthy state of mind as a result. Martin Luther King Jr said 'darkness cannot drive out darkness; only light can do that. Hate cannot drive out hate; only love can do that'. [8] This statement shows that an offender that has committed a crime should not just be punished and left to rot in a jail, but you can show them love by caring about their wellbeing and this is through rehabilitation. 'By fixing the route of the problem, being the psychological behaviour, then crime would significantly decrease'. [9] This statement shows that rehabilitation is the only way to achieve this as the offender will understand the crime he has committed and feel remorse. This in turn will make the community feel safer if the offender is sorry for their crimes. Safety is of the utmost importance to society. Without it we would be scared to leave our homes and it is understandable as tax paying and law abiding citizens, that people have the right to refuse criminals from rejoining society. However, morally we have an obligation to society to help people such as those who are mentally ill, so rehabilitation is a way to do this.

Despite these viewpoints, some believe that those who have committed crimes should be punished rather than rehabilitated. 'It is important for

prisoners to understand that they're in prison because they committed a crime and are there to reform.' ^[10] Ultimately criminals are imprisoned to reflect upon what they have done and to punish them, in order to prevent them from making the same mistakes again which would subsequently bring them back to prison.

A main reason behind why they should be punished is for compensation and a sense of justice for the victims and their families. In my opinion this can be seen as a positive argument, as giving criminals a sentence in prison would improve society's faith in the criminal justice system, making them feel safer. ' 70% according to one study, especially crime victims, feel that punishment is the primary function of prison. If prison were to be changed around to focus on rehabilitation, then victims may feel that the criminals who are being treated too leniently, considering what they had done'. ^[11] This statement shows that most crime victims can only ' see' the crime committed and not the person who has committed the crime; why the person committed the crime in the first place. This is especially true of severe crimes

of murder. ' Depending on the severity of the crime, the offender's sentence should match' ^[12] , which means that a larger sentence would be given to a criminal that has committed murder, compared to one who has carried out a petty crime. This is a fair system and again also serves as compensation for those affected by the person's crime. However, simply putting criminals in prison for the duration of their sentence is not particularly effective, ' as 68 percent of prisoners return to prison after released, the problem does not lie

in the lack of punishment, but rather a lack of rehabilitation.' ^[13] It is understandable that the victims and their families feel anger towards the offender and wants just punishment. However, there may be underlying issues, such as mental health that has made him commit a crime, and these need to be addressed, especially with the overcrowding of prisons. The criminal will most likely be released into society and it is on the society's best interest to rehabilitate them to make it safe for the community.

I carried out my own research online to find out the views of my teenage peers, on rehabilitation against punishment, and within 24 hours received the results: 67% agreed with rehabilitation, whilst 33% supported punishment. These results show that the young generation believe in rehabilitation, and furthermore understands that an offender is complex and requires help. Only by attaining help can they rejoin and benefit society. However approximately a third still believe in an 'eye for an eye', and that prison is the way to punish a criminal with no future of change. These results are promising, as it implies that the future generation understands that there are many factors contributing to the way a person behaves, and an incorrect upbringing, exposure to drugs and alcohol and poverty gives an offender the worst possible start in life, and filters down. In the future, I believe there will be more rehabilitation programs in prison, as it has shown to be very effective in reducing rates of recidivism. These programs will be more structured and encourage offenders to view society as their friend and not an enemy.

Rehabilitation is the way forward for the future. Not only will the offender be able to face his mental health issues which may have occurred to no fault of
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his own and give him a second start in life, but also it will largely benefit society as a whole, as the criminal would be rehabilitated to contribute positively to the community. This will also solve overcrowding in prisons, as the rate of recidivism would be greatly reduced. Although rehabilitation helps the offender and society, it does not help the victim or the victim's family, as it does not compensate for the hurt and loss inflicted on them. What would truly compensate them? No form of punishment will be enough. The criminal has already lost their freedom and either their mental health worsens and they leave prison in a worse state than when they entered and so reoffend again, or they can be rehabilitated to better society and no longer be a threat to the public. The aforementioned evidence all point towards rehabilitation of the criminal being a positive step rather than punishment. Nevertheless it is very difficult to be unbiased if you have come across a crime or been a subject of it. Overall, in my opinion I think that rehabilitation is subjective, but the correct course of action in prisons if we are to reduce overcrowding and help humanity better themselves.

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