

Discriminatory prison chaplaincy may be unlawful, paper warns

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The National Secular Society is calling for reform of prison chaplaincy after research found nonreligious prisoners may experience unlawful discrimination.

Nonreligious prisoners are disadvantaged due to a lack of secular alternatives to chaplaincy, according to a [paper](#) published last month.

The paper by Katie Hunt at the University of Lincoln says a lack of appropriate pastoral care for nonreligious prisoners "appears to present a disadvantage to those of no faith".

The research, which focused on men's prisons in England, found chaplaincy operates "in conflict with equality legislation, best-practice guidance and basic moral principles about the provision of care".

This could have legal consequences for the Prison and Probation Service and may also lead to poorer outcomes for nonreligious prisoners, who are less likely to receive the pastoral help they need.

Religious chaplaincy 'off-putting' for non-religious prisoners

In prison, chaplaincy is "the gateway to important secular services and is sometimes the only option for professional emotional support", the paper says.

Chaplains can help resolve practical problems, liaise with staff and family on a prisoner's behalf, refer people to counselling and other facilities, and offer company and conversation. Links between effective pastoral care and desistance suggest unequal access to support may lead to differences in rehabilitative outcomes.

But while chaplaincy is open to all inmates, evidence indicates that religion-based pastoral care is "off-putting" for nonreligious prisoners, who are unlikely to use the service.

Research in 2016 found while 14% of Christians and 11% of those of other religions have used a chaplain, just 4% of nonreligious have done so. Seventy-two per cent of nonreligious respondents were 'unlikely' or 'very unlikely' to want support from a chaplain, although 45% said that they would use a nonreligious equivalent if one were available.

The paper says: "The idea that the pastoral care of prisoners with non-religious beliefs should be done by religious chaplains invalidates those prisoners by failing to recognise that they may need something different".

Prison chaplaincy "dominated" by the Church of England

Fewer than half of all prisoners are Christian and only one in seven is Anglican. Nonreligious people make up the second largest religion or belief group in prisons after Christians.

But the research found in most cases, professional pastoral care is provided "exclusively through the chaplaincy – a religious institution dominated in England by the Anglican Church". It says the Anglican dominance of prison chaplaincy is perpetuated by legislation as "an inevitable consequence of having an established Church", as it accords "special power and privilege" to the Church of England above other religions and beliefs.

The paper says: "When pastoral care services that are vital for the well-being of all prisoners are controlled by and provided through an ostensibly interfaith but structurally Anglican chaplaincy, hierarchies of accessibility and advantage emerge, with non-religious prisoners at the bottom".

The report says these hierarchies extend to pastoral carers. Managing chaplains, who are usually Christian, act as "gatekeepers" who control prisoner access to pastoral care. In some cases, head chaplains have failed to signpost non-Christian pastoral services and have even suppressed them.

No prisons employ nonreligious pastoral carers, and only a small minority have accepted volunteers. Nonreligious pastoral carers have said they work as much as sessional chaplains for minority faiths but remained unpaid. They perceived this as "exploitative, and a marginalisation of non-religious worldviews and the needs of non-religious prisoners".

The report says: "Prison pastoral care is a state-funded service when provided by Christians and a voluntary service when provided by the non-religious".

The report recommends "amendments to both legislation and policy, to narrow the gaps between the religious and non-religious, so that all prisoners have equal access to pastoral care".

NSS: 'Reform of pastoral care long overdue'

The NSS has written to the Ministry of Justice calling for more equitable and inclusive pastoral care in prisons in light of the research.

NSS head of policy and research Megan Manson said: "This research highlights the serious inequalities faced by prisoners who don't belong to a particular religion.

"Chaplaincy is one of the few practical sources of pastoral care in prisons. Yet while Christians and other religious groups' needs are catered for, there is a gaping lack of services for the increasing number of nonreligious inmates. As the report says, this may even amount to unlawful discrimination.

"Unfortunately, we see this problem throughout chaplaincy programmes in other institutions too, including the NHS and the army, where the needs of nonreligious individuals are routinely overlooked.

"If there is value in this form of pastoral care, it must surely cater to the needs of nonreligious people too. A reform of pastoral care in prisons and other institutions is long overdue."

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